

Development Management Sub Committee

Wednesday 9 November 2016

Application for Approval of Matters Specified in Conds 16/02621/AMC

**At Granton Harbour, West Harbour Road, Edinburgh
Approval of matters specified in condition 2 of outline
application 01/00802/OUT covering siting and height of
development, design
and configuration of public and open spaces, access, road
layouts, footpaths and cycle routes (Scheme 2).**

Item number	7.2
Report number	
Wards	A04 - Forth

Summary

The principle of mixed use development at Granton Harbour is supported. It accords with the development plan and the outline planning permission 01/00802/OUT approved in June 2003. However, a number of detailed aspects of this application are unacceptable.

On 17 August 2016, Committee approved two master plan applications for Granton Harbour - 14/05305/AMC for the whole site and 16/01273/AMC for the local centre on plots 12, 14, 15, 15A, 16 and 17. These applications were considered acceptable in principle but raised a number of issues which meant that the siting, height and layout etc for a number of plots could not be approved. Conditions and informatives were attached to explain the extent of approval given.

This application brings together the proposals submitted under 16/01273/AMC and 14/05305/AMC and makes a number of further revisions to the overall master plan. The changes proposed in this application have been assessed and are mostly unacceptable. The concerns raised in the previous two applications also remain valid and, as a result, while the principle of development is still supported, the detailed proposals for the following plots are not.

- Plots 12, 14, 15, 15A, 16 and 17 (the local centre)
- Plots S1 and S2
- Plots 7B, 8B, 8C, 9A, 9B and 35

A master plan with so many unacceptable elements does not provide an appropriate framework to guide the future regeneration of Granton Harbour. This master plan does not accord with ECLP policy Des 1 because it fails to provide an overall design concept which promotes good quality place-making and design. Individually and cumulatively, the proposals are contrary to a number of design, amenity and waterfront policies in the Edinburgh City Local Plan and Edinburgh Local Development Plan as modified. The proposals would not contribute to sustainable development and therefore are not supported by Scottish Planning Policy.

It is recommended that this application is refused because the master plan is contrary to the Edinburgh City Local Plan, the Edinburgh Local Development Plan as modified and Scottish Planning Policy. Refusal of this application has no impact on previous master plan approvals and does not prevent proposals coming forward on individual plots across Granton Harbour.

Links

[Policies and guidance for this application](#)

LPC, CITWA1, CITD1, CITD2, CITD3, CITD4, CITD5, CITD6, CITE3, CITE9, CITE13, CITE14, CITE17, CITE18, CITOS3, CITD9, CITH2, CITH3, CITH4, CITH7, CITR4, CITR6, CITEM4, CITEM5, CITT13, LDPP, OTH, NSGD02, NSMDV, NSP, NSOSS,

Report

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Approval of matters specified in condition 2 of outline application 01/00802/OUT covering siting and height of development, design and configuration of public and open spaces, access, road layouts, footpaths and cycle routes (Scheme 2).**

Recommendations

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

Background

2.1 Site description

The site comprises approximately 33 hectares of land to the north of West Harbour Road, Granton Square and Lower Granton Road and is known as Granton Harbour.

There are a number of industrial units on the site. Part of the site is already developed with residential properties fronting Granton Square (plot 2), and within the site to the north of the existing industrial area (plots 4 and 28). The remainder of the site is largely cleared of buildings.

There is an existing canal feature to the north west of the site. The harbour has two basins: the western harbour has been partly infilled and the eastern harbour is used as yacht moorings and is protected by the Eastern Breakwater.

The western harbour is protected from the Firth of Forth by the Western Breakwater/ Esparto Wharf. This was constructed between 1842 and 1863 and is category B listed (reference number: 30219, listed on 28 November 1989). This area is tidal and lies within a designated Site of Special Scientific Interest (SSSI) and Special Protection Area (SPA).

The two harbours are separated by the Middle Pier, a category A listed structure (reference number: 30216, listed on 28 November 1989). The pier contains a stone warehouse (formerly a gunpowder store) that is listed category B (reference number: 30217 listed on 28 November 1989), and Harbour Light, also listed category B (reference number: 30218, listed on 28 November 1989).

Local yacht clubs operate from buildings and boat yards on the Middle Pier.

The application site is not within or adjacent to a conservation area. The site is not a scheduled archaeological site, but is of importance in industrial archaeological terms for the Middle Pier, Western Breakwater, any remnants of World War 2 naval defences, and any surviving railway lines.

It should be noted that the 'Go Outdoors' store annotated on plot 11 is not within the application site boundary.

The Surrounding Area

The Eastern Breakwater is not part of the application site. It is category B listed (reference number: 30220, listed on 28 November 1989). The sea wall and embankment to the east of mid pier are category C listed (reference number: 45651, listed on 16 September 1998).

The site fronts onto Granton Square which creates a formal space at the entrance to the harbour. West Harbour Road is located to the west of the square and contains a number of buildings, many of them listed, related to uses connected with the harbour, including the lighthouse lantern cupola at 22 West Harbour Road (listed category C(S) reference number: 29925, listed on 20 February 1985).

2.2 Site History

20 June 2003 - Outline planning permission granted for the Granton Harbour Village, mixed use development comprising residential units, hotel and serviced apartments, shops and retail/services, restaurants/cafes, public houses, general business, leisure facilities and marina. This permission includes a legal agreement to secure contributions towards education and transportation infrastructure, 15% affordable housing, restrictions on future tenancies within Granton Industrial Estate and the long term maintenance and upkeep of the Western Breakwater (application number 01/00802/OUT).

20 October 2003 - Permission granted for 91 flats at Plot 2 (application number 02/03635/FUL).

29 April 2004 - Permission granted to construct new partial quay wall and landfill along south edge of new harbour (application number 04/00191/REM).

11 June 2004 - Permission granted for the construction of new canals infrastructure (application number 04/00415/REM).

28 July 2004 - Permission granted for the construction of new road, verge, footpath and cycleway infrastructure (application number 04/00696/REM).

1 July 2005 - Permission granted for 295 flats at Plots 4 and 7A (application number 03/01922/FUL).

21 July 2005 - Approval of reserved matters for 131 flats at Plot 3 (application number 04/01662/REM).

5 October 2005 - Approval of reserved matters for 30 townhouses and 6 mews houses at Plot 29 Granton Harbour (application number 04/04630/REM).

21 October 2005 - Permission granted for new roads and related infrastructure at Plots 29 & 30 Granton Harbour (application number 05/00500/FUL).

1 March 2006 - Approval of reserved matters for 73 flats at Plot 30 (application number 05/00228/REM).

18 March 2006 - Approval of reserved matters for 120 flats at Plot 28 (application number 04/03604/REM).

31 May 2006 - Approval of reserved matters for 264 flats at Plots 26 and 27 (application number 04/01661/REM).

12 December 2006 - Listed Building Consent granted for demolition of former transit shed (application number 06/04029/LBC).

14 March 2009 - Approval of reserved matters to discharge the following reserved matters as attached to outline permission 01/00802/OUT (under condition 2): siting and height of development; design and configuration of public and open spaces; access, road layouts; footpaths and cycle routes; existing and finished ground levels in relation to ordnance datum (application number 06/03636/REM).

27 March 2009 - Permission was granted for strengthening works to upper concrete wall forming part of the Western Breakwater (application number 05/01604/FUL).

10 November 2010 - Permission was granted for upgrading Lochinvar Drive; forming a new square (Heron Square), converting, upgrading and extending the Gunpowder Store into a restaurant/bar (application number 08/00098/REM).

30 August 2013 - Previous application to discharge matters specified in conditions as attached to outline permission 01/00802/OUT (under condition 2): siting and height of development; design and configuration of public and open spaces; access, road layouts; footpaths and cycle routes; existing and finished ground levels in relation to ordnance datum was withdrawn at the request of the applicant (application number 13/01013/AMC).

31 January 2014 - Application approved for matters specified in condition 2 as attached to outline permission 01/00802/OUT: covering siting and height of development; design and configuration of public and open spaces; access, road layouts; footpaths and cycle routes. This was subject to a number of conditions including the requirement for a revised flood risk assessment and surface water management plan, no construction of new berths within the marina until the implementation of the Western Breakwater, landscape detailed design to be submitted for plot 12, detailed design of the proposed 4 metre wide cycle track on West Harbour Road/Lower Granton Road, restriction on the height of plot 35, and submission of detailed design of plot 12, reserved matters not including matters in connection with Middle Pier, storey heights being maximum heights, consent being for a maximum number of residential units with each plot having housing number and height being determined at detailed design individually, and residential amenity space not being included. An informative was also added which stated that the new breakwater section to protect the marina would require separate consent from the Council under the Coast Protection Act 1949 (application number 13/04320/AMC).

17 August 2016 - Application approved for matters specified in condition 2 as attached to outline permission 01/00802/OUT: covering siting and height of development; design and configuration of public and open spaces; access, road layouts; footpaths and cycle routes. This was approved subject to a number of conditions and informatives. These included conditions 1 and 2 which indicated that the reserved matters applied for are not approved in respect of plots 12, 14, 15, 15A, 16 and 17 and S1 and S2. An informative sets out the Council's expectations in relation to the provision of affordable housing as detailed applications come forward on a plot by plot basis. (application number 14/05305/AMC)

17 August 2016 - Application approved for matters specified in condition 2 of outline application 01/00802/OUT covering siting and height of development, design and configuration of public and open spaces, access, road layouts, footpaths and cycle routes: Granton local shopping centre Masterplan. This was approved subject to a number of conditions and informatives which indicated that the details of matters specified in conditions, including the siting, height of development, design and configuration of public open spaces, access, road layouts, four storey car park structure, footpaths and cycle routes contained in drawings numbers 2b, 3, 4, 5 and 6 were not approved (application number 16/01273/AMC).

12 September 2016 - Application submitted for 104 flats at Plot 3, Granton Harbour. Pending consideration (application number 16/04342/AMC)

13 September 2016 - Application submitted for marina office with retail and cafe space, new community boatyard and associated dry stack at Plots 8A and 8B, Granton Harbour. Pending consideration. (application number 16/04409/AMC)

Main report

3.1 Description Of The Proposal

The purpose of the current application is to discharge a selected number of reserved matters which were attached to the outline planning permission (application number 01/00802/OUT) under condition 2. These are:

- Siting and height of development;
- Design and configuration of public and open spaces;
- Access and road layouts; and
- Footpaths and cycle routes.

The same matters were approved in 2009 under application 06/03636/REM (with the exception of existing and finished ground levels in relation to ordnance survey datum), in 2014 under application 13/04320/AMC and in August 2016 under application 14/05305/AMC and application 16/01273/AMC (for part of the site). If approved, this application will provide a revised Masterplan to guide the redevelopment of Granton Harbour. Whilst the applicant is the main landowner at Granton Harbour, the application also covers sites in the ownership of others.

The application drawing shows that the proposed buildings on Middle Pier are indicative only and are not part of this application. Listed building consent is therefore not required at this time.

The plans show an indicative layout of the proposed marina both within and outwith the application site boundary. Separate approval will be sought for these in due course.

How this Application relates to the recent Masterplans (14/05305/AMC and 16/01273/AMC)

Permission 14/05305/AMC covers the whole of Granton Harbour subject to a condition which states that the proposals shown for Plots 12, 14, 15, 15A, 16 and 17 are not approved. Permission 16/01273/AMC relates to these six plots and approves the principle (but not the details) of the local centre. When comparing this application with the previous master plans, 16/01273/AMC provides the context for the proposed local centre and 14/05305/AMC covers the rest of the site.

Number of Residential Units and Affordable Housing Provision

The revised Masterplan reduces the number of residential units from 2,102 to 1,962. The main changes are

- Plot 8C now shows 23 houses instead of 37 houses
- Plots 9A and 9B now shows 72 retirement flats instead of 72 family flats
- Plot 35 now shows 128 serviced apartments instead of 128 flats

Affordable housing is shown on nine plots; these are plots 19A, 20B, 22, 23A and 23B which are currently in the applicant's ownership and plots 3, 4, 7A and 28 which are not owned by the applicant. The total number of affordable housing proposed is 318 of the total number of residential properties which equates to 16%.

The legal agreement attached to the outline permission requires 15% affordable housing provision distributed across six locations.

Retail, Leisure and Commercial Uses

There is no change to the amount and distribution of these uses from the master plans approved in August 2016 (application numbers 14/05305/AMC and 16/01273/AMC). A total of 8674 sqm retail, 4755 sqm commercial/business and 4488 sqm leisure uses are proposed mainly concentrated in the local centre located in the south eastern section of the site.

Marina and Hotel

To the north of the site, a new marina which could accommodate up to 400 berths is proposed in West Granton Harbour. A community boat yard incorporating open boat storage and a dry dock are proposed next to a marina office building on Plots 8A and 8B. The configuration of the uses on this site has been changed with the dry dock now shown on the southern boundary.

To the west of the marina, on plot 35, is a proposed hotel including serviced apartments and residences and an apart-hotel. There is now no general housing proposed on Plot 35.

Car Parking Provision and Open Space Provision

The number of car parking spaces across the entire site is proposed to decrease slightly from 3,738 to 3,486. Car parking is not included as a reserved matter to be approved as part of this AMC application. However, it is not possible to consider the siting and height of development without having regard to the level of car parking proposed.

Information has not been provided on the total amount of open space proposed. However the amount and distribution of open space would appear to be similar to the previous master plans. One notable change is to the layout of plots 9A and 9B which results in the loss of the proposed public square and replacement with a strip of open space.

Height and Siting of Development

There are no height changes from the previous two master plans (14/05305/AMC and 16/01273/AMC). There are no changes to the siting of development within the proposed local centre when compared to permission 16/01273/AMC. On the remainder of the site, changes are proposed to the siting and layout of Plots 7B, 8A, 8B, 8C, 9A, 9B, and 35.

Access, Road Layouts, Footpaths and Cycle Routes

There are no changes proposed from the previous two master plans in respect of access, road layout, footpaths and cycle routes

Scheme 1

The proposed master plan has been amended during the course of the application.

Changes were made to increase the affordable housing provision with additional affordable housing now shown on plots 3, 4, 7A, 20B and 28. The siting and height of development on Plots S1 and S2 were also amended.

Supporting Documents

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

- Transport Information;
- Accessibility Diagrams;
- Retail Assessment; and
- Retail Sketches.

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.

In considering whether to grant consent, special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. For the purposes of this issue, preserve, in relation to the building, means preserve it either in its existing state or subject only to such alterations or extensions as can be carried out without serious detriment to its character.

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 proposed uses are acceptable;
- b) The proposal is acceptable in terms of impact on listed buildings;
- c) The siting, height and layout are acceptable;
- d) Transport issues are addressed;
- e) Residential amenity issues are addressed;

- f) Other relevant considerations have been taken into account;
- g) Matters raised in representations have been addressed;
- h) The proposal meets sustainability criteria; and
- i) There are any equalities or human rights impacts.

a) The proposed uses are acceptable

The principle of the redevelopment of Granton Harbour for a mixed use development has been established through the granting of outline planning permission in 2003. The outline permission allows for a mix of uses comprising residential units, hotel and serviced apartments, shops and retail/ services, restaurants/ cafes, public houses, general business, leisure facilities, and a marina.

The conditions of the outline planning permission set the maximum threshold for the quantum of the various uses within the site. The main limitations are:

- residential units shall not exceed 3,396 units;
- commercial/ business space shall not exceed 23,190 sqm;
- public amenity and leisure uses shall not exceed 7,650 sqm; and
- each retail unit shall not exceed 250sqm with the exception of one that shall not exceed 1,500 sqm. There was no limit on the overall amount of retail proposed at the site.

The overall mix of uses accords with the outline permission and Edinburgh City Local Plan (ECLP) policy Wa1 and the Edinburgh Local Development as modified (LDP) policy Del 3. The following sections assess the key elements separately.

Housing

In terms of overall number of residential units, the reduction from 1,980 as proposed in the LDP to 1,962 is contrary to LDP policy Hou 1 which gives priority to the delivery of the housing land supply. However, the outline permission only restricts maximum numbers. On most plots, the actual number of units will only be determined when detailed proposals are submitted and there may be scope to increase the overall housing numbers.

Plot 35 now includes no housing from looking at the accompanying schedule, although the layout remains as agreed by the Committee on 17 August 2016. What is being proposed on this plot is not clear and cannot therefore be supported. The previously proposed 128 flats have been replaced with serviced accommodation and no information has been provided to explain or justify this change. The mix of uses on Plot 35 is therefore not supported.

Across the whole site, the application shows a mix of house types including housing, family flats and retirement flats.

The proposed affordable housing (318 units in total) equates to 16% and is in accordance with the requirements of the legal agreement. On sites currently in the applicant's ownership, 127 affordable units are shown out of a total of 849 which represents 15%. The master plan also shows 191 units on four plots not in the applicant's ownership contributing to the overall affordable housing provision. There remains uncertainty as to whether these proposals can be delivered in full. Plots 4 and 28 are already built with no affordable housing requirement as part of the planning permissions. Plots 3 and 7A have extant planning permissions with no affordable housing requirement. However, a new AMC application has recently been submitted by Port of Leith Housing Association for 104 flats on Plot 3 which, if approved, will provide affordable housing.

Legal advice taken by the Council indicates that, as this application covers the whole of the Granton Harbour, it should address the requirement for 15% affordable housing across the site.

The same issue arose in the consideration of application 14/05305/AMC. In this instance, the applicant confirmed in writing that it intends to fully comply with the terms of the existing section 75 agreement on the sites in its ownership. This application is consistent with the applicant's previously stated intentions. It was recognised that notwithstanding the provisions of the master plan, further detailed AMC applications will be needed for individual plots which will provide the opportunity to secure affordable housing in line with the original legal agreement.

On this basis, it is accepted that this revised master plan could be approved without this matter being fully resolved. Informatives would be required to make clear the Council's expectations that 15% of all residential units should be affordable and that information will be required with further submissions.

Retail, Leisure and Commercial Uses

A retail assessment was submitted with application 16/01273/AMC which supports the level of retail use proposed within the local centre and demonstrates that this will not have an unacceptable impact on the City Centre, Ocean Terminal or other local centres. The retail assessment has also been submitted as a supporting document for this application. The principle of the large retail/commercial/leisure centre on this part of the site is therefore supported. Smaller scale retail and commercial uses are proposed on plots 8A and 19B. These are also acceptable and will contribute towards creating a sustainable place.

Hotel and Marina

The proposed hotel development accords with ECLP policy Emp 5 and LDP policy Emp 10. The new marina is an important element of the proposals in terms of placemaking. It is an opportunity to maximise the attributes of this waterfront location and create a place where people will want to live and visit. This aspect of the scheme is consistent with ECLP policy Ret 6 which promotes Granton Waterfront as a key location for leisure and visitor attractions.

In application 14/05305/AMC, Plot 35 included 128 flats alongside an apart-hotel and commercial/business space based on the accommodation schedule. This proposal is for 128 serviced apartments, 92 residences, and apart-hotel and commercial/business space. While each of these uses is acceptable in principle, as previously stated the proposals here are no longer clear and cannot be supported.

In conclusion, the uses proposed individually and collectively are generally acceptable. One exception is Plot 35 for the reasons explained above and therefore the uses on Plot 35 should not be approved at this time.

b) Setting of the Listed Buildings

The site contains a number of listed structures, notably the A listed Middle Pier and B listed Western Breakwater. All technical details which may affect the listed structures at the Western Harbour and marina remain unchanged from the 2014 and 2016 approvals.

Buildings are not proposed on Middle Pier, and the Masterplan states that any proposed building works are indicative only and are not part of the application. If any works affect the listed structures, a separate application for listed building consent will be required.

The principle of mixed use development was approved through the outline permission (application number 01/00802/OUT). Based on the information provided, there are no aspects of the proposed master plan which would harm the setting of the listed buildings. Further assessment will be undertaken when detailed AMC applications come forward on relevant plots.

In summary, the proposal will not harm the setting of the listed structures.

c) The siting, layout and height are acceptable

Granton Harbour is identified as a Waterfront Area of Change (WAC 2) in the Edinburgh City Local Plan (2010). ECLP paragraph 11.6 states that development should have a strong urban form and scale, generating a permeable and legible perimeter block structure, in which buildings provide some kind of activity to all public ground floor frontages. ECLP paragraph 11.10 supports a network of streets and paths which integrate with adjoining neighbourhoods and draw people to the water's edge. ECLP Policy Wa 1 supports development which will contribute towards the creation of new urban quarters in the Waterfront Area of Change. In particular there is support for the provision of a series of mixed use sustainable neighbourhoods that connect to the Waterfront, with each other, and with nearby neighbourhoods. Similar objectives and principles are included in the LDP as modified.

Proposed Local Centre (Plots 12, 14, 15, 15A, 16 and 17)

There are no changes to the proposed local centre from the previous approval 16/01273/AMC. The assessment of the previous application concluded that there was insufficient information to adequately assess the siting, layout and height details and its approval was subject to a condition which indicated that these matters were not approved. A similar approach is recommended for this application. The application, as submitted, has been assessed on the basis of the information provided and found to be unacceptable for a number of reasons.

ECLP Policy Des 1 states that 'design should be based on an overall design concept that draws upon positive characteristics of the surrounding area to create or reinforce a sense of place, security and vitality.'

The proposed local centre does not represent a comprehensively designed proposal which draws upon the positive characteristics of the site's waterfront location as required by ECLP policies Des 1 and Wa 1. The masterplan layout drawing suggests that the development of the north will be dominated by surface car parking, the gable of two units and a multi level car park. This does not provide a positive perimeter development form and will create a poor quality environment adjacent to proposed residential development and at this gateway location. The proposal will not deliver the ECLP aspiration for a higher density development with an urban character.

The proposal comprises a large commercial development which is not compatible with the vision for mixed use sustainable neighbourhoods. In terms of the proposed leisure uses, the proposal does not meet the requirements of clause a) of ECLP policy Ret 6 which supports high quality design.

The layout of the local centre does not provide satisfactory footpath and cycle connections with the wider area. The proposal incorporates an east west pedestrian route through plot 17 but this route does not extend west beyond the centre. The proposed route terminates in a play area and adjoining a service yard and fails to provide clear linkages with the proposed housing to the west. Good pedestrian and cycle access from the north is hindered by the extent and layout of surface car parking. The proposed layout does not represent a comprehensively designed proposal or achieve a permeable integrated urban form which encourages walking and cycling and is therefore contrary to ECLP policies Wa1 and Des 4.

The multi-storey car park has been set back from the north boundary in comparison with application 14/05305/AMC. However, the proposal is contrary to ECLP policy Des 3c) due to the negative impact of the proposed multi-storey car park on the immediate outlook of the occupiers of plot 4. The proposal does not promote community safety by providing active frontages to more important thoroughfares and is not designed for natural surveillance in accordance with ECLP policy Des 3 f). The proposal does not comply with ECLP policy Des 3 h) as the proposed multi-storey car park and surface car parking is visually obtrusive and not sensitively integrated into the design.

The local centre incorporates two public spaces in the form of an area for public art and an area for play. This application seeks consent for the design of these spaces but no details are provided to demonstrate what would be in these spaces, how the spaces would be constructed, used or managed. It is not clear why they are so extensive and in the locations proposed. While the principle of a space for public art and a play space may be appropriate, there is insufficient information to demonstrate that these spaces are part of a cohesive masterplan, that there is sufficient need for these and that this is an appropriate location, given the relationship to the waterfront itself. It is not appropriate to consent the design of these spaces without any detailed information.

The relationship between Plot 11 (which is excluded from this application but includes part of the service area, some retail units and car parking) and the proposed local centre is unclear. The extensive area proposed for public art and plot 16 are aligned to reflect the retention of the existing shed in plot 11 (Go Outdoors). The proposed layout is more akin to an American shopping mall where the car is the dominant element and takes centre stage in front of the buildings. The proposed plan form does not accord with the general principles of ECLP policy Wa1 which seek to create a broad mix of uses and a finer grain of development nor does it create a logical perimeter block structure.

The height of buildings in the proposed local centre cannot be approved at this time as insufficient information has been submitted. The applicant has submitted a massing diagram which shows the number of storeys but no information on levels or dimensions. Condition 2 (01/00802/OUT) states that detailed plans and sections should be submitted and these are needed to understand how the proposed centre will look and function.

The supporting information submitted by the applicant in the form of street elevation/sketches does not fully reflect the layout drawings for the retail element. The sketches show three storey developments with a pitched roof form. However, the drawings submitted for approval suggest flat roof buildings which will not complement the adjoining buildings or the remainder of the masterplan area. The proposed plans also suggest that the only active floorspace will be at ground floor level. As a result, the upper floors will be dead elevations and provide no opportunity for passive surveillance.

A considerable proportion of the buildings are shown as two storey in height which will not create the strong urban form and scale envisaged in the local plan.

In conclusion and for similar reasons given in the determination of application 16/01273/AMC, the siting, layout and height of the proposed local centre represent a poor design solution and are not acceptable from a placemaking point of view. The principle of the proposed local centre is acceptable but the siting, layout and height are contrary to ECLP policies Wa 1 a) and b), Des 1, Des 3, Des 4 and Ret 6. The proposal is also contrary to a number of design policies in the LDP as modified.

The Remainder of Granton Harbour

Outwith the proposed local centre, the proposed siting, layout and height of development is broadly the same as in the previous approval (14/05305/AMC). The previous application was approved but with a number of conditions restricting the approval of particular plots and/or matters. This was necessary because insufficient information was provided and/or what was shown was not acceptable.

Overall the proposed siting, height and layout of development outwith the local centre accord with the local plan and the LDP as modified and are acceptable. However, as with the previous application, the proposals for Plots S1 and S2 cannot be approved at this stage because of concerns relating to the form and function of open space, access arrangements from West Harbour Road, the road layout and footpaths and car parking provision.

Other siting and layout matters which were not adequately addressed in the previous application and are also not adequately addressed in this application are :-

- The private amenity space and car parking areas for individual plots.
- Development or works relating to Middle Pier.
- Details of a suitable Waterfront cycle/pedestrian route.
- Detailed design of a cycle track along West Harbour and Lower Granton Road.

Conditions were attached in the previous approval (14/05305/AMC) to cover these matters.

In assessing the proposed changes to the siting, height and layout from permission 14/05305/AMC, the following additional concerns have been identified.

Plot 7B - the proposed layout has been amended to show housing adjacent to marina and flats along the southern edge of the plot. The houses appear to be south facing which would be unacceptable in terms of achieving a positive relationship with the waterfront and the quality of street frontage along Heron Parade. Insufficient detail has been provided to properly assess the proposals for this plot. The applicant has indicated a willingness to amend the proposals for this plot to revert to the previous layout.

Plot 8B - the relocation of the dry dock storage to the south west corner of the site raises potential visual amenity and noise impact issues for the proposed housing on Plots 8C and 31. Insufficient information has been provided to properly assess this matter and therefore the proposals are contrary to ECLP policies Des 2 Des 3 and Hou 8. This plot is now the subject of a detailed AMC application (16/04409/AMC) which will allow the proposals for this site to be properly assessed.

Plot 8C - the proposed layout of plot 8C no longer provides a perimeter block urban form which is contrary to the development principles identified in the LDP. The number of houses has been reduced from 37 to 23 with no street frontage proposed to Hesperus Walk to the north. As a result, the proposal also fails to take advantage of the plot's waterfront location. An area of open space is shown with reference to 86 car parking spaces but it is not clear what is intended. The proposed layout change may resolve the potential residential amenity impacts caused by development on plot 8B, but insufficient detail has been provided to properly assess the proposals for this plot.

Plots 9A and 9B - the proposed layout has been amended to remove Hesperus Square, which was intended as a public space in the heart of the development. It is recognised that the concept of this public square was linked to previous master plans which proposed the local centre at this location. The revised layout with a narrow strip of open space along the western edge of the plot and car parking both within the plot and along the eastern edge does not provide an acceptable alternative in place-making terms. The amount of space shown as car parking appears excessive for the proposed retirement flats. Insufficient detail has been provided to properly assess the proposals for this plot.

Plot 35 - the proposed layout of plot 35 no longer provides a perimeter block urban form contrary to the development principles identified in the LDP. Instead an area of "private residential external space" is shown along the western boundary of the plot with reference to 417 car parking spaces. The accommodation schedule refers to 72 of these spaces being provided as surface parking. A sketch diagram was submitted to show what the external space would look like. It shows a landscaped hotel deck with 417 underground car parking spaces with access to the car park from Stopford Lane West. Insufficient detail has been provided to properly assess the proposals for this plot.

The cumulative effect of the proposed changes will reduce the overall quality of the development compared to the previous approval and is contrary to ECLP policy Des 1 Design Quality and Context. Based on the information provided by the applicant, the proposals for plots 7B, 8B, 8C, 9A, 9B, and 35 are not supported.

- The proposals for plot 7B are potentially contrary to ECLP Des 3 and Des 8 in terms of the failure to properly address the site's waterfront setting.
- The proposals for Plot 8B are contrary to ECLP policies Des 2, Des 3 and Hou 8 because there is inadequate information to assess amenity impacts and the site layout may compromise the effective development of adjacent sites.
- The proposals for Plots 8C and 35 are contrary to ECLP policy Des 3 and the development principles in the LDP as modified because the layout is not based on a perimeter block structure and there is inadequate information to assess the impact on the wider townscape and the layout of open space and car parking.
- The proposals for Plots 9A and 9B are potentially contrary to ECLP policies Des 3 because there is inadequate information to assess the impact on the wider townscape and the layout of open space and car parking.

d) Transport Matters

The application seeks the approval of access, road layout, footpaths and cycle routes. There are no changes to these elements when compared to the mostly recently approved master plans (14/05305/AMC and 16/01273/AMC). The same concerns raised in these applications remain relevant.

The application raises no issues in relation to the Tram route and its 'Limits of Deviation' which run along West Harbour Road.

The applicant has submitted a Transport and Movement Framework and a Transport Statement. Taking account of the proposed uses, including a reduction in the overall housing numbers since the 2009 approval, it concludes that there will be a reduction in traffic generation at peak times and the changes will not have a material impact on the external road network. Based on the information provided, these conclusions are accepted. However, the levels of car parking shown (but not formally included) in this application are not supported.

The applicant's Transport Statement states that the parking provision is in accordance with the approved masterplan. This statement is not accepted as the original consent (01/00802/OUT) reserves car parking, and subsequent applications (06/03636/REM, 13/04320/AMC, 14/05305/AMC and 16/01273/AMC) did not seek permission for car parking.

As approval of car parking numbers is not specifically being applied for, it is not appropriate to approve extensive surface car parking and a multi-storey car park. The availability of car parking is a major influencing factor in how people choose to travel. The major regeneration of this area is based upon suitable future accessibility of good walking and cycling facilities and public transport. The level of parking shown within the local centre is not compatible with the Council's Transport Strategy.

The accommodation schedule submitted by the applicant shows a number of residential plots with more than 100% car parking provision, for example plot S1 147 spaces for 87 units, plot S2 362 spaces for 240 units and plot 8C 86 spaces for 23 units. In addition, a total of 471 car parking spaces are proposed on Plot 35. Car parking provision cannot be assessed until information is available on housing size and tenure. However, the levels of car parking shown appear excessive and will have implications for the design and layout of plots and provision of amenity space.

As indicated in section 3.3), the proposals do not complete the relevant section of the waterside Edinburgh Promenade cycle/pedestrian route as required by the LDP as modified. Further information is also needed on the detailed design of a cycle track along West Harbour and Lower Granton Road. In the previous applications, these matters were dealt with by condition.

In conclusion, this application raises similar issues to the previous applications. The proposal is acceptable in principle but the details do not accord with the ECLP Waterfront General Principles which seek development which reduces the influence of the car and encourages walking and cycling. The detailed elements of the local centre do not accord with ECLP policy Tra 6 and the Second Proposed ELDP Tra 4 because the siting and design of the proposed multi storey and surface car parking are unacceptable.

e) Residential Amenity

The amenity of existing and future residents is a consideration including those that live within and adjacent to the site. This includes existing flats (plots 2, 4, and 28) and also a number of plots that have been consented for residential development. There is also existing housing to the south of the site, in the vicinity of Granton Square. It is difficult to properly assess impact on residential amenity at master plan stage. However, a number of issues have arisen in relation to this application.

ECLP Policy Des 3 seeks to protect the privacy, daylight, sunlight and immediate outlook of occupiers or neighbours. The applicant submitted solar studies with previous AMC applications for plots 4 and 35. These demonstrated that there will be no adverse overshadowing to nearby property except during the winter months at both plots 4 and 35. The layout changes to Plot 35 would mean that there is now no overshadowing onto Plot 29. However, the mix of uses now proposed on Plot 35 may have an unacceptable impact on residential amenity.

No supporting information has been provided to assess the impact of the proposed three storey leisure building on Plot 12 on the adjacent housing site (plot S1). The proposed three storey structure would cast a substantial shadow over any adjoining residential units or garden grounds.

The proposed multi level car park, surface car park and blank facades of the proposed structures at the northern end of the local centre will have a significant impact on visual amenity of the residents living in plot 4 and is therefore contrary to the ECLP policy Des 3 c).

The outline planning permission to which this proposal relates included conditions requiring a noise assessment and noise protection measures based on an open windows scenario to be submitted to protect the proposed residential development from existing and commercial activities. In addition, a condition was added to control any floodlighting at the site. This will ensure that no development can take place until it is shown that residential amenity will be protected in accordance with ECLP policy Env 18 and LDP as modified policy Env 22. The conditions attached to the outline permission will continue to apply.

Environmental Assessment has stated that should permission be granted, the phasing of development should have regard to existing or proposed noise sensitive receptors.

Environmental Assessment has expressed concern regarding the air quality impact of the proposed car parking levels. Although this application shows a slight reduction in the amount of car parking from the most recent approvals, levels still remain high. Environmental Assessment recommends a condition on the provision of electric vehicle charging points, if the application is approved.

In terms of amenity spaces, ECLP policies Os 3 and Hou 3 seek to ensure there is adequate provision for open space. The amount and distribution of open space would appear to be similar to the previous master plans but insufficient detail has been provided. More detail on open space provision is required to enable a full assessment.

f) Other relevant considerations have been taken into account

Scottish Planning Policy

Para 33 of Scottish Planning Policy (SPP) states that where relevant policies in a development plan are out-of-date or where a development plan is more than five years old, then the presumption in favour of development that contributes to sustainable development will be a significant material consideration. Decision-makers should also take into account any adverse impacts which would significantly and demonstrably outweigh the benefits when assessed against the wider policies in this SPP.

The Edinburgh City Local Plan was adopted on 28 January 2010 and is therefore now more than five years old. The policies relevant to this application are not out of date as evidenced by the fact that there are almost identical policies in the LDP as modified (September 2016).

However, in order to accord with SPP, it is necessary to consider whether the proposal contributes to sustainable development. To do this, reference is made to the principles set out in paragraph 29 of SPP.

The principle of redeveloping Granton Harbour for mixed use development is supported by the development plan and contributes to sustainable development. It will bring economic benefits in line with the Council's Economic Strategy and, subject to detailed matters, has the potential to accord with the principles set out in paragraph 29 of SPP.

However, the proposal raises a number of concerns in relation to good design, qualities of place, and promotion of sustainable transport modes.

This application will therefore not result in development that contributes to sustainable development. However its refusal has no impact on previous master plan approvals and does not prevent proposals for mixed use development at Granton Harbour coming forward.

Ecology/Natural Heritage

The site is located adjacent to the Firth of Forth Special Protection Area (SPA), Ramsar and Site of Scientific Special Interest. These sensitive ecological areas are protected from development by ECLP policy Env 13 Sites of European Importance and Env 14 Sites of Special Scientific Interest.

Special Protection Areas are protected under the Conservation (Natural Habitats) Regulations 1994, as amended (the "Habitat Regulations"). The legislation requires an appropriate assessment to be undertaken by the Council (as competent authority) where the effects of development are likely to have a significant effect on the qualifying interest of the site.

The Firth of Forth SPA is designated for a variety of wintering and passage bird species. This designation includes the area to the east of Granton Harbour.

An appropriate assessment was carried out as part of the original outline application, with conditions attached to the consent relating to timing of dredging works, storage of materials, the requirement to submit an Ecological Watching Brief etc. These conditions will still apply, should the current development be approved.

The changes proposed in this application are not expected to have any additional impact on ecological interests or the natural environment.

Issues raised by the RSPB in relation to the potential disturbance along the proposed cycle/walkway shown along the Eastern Breakwater and changes of use of the pier can be addressed in future detailed applications.

Some elements of the overall proposals, for example, dredging, breakwater works and marina facilities will require a marine licence under the terms of the Marine (Scotland) Act 2010. Marine licence applications are submitted to Marine Scotland and would also be subject to a Habitats Regulations Appraisal.

In summary, there are no overriding ecological or natural heritage concerns as a result of the current master plan application.

Drainage/ Flooding

The outline planning permission to which this application relates had a condition which required that surface water drainage arrangements be approved prior to commencement of works on site. In addition, all operations during remediation and preparation of the site must be in accordance with SEPA's pollution prevention guidelines.

In terms of flooding, SEPA and the Council's Flooding team have consistently requested more information in relation to flood risk and drainage design information to determine if the proposed development is appropriate, to protect residents from all potential sources of flooding.

This application does not seek the approval of floor levels and information on flooding and surface water management has not been submitted. Previous master plan approvals contained a suspensive condition to the effect that no development could take place until a revised flood risk assessment has been submitted to and agreed in writing by the Council. It is recommended that if planning permission be granted, a similar condition is attached to this permission. A flood risk and surface water management assessment will require to be submitted with all detailed AMC applications.

Education and other services

A contribution towards primary and secondary school infrastructure needed to support the development will be secured under the section 75 agreement attached to the outline consent (01/00802/OUT). This required a total contribution of £1,366 per flatted or other form of residential unit indexed from July 2002. The equivalent value at Quarter 1 2015 (the date used in the Developer Contributions Guidance) is £2005 per unit.

The masterplan includes a range of units which could be used to provide community facilities.

Archaeology

A condition is attached to the original outline planning permission and this will cover any development resulting from the current application.

Waste Management

The consultation response from the Council's Waste Management Service indicates the need for waste management including recycling requirements to be addresses in detailed applications. This may have implications for the siting of development and layout of roads and open spaces. Insufficient information is provided in this application to enable this matter to be properly considered.

g) Matters Raised in Representations

The following points were raised in representations :

Material objections/comments

Land Use and Design matters - these are addressed in sections 3.3 a) and c)

- the introduction of an apart hotel and serviced apartments in plot 35 will attract a nomadic population;
- the development is too high;
- multi storey car park will impact on views; and
- too many flats and not enough family accommodation.

Traffic impact - these are addressed in section 3.3 d)

- use of streets needs to be suitably controlled though restrictions; and
- the roads will be choked with traffic.

Amenity issues - these are addressed in section 3.3 e)

- multi storey car park will obstruct sunlight and impact on amenity through noise and disturbance; and
- loss of privacy, overlooking, loss of light and sunlight, overshadowing.

Non-material comments

- effect on loss of private view;
- lack of information regarding infrastructure maintenance and access to private/public space;
- issues relating to the funding within the masterplan area; and
- building 7a does not have permission.

h) Sustainability

The outline planning permission was granted prior to the adoption of the Edinburgh Standards for Sustainable Buildings (ESSB) and as such there is no requirement to comply with the relevant sustainability criteria. However, an informative on the outline planning permission states that the Council will expect new development to concur with the most current sustainable construction phase and throughout the life of the buildings. Each developer will be required to ensure that their buildings comply with the current required standards for sustainable development. In this regard, further consideration will be given to sustainability as and when the detailed applications for the individual development plots come forward.

i) Equalities and Human Rights Implications

The application was assessed in terms of equalities and human rights. No significant impacts were identified. An Equality and Human Rights Assessment is available to view on the Planning and Building Standards Online Services.

Conclusion

The principle of mixed use development at Granton Harbour is supported. It accords with the development plan and the outline planning permission 01/00802/OUT approved in June 2003

On 17 August 2016, Committee approved two master plan applications for Granton Harbour - 14/05305/AMC for the whole site and 16/01273/AMC for the local centre on plots 12, 14, 15, 15A, 16 and 17. These applications were considered acceptable in principle but raised a number of issues which meant that the siting, height and layout etc for a number of plots could not be approved. Conditions and informatives were attached to explain the extent of approval given.

This application brings together the proposals submitted under 16/01273/AMC and 14/05305/AMC and makes a number of further revisions to the overall master plan. The changes proposed in this application have been assessed and are mostly unacceptable. The concerns raised in the previous two applications also remain valid and as a result, the proposals for the following plots are now not supported.

- Plots 12, 14, 15, 15A, 16 and 17 (the local centre)
- Plots S1 and S2
- Plots 7B, 8B, 8C, 9A, 9B and 35

A master plan with so many unacceptable elements does not provide an appropriate framework to guide the future regeneration of Granton Harbour. This master plan does not accord with ECLP policy Des 1 because it fails to provide an overall design concept which promotes good quality place-making and design. Individually and cumulatively, the proposals are contrary to a number of design, amenity and waterfront policies in the Edinburgh City Local Plan and Edinburgh Local Development Plan as modified. The proposals would not contribute to sustainable development and therefore are not supported by Scottish Planning Policy.

It is recommended that this application is refused because the master plan is contrary to the Edinburgh City Local Plan, the Edinburgh Local Development Plan as modified and Scottish Planning Policy. Refusal of this application has no impact on previous master plan approvals and does not prevent proposals coming forward on individual plots across Granton Harbour.

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

3.4 Conditions/reasons/informatives

Reasons:-

1. The master plan does not accord with Edinburgh City Local Plan policy Des 1 because it fails to provide an overall design concept which promotes good quality place-making and design.
2. The proposals for the local centre on plots 12, 14, 15 15A, 16 and 17 are contrary to Edinburgh City Local Plan policies Wa 1, Ret 6, Des 1, Des 3 and Des 4 because the siting of the buildings and design and configuration of public spaces, roads and footpaths are unacceptable. These are not based on a comprehensive and integrated approach which draws upon the positive characteristics of the site's waterfront location to create a sense of place. In addition, the height, scale and form of the local centre will have a detrimental impact on the wider townscape and the layout of car parking spaces and pedestrian/cycle routes in this part of the site will not encourage walking and cycling.
3. The proposals for Plots S1 and S2 are contrary to Edinburgh City Local Plan policies Des 2, Des 3 and Des 4 because there is inadequate information on public green space, road layout and footpaths and the access arrangements are unacceptable.
4. The proposals for plot 7B are contrary to Edinburgh City Local Plan Des 3 and Des 9 because the development does not have a positive impact on its setting and does not provide an attractive frontage to the water.
5. The proposals for plot 8B are contrary to Edinburgh City Local Plan policies Des 2, Des 3 and Hou 8 because there is inadequate information to assess amenity impacts and the site layout may compromise the effective development of adjacent sites.

6. The proposals for Plot 8C are contrary to the development principles in the Edinburgh Local Development Plan as modified because the layout is not based on a perimeter block structure and Edinburgh City Local Plan Des 3 because there is inadequate information to assess the impact on the wider townscape and the layout of open space and car parking.
7. The proposals for Plots 9A and 9B are contrary to Edinburgh City Local Plan policy Des 3 because there is inadequate information to assess the impact on the wider townscape and the layout of open space and car parking.
8. The proposals for Plot 35 are contrary to the development principles in the Edinburgh Local Development Plan as modified because the layout is not based on a perimeter block structure, Edinburgh Local Development Plan as modified policy Hou1 because they do not prioritise the delivery of the housing land supply and Edinburgh City Local Plan Des 3 because there is inadequate information to assess the impact on the wider townscape and the layout of the open space and car parking.

Financial impact

4.1 The financial impact has been assessed as follows:

A section 75 agreement has been concluded for the related outline planning permission. The provisions of this agreement require contributions towards transport infrastructure which have already been paid and educational infrastructure.

Communities and Families has advised that, on the basis of the standards recommended in current guidance on Developer Contributions, the proposed level and type of housing proposed would normally require a total contribution of £7.8 million towards local educational infrastructure. However, as there is a legal agreement attached to the planning permission in principle for this site (application number 01/00802/OUT), the terms of this agreement are applicable to this AMC application. The relevant clause of the agreement requires payment of £1,366 per residential unit for new education infrastructure (indexed linked).

At Q1 2015 values, a payment of almost £3.8 million (the exact contribution will be index linked at point of payment) would be required towards new education infrastructure for this application, if approved. This is £4 million less than the amount required under current guidance. However, as this level of contribution has already been agreed, there is no mechanism to seek the additional funding requested by Communities and Families.

Communities and Families has advised that this would result in a funding shortfall with regard to the delivery of the education infrastructure required in this Education Contribution Zone.

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

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

The application was advertised on 17 June 2016. The proposals have received eight representations, five of which are objections, one is a comment and two which raise non-material points. A full assessment of the representations can be found in the Assessment section of the report.

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 Development plan comprises the Strategic Development Plan for Edinburgh and South East Scotland (SESplan), which was approved by Scottish Ministers on 27 June 2013, and the Edinburgh City Local Plan which was adopted by the Council on 28 January 2010.

SESplan identifies the Edinburgh Waterfront as one of the city's four Strategic Development Areas (SDAs).

The Edinburgh City Local Plan identifies the site as the Waterfront Area of Change (WAC 2). This part of waterfront regeneration area is allocated for mainly housing and includes a proposal for a local shopping centre (S5) in the south east corner of the site and a safeguarded cycleway/ footway is shown along the north, east and west site boundaries (coastal Promenade). The coastal areas adjacent to the east and west of the site are allocated as nature conservation sites of international and national importance.

The Local Development Plan as Modified (September 2016) identifies the site as Edinburgh Waterfront. Proposal EW 2c (Granton Area) sets out the development principles for this part of the Waterfront is for a housing-led mixed use development. A local centre is indicated as proposed S2 for a new local centre. A transport route (T8) runs along some boundaries of the site to provide various off road cycle/footpath links. The route along the southern boundary is safeguarded as a tram route.

Other relevant guidance is provided by the 'Waterfront Granton Masterplan' (WGM) prepared by Llewelyn Davis and approved as Supplementary Planning Guidance in January 2001. This provides the vision and framework for the area including detailed guidance for the four main urban quarter that make up the area including Granton Village and Harbour.

Date registered

7 June 2016

Drawing numbers/Scheme

1,2a & 3a,

John Bury

Head of Planning & Transport
PLACE
City of Edinburgh Council

Contact: David Cooper, Team Manager
E-mail:david.cooper@edinburgh.gov.uk Tel:0131 529 6233

Links - Policies

Relevant Policies:

Relevant policies of the Edinburgh City Local Plan.

Policy Wa 1 (Waterfront Areas of Change) sets criteria for assessing development in the Granton and Leith Waterfront Areas of Change.

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 Env 3 (Listed Buildings - Setting) identifies the circumstances in which development within the curtilage or affecting the setting of a listed building will be permitted.

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 13 (Sites of European Importance) identifies the circumstances in which development likely to affect Sites of European Importance will be permitted.

Policy Env 14 (Sites of National Importance) identifies the circumstances in which development likely to affect Sites of National Importance will be permitted.

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

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

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 Ret 4 (Local Centres) sets criteria for assessing proposals in or on the edge of local centres.

Policy Ret 6 (Entertainment and Leisure Developments – Preferred Locations) identifies the Central Area, Leith & Granton Waterfronts and town centres as the preferred locations for entertainment and leisure developments.

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

Policy Emp 5 (Hotel Development) sets criteria for assessing sites for hotel development.

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.

Relevant policies of the Proposed Local Development Plan.

Other Relevant policy guidance

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 'MOVEMENT AND DEVELOPMENT' establish design criteria for road and parking layouts.

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

The Open Space Strategy and the audit and action plans which support it are used to interpret local plan policies on the loss of open space and the provision or improvement of open space through new development.

Appendix 1

Application for Approval of Matters Specified in Conds 16/02621/AMC

**At Granton Harbour, West Harbour Road, Edinburgh
Approval of matters specified in condition 2 of outline application 01/00802/OUT covering siting and height of development, design and configuration of public and open spaces, access, road layouts, footpaths and cycle routes (Scheme 2).**

Consultations

Waste Management response - dated 1 September 2016

Waste and cleansing services takes no stance either for or against the proposed development but as a consultee would make the following comments:

Waste and Fleet Services would expect to be the service provider for the collection of waste as this appears to be a residential development. The application form refers to the details of bin stores being in the detailed application. We would require to see this to ensure waste and recycling requirements have been fully considered.

It is imperative that adequate provision is made for the storage of waste off street, and that cognisance is taken of the need to provide adequate space for the storage of segregated waste streams in line with the Waste (Scotland) Regulations which require the source separation of dry recyclable materials, glass, food, etc.

Adequate provision should also be made for the effective segregation of materials within the building not just at the point of collection. Adequate access must also be provided to allow uplift of waste safely from the collection point taking into consideration the traffic flows at this busy location.

In view of these factors the developer must contact Waste Services' Community Waste Team on 0131 529 3030 or email waste@edinburgh.gov.uk at the earliest point to ensure adequate provision of segregated household waste bins include all of the above materials and suitable access for the refuse collectors.

However I would strongly advise that the developer should at the soonest opportunity contact our Community Waste Officer Team for advice relating to their options so that all aspects of the waste & recycling service are considered i.e. access for vehicles, health & safety, presentation points for kerbside bins and/or boxes and size of storage areas required in residential gardens for all bins & boxes etc.

Tram response - dated 13 September 2016

I have reviewed the application and I can confirm that the proposal is outwith the Limits of Deviation for the tram project, as defined under the Edinburgh Tram (Line One) Act 2006, and is therefore not envisaged to adversely impact on the tram.

This application covers siting and height of the development as well as matters concerned with open spaces, footways and road layouts, within the site. The approval for the site itself was given in an earlier application (01/00802/OUT).

However, it should be noted that due to the proximity of the tram line, there is potential conflict if both sites were to be developed at the same time. Cognisance is given in the Transport Statement in this application to the tram network and combined walkway/cycleway to the north of West Harbour Road.

Economic Development response - dated 14 September 2016

The following are comments from the City of Edinburgh Council's City Strategy and Economy service which relate to the planning application 16/02621/AMC for a residential-led mixed-use redevelopment of Granton Harbour at West Harbour Road, Edinburgh.

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

Granton Harbour here refers to the land bound by West Harbour Road to the south and the Firth of Forth to the remaining sides. Granton Harbour is currently mainly occupied by a mix of cleared brownfield land and commercial units. Three blocks have been redeveloped with residential units. The Harbour waters themselves are used for yachting and other water-based recreation, while Forth Ports operates a pilot station on the Middle Pier.

The development as proposed would result in the removal of the majority of the existing commercial units, with the exception of the retail units at 65 West Harbour Road, the clubroom on Granton Pier and the warehouse at the Middle Pier. This represents 17 industrial units (11 warehousing/storage/depot units and six workshops/factories), two standalone yards, an office and a training centre, and a kiosk. The current occupiers of the units include self-storage companies; plant and equipment hire companies; a fabrication company; a glazier; a cladding and roofing company; a motor garage; a training company; and a charity.

The removal of the commercial units in question would represent the loss of 28,442m² of industrial space (23,100m² of warehousing/storage/depot space and 5,342m² of workshop/factory space), along with 654m² of office space and 21m² of retail space. If fully occupied, it is estimated that this space could be expected to support the following economic impacts:

23,100m² of warehousing/storage/depot space could be expected to directly support 269 full-time equivalent (FTE) jobs. Based on the average GVA per worker for employees in the transport and storage sector in Edinburgh of £54,655 (2013 prices), this could be expected to add £14.7 million of GVA to the economy of Edinburgh per annum.

5,342m² of workshop/factory space could be expected to directly support approximately 114 FTE jobs. Based on the average GVA per worker for employees in the manufacturing sector in Edinburgh of £52,751 (2013 prices), this could be expected to add £6.0 million of GVA to the economy of Edinburgh per annum.

654m² of office space could be expected to directly support approximately 50 FTE jobs. Based on the average GVA per worker for employees in the information and communication; financial and insurance; real estate; professional, scientific and technical activities; and administrative and support service sectors in Edinburgh of £81,594 (2013 prices), this could be expected to add £4.1 million of GVA to the economy of Edinburgh per annum.

21m² of retail space could be expected to directly support 1 FTE job. Based on the average GVA per worker for employees in the retail trade sector in Edinburgh of £25,032 (2013 prices), this could be expected to add £25,032 of GVA to the economy of Edinburgh per annum.

This suggests that the existing units could, if fully occupied, be expected to directly support 434 FTE jobs and £24.8 million of GVA per annum (2013 prices). As several of the units are currently vacant and several more are currently occupied by relatively low value, low employment activities such as self-storage, it is recognised that the existing impact of the units in question is likely to be somewhat lower than this.

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.

Commentary on proposed uses

Class 1 - Shops

The development as proposed would deliver 8,674m² of class 1 space. Based on average employment densities, this space could be expected to directly support approximately 434 to 578 FTE jobs. Based on the average GVA per worker for employees in the retail trade sector in Edinburgh of £25,032 (2013 prices), this could be expected to add approximately £10.9 million to £14.5 million of GVA to the economy of Edinburgh per annum.

The majority of this space (7,874m²) would be located in plots 16 and 17 in in the south-eastern quadrant of the site, while 300m² would be located next to the boatyard and 500m² in the south-western quadrant of the site. The applicant has indicated that the space is expected to be divided approximately evenly between convenience and comparison retail. It is relevant to note that the existing 5,095m² of retail space at 65 West Harbour Road (currently occupied by Go Outdoors, Poundstretcher and M&M Furniture) would be retained as part of the wider redevelopment, giving a total of 12,969m² of retail space in the south-eastern quadrant of the site.

The emerging Local Development Plan identifies Granton Harbour as a new "local [shopping] centre". A key theme in the determination of the Granton Harbour development has been the scale and layout of the retail elements and whether this is consistent with a local centre. In August 2015, a reason provided for the recommended refusal of planning consent was that "the scale and type of retailing is not consistent with the role and function of the proposed local centre at Granton Harbour and the proposed retail/leisure/commercial centre could potentially have a significant adverse impact on the city centre or other town centres." The position of the applicant is that "there is sufficient capacity within the catchment...the proposal is capable of co-existing with all identified centres within the catchment".

The emerging LDP defines a local centre as "a shopping centre, usually of 10 units or greater, serving a local retail function". There is no specified upper limit on what constitutes a local centre; for example, the "Waterfront Broadway" local centre comprises a supermarket with 6,800m² of sales space, whereas the "Wester Hailes" local centre incorporates the 15,800m² Westside Plaza shopping centre. Additionally, it is noted that the existing retail offering in north Granton is weak and the existing residents are therefore underserved. While the proposed retail centre would clearly be one of, if not the largest local centres in Edinburgh, it is unclear whether the scale of the retail elements can be said to be excessive given the scale of what has been accepted as a local centre elsewhere. The question of whether the retail elements would serve "a local retail function" or would rather draw custom from further afield - therefore competing with other retail centres - is challenging to address. It is noted that the supermarket that constitutes the "Waterfront Broadway" local centre was approved with a condition that "the proportion of floorspace devoted to comparison goods in the supermarket shall be no more than 25% of net floor area". This condition requires that at least 75% of the sales space within the supermarket be reserved for convenience goods. A similar condition could be applied to ensure the retail elements of Granton Harbour retain a local function.

The applicant has provided a retail impact assessment prepared by Ferguson Planning. The assessment appears to conclude that expenditure within the retail centre within the new development (as of 2019) will total £24.4 million (table 4), with £18.3 million (75%) coming from expenditure by people living in the "catchment" (identified as the area within 10 minutes drive of the development) and £6.1 million (25%) coming from visitors. Of the £18.3 million, £4.58 million (25.1%) is expected to be displaced from other local centres within the development's "catchment"; £2.48 million (13.6%) from Ocean Terminal; £1.08 million (5.9%) from "out of centre supermarkets", and 55.4% from "overtrading within catchment stores or clawed back from destinations found beyond the catchment". The RIA suggests that the current retail offer within the "catchment" is inadequate, resulting in overtrading. It is important to note that the RIA assumes that the population of the "catchment" will increase by only 1,724 people

between 2016 and 2019. This seems a conservative estimate given that the applicant's own development alone would deliver 1,618 new residential units. The RIA is therefore potentially too conservative in its approach to the impact of projected population growth. It is noted that the assessment refers to there potentially being "an ever growing retail deficiency not being serviced within the city", referring to a 2005 study. It is noted that the economic slump of the late-2000s, coupled with continued growth in online retailing, has significantly dampened retail growth. It is noted also that the assessment asserts that trading at Ocean Terminal is "robust", a statement which is not in line with information held by City Strategy and Economy. These statements suggest that the assessment may be overly bullish about the health and prospects of the city's retail sector.

Class 2 - Financial, professional and other services

The accommodation schedule provided by the applicant does not correspond to the property use classes in effect in Scotland. Based on contextual information, it is assumed that "commercial/business" is used by the applicant to refer to class 2 (financial, professional and other services) uses as opposed to class 4 (business) uses.

The development as proposed would deliver 4,755m² of class 2 space. Based on average employment densities, this space could be expected to directly support approximately 297 FTE jobs. Based on the average GVA per worker for employees in the professional, scientific and technical activities sector in Edinburgh of £53,098 (2013 prices), this could be expected to add approximately £15.8 million of GVA to the economy of Edinburgh per annum.

Class 3 - Food and drink

The accommodation schedule provided by the applicant does not correspond to the property use classes in effect in Scotland. Based on contextual information, it is assumed that "leisure" is used by the applicant to refer to class 3 (food and drink) uses as opposed to class 11 (assembly and leisure) uses.

The development as proposed would deliver 4,488m² of class 3 space. Based on average employment densities, this space could be expected to directly support approximately 224 to 299 FTE jobs. Based on the average GVA per worker for employees in the food and beverage service activities sector in Edinburgh of £18,972 (2013 prices), this could be expected to add approximately £4.3 million to £5.7 million of GVA to the economy of Edinburgh per annum.

Class 7 - Hotels and hostels

The development as proposed would deliver 128 serviced apartments. Based on average employment densities, this space could be expected to directly support approximately 26 FTE jobs. Based on the average GVA per worker for employees in the accommodation sector in Edinburgh of £24,326 (2013 prices), this could be expected to add approximately £0.6 million of GVA to the economy of Edinburgh per annum.

The development as proposed would also deliver a 208-key apart-hotel. Based on average employment densities, this space could be expected to directly support approximately 42 FTE jobs. Based on the average GVA per worker for employees in the accommodation sector in Edinburgh of £24,326 (2013 prices), this could be expected to add approximately £1.0 million of GVA to the economy of Edinburgh per annum.

The development would also deliver 92 "residences". As it is unclear if these will be staffed, no estimates have been produced as to the economic impact thereof.

Sui generis - Flats

The development as proposed would deliver 1,618 new residential units. It is noted that 849 of the units are located on land owned by the applicant, while 769 are located on land owned by third parties.

The flats would not be expected to directly support any economic activity beyond potentially a small number of jobs in factoring and personal services such as housekeeping. However, the flats could be expected to support economic activity via the expenditure of their residents. Based on average levels of household expenditure in Scotland, the residents of the 1,618 units could be expected to collectively spend approximately £39.9 million per annum (2013 prices). Of this £39.9 million, it is estimated that approximately £21.1 million could reasonably be expected to primarily be made within Edinburgh. This £21.1 million could be expected to directly support approximately 275 jobs and £7.0 million of GVA per annum (2013 prices), primarily in the retail, transport and hospitality sectors.

It is assumed that expenditure by residents will largely be absorbed by the retail and food drink units located within the development. As a result, the impacts of expenditure by residents have been excluded from the summation to avoid double counting.

Sundry

It is noted that a cycle route has been reinstated on the western breakwater. This is consistent with the Edinburgh Promenade vision of a continuous coastal path linking Cramond and Joppa and is therefore considered a change for the better.

SUMMARY RESPONSE TO CONSULTATION

It is estimated that the development as proposed could be expected to directly support between 1,023 and 1,242 full-time equivalent jobs and between £32.6 million and £37.6 million of gross value added per annum (2013 prices).

It is recognised that there will invariably be some level of displacement given the uses involved. The variety of uses and the large amount of evidence presented make identifying a likely level of displacement highly challenging. Crudely assuming an overall displacement rate of 50% would give an expected net impact for the development of between 511 and 621 full-time equivalent jobs and between £16.3 million and £18.8 million of gross value added per annum (2013 prices).

The proposals will result in the loss of 22 commercial premises totalling 29,117m² of space. It is estimated that, if fully occupied, these premises could support approximately 434 FTE jobs and £24.8 million of GVA per annum (2013 prices). This represents a substantial loss of industrial space in the context of a growing shortage of industrial space in Edinburgh. There is a pressing need to identify and release land for replacement industrial stock.

Archaeology response - dated 15 September 2016

Further to your consultation request following the submission of new revised plans, I would like to make the following comments and recommendations in respect to this application for approval of matters specified in condition 2 of outline application 01/00802/OUT covering the siting and height of development, design and configuration of public and open spaces, access, road layouts, footpaths and cycle routes.

I refer you to my earlier comments in response to 01/00802/OUT, 06/03636/REM, 13/01013/AMC & 13/04320/AMC & 14/05305/AMC which outlined the archaeological significance of the site and mitigation requirements. As such this application must be considered therefore under terms the Scottish Government Historic Environment Scotland Policy Statement (HESPS) 2016, Scottish Planning Policy (SPP), PAN 02/2011 and also Edinburgh City Local Plan Policies ENV4, 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.

An archaeological mitigation strategy was agreed for the redevelopment of Granton Harbour in response to the original 2001 Outline application. Although various elements have been undertaken in the intervening period, principally by CFA Archaeology, with the last element of field work to the Western Harbour was undertaken in 2008, not all of the required mitigation has been undertaken. Principally in this case mitigation is still required that will affect/expose historic fabric relating to the listed middle pier (2014 Masterplan plots: 14, 15, 15A & 17) which runs along the eastern part of the site and on-site, excavation of 19th century shipyard in SW corner (Plot 22), interpretation and conservation of historic marine infrastructure/streetscape.

Accordingly it is essential that the following updated condition is attached to this consent to ensure the completion of this programme of archaeological works and the retention and conservation of significant maritime/ industrial historic fabric within the development.

'No development shall take place on the site until the applicant has secured and implemented a programme of archaeological work (interpretation, conservation, excavation, reporting and 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.

SEPA response - dated 23 June 2016

We have no objection to this planning application, but please note the advice provided below.

Advice for the planning authority

1. Flood Risk

1.1 We responded to consultation on planning application 14/05305/AMC on 27 March 2015 (our reference PCS/139235) and I attach this response to this letter.

1.2 Our comments on planning application 14/05305/AMC apply to this current application. We still support the initial conditions (recommended by The City of Edinburgh Council's Flood Prevention Team) that a Flood Risk Assessment and a Surface Water Management Plan should be carried out and these should identify flood mitigation measures.

1.3 Parts of the site can be identified, from SEPA's Flood Map as being at coastal flood risk. These areas mostly have planning permission or they have been built already. The area in the south west, which is still to receive planning permission is indicated to be at surface water flood risk. We will be happy to comment further should Flood Risk Assessment, Surface Water Management Plans or details of floor levels be submitted.

2. Surface Water Drainage

2.1 SUDS will assist the applicant to comply with the requirements of the CAR license which will be required for the discharge of surface water to the water environment, as the 3,679 car parking spaces which are to be provided on site exceed the licensing threshold of > 1,000 spaces". The applicants, on page 4 of the Planning Application, identify their intention to use SUDS at the site. Although there is no strict requirement for SUDS for this proposal, as the discharge is to coastal waters, we would encourage the applicants to fulfil this commitment.

2.2 For information, the license application fee would be £2,000 according to our current charging scheme and it would take up to four months to determine. We would draw to the applicants' attention that there may be a requirement to advertise the application, and to consult with other statutory bodies (e.g. SNH), although we cannot be certain at this stage. We would also like to note that a license application would require a responsible person to be identified. The responsible person can be a named individual or a corporate body. For those discharges which are intended to be eventually adopted by Scottish Water (SW) or a local authority, the licence will require to be transferred to the subsequent responsible person, on adoption.

Regulatory advice for the applicant

3. Regulatory requirements

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 regulatory team in the local SEPA office.

Police Scotland response - dated 15 September 2016

We would welcome the opportunity for one of our Police Architectural Liaison Officers to meet with the architect to discuss Secured by Design principles and crime prevention through environmental design in relation to this development.

Environmental Assessment response - dated 28 September 2016

Environmental Assessment have provided a consultation response for the (14/05305/AMC) proposal and recent 16/01273/AMC amended application. This application boundary is the same as 14/05305/AMC and also includes the site of 16/01273/AMC.

Environmental Assessment has also commented on similar applications/schemes one of which was subsequently withdrawn (13/01013/AMC) and another approved (13/04320/AMC). We have also made comments in relation to the original outline application under the 06/03636/REM application.

Planning permission has recently been consented for 14/05305/AMC and 16/01273/AMC subject to conditions. The quantum of various uses was established as a condition of the initial outline consent (01/00802/OUT). There have been several other applications submitted since this was consented.

The 2014 (13/04320/AMC) approval accepted an overall reduction of housing from the previous 2009 consented masterplan (06/03636/REM) 3,396 units and the outline planning permission (3,284 units) to 1980 units. Application 14/05305/AMC ' was for a total of 2102 residential units. The current application is for 1962 residential units.

The 13/04320/AMC masterplan provided a total of 1,471 car parking spaces. The 14/05305/AMC proposal increased this to a potential for a total of 3,738 spaces for the various use classes (including existing development). Although the 14/05305/AMC application was not seeking the approval of car parking, it was taken into account when assessing the siting and layout considerations. This is the same situation for the current application which states the proposed parking numbers will now be 3486.

It was the understanding of Environmental Protection that plot-specific issues would be addressed through detailed development processes (assuming the Masterplan delivers no major shift in the content or context of the outline approval, including development phasing).

Noise

Environmental Protection has concerns regarding the proposed location of the commercial uses in the Pickford storage depot. This is located within an area next to where residential properties are located and proposed therefore we would require a full noise impact assessment to be carried out when more detailed plans are submitted.

The outline application (01/00802/OUT) addressed noise from existing industrial/commercial uses on the site and the phasing-in of the new noise sensitive uses in the form of a legal agreement. Environmental Protection will require clarification whether this is enforceable and that it will not be possible to have residential units partially developed out then left next to commercial/industrial uses. We will require updated information on the phasing taking into account the changes proposed in the latest AMC application.

Land contamination

This Department had received information regarding the outline consent for Granton Harbour (01/00802/OUT). This Department will require this information to be updated.

Air Quality

Environmental Assessment had previously stated for previous schemes that we were satisfied with the overall reduction in residential density from the outline application. However it was highlighted that the minimum level of parking should only be provided in accordance with the Councils Transport Parking Standards. Justification for the then deemed overall high levels of proposed car parking was requested specifically regarding concerns with the previous schemes hotel and multi storey car park. Environmental Protection does not support the level of parking shown in the current application and understands that previous approvals have not given permission for car parking. . The applicant must provide electric vehicle charging facilities throughout all the commercially managed car parking spaces. Environmental Assessment recommends that several of these charging units are 100Kw rapid charging point.

General

Planning conditions were recommended in the outline application (01/00802/OUT). These issues will still be required to be addressed at the detailed planning stages for each future application. Information in the form of a noise impact assessment is required upfront. This will ensure that an acceptable level of amenity in relation to noise/vibration (operational, entertainment, plant and machinery), hours of operation, odour (cooking) and light pollution can be achieved.

Overall Environmental Assessment recommends that this latest application is refused. The siting and massing clearly facilitates an excessive number r of car parking spaces . The likely level of parking will have an adverse impact on local air quality.

However if consented it must be subject to the conditions and legal agreement recommendations from 01/00802/FUL planning application being carried forward.

Affordable Housing response - dated 3 October 2016

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 proposal is for up to 1,962 units and as such the AHP will apply. The original outline application for this masterplan area was approved for up to 3,396 units (reference number 01/00802/OUT).

At the time the outline application was approved the AHP requirement was at a level of 15%. This level of provision was agreed at that time and forms the basis of the Section 75 legal agreement. As such the AHP requirement of 15% provision of approved affordable tenures remains for this AMC application.

The applicant has stated an intent to comply in providing 15% affordable housing on land within their control; 127 (15%) of the homes shown on land in the applicants control should be a recognised affordable housing tenure, as set out in "Developer Contributions and Affordable Housing", approved by Planning Committee on 3 December 2015. Across the masterplan area, a minimum of 15% affordable housing will be sought on all sites until the affordable housing contribution has been secured.

We would request that the applicant enter into discussions with this department and registered social landlords in order to deliver a well integrated and representative mix of affordable housing.

The affordable housing will require to be provided on-site and consist of blind tenure homes which are well integrated and offer a representative mix of the market homes across the wider site.

3. Summary

The applicant has made a commitment to provide 15% on site affordable housing and this is welcomed by the department.

* The applicant is requested to enter into dialogue with Registered Social Landlords to deliver the affordable housing

* 15% of the homes delivered are required to be affordable homes

* The affordable housing will be required to include a variety of house types and sizes to reflect the provision of tenures across the wider site

Communities and Families response - dated 27 September 2016

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 Granton Waterfront part of the 'Granton and North Central Education Contribution Zone'. New housing developments within this part of the Zone, which will have a net impact on education infrastructure, are required to contribute to the following actions:

CONTRIBUTION ZONE ACTIONS Granton & North Central

Action (Cost at Q1 2015)

New 14 class primary school (Granton area only) £11,328,584

Remaining land purchase cost for new primary school (0.2998 ha) (Granton area only) £525,000

Total servicing and remediation for new primary school (£100 per sq m) (Granton area only) £1,170,000

2 class RC Primary extension (Zone wide) £705,308

Increase secondary school capacity to accommodate 231 extra pupils (Broughton HS, Craigroyston HS, St Augustine's RC) (Zone wide)

£7,414,083

A standard pro-rata contribution towards the costs of delivering these actions has been established.

The application proposes 1962 residential units. This comprises 126 houses and 1836 flats. 72 of the flats are expected to be for people who are retired and are excluded from the assessment below.

The proposed development is expected to generate primary school and secondary school pupils. Using the current developer contribution guidance, a standard contribution towards 'Education infrastructure, land remediation and servicing' and 'Land purchase' would be required, as set out below:

Assessment based on:

126 houses and 1764 flats

(no information has been provided about the size of the proposed flats therefore all have been included in the assessment)

Education Infrastructure, land remediation and servicing

Contribution per unit

Flats £3,183.41

Houses £15,903.37

Total required contribution £7,619,357

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

Land purchase

Contribution per unit

Flats £87.99

Houses £381.28

Total required contribution £203,254
purchase contribution.

Note: No indexation is to be applied to land

Although the above assessment is based on the current approach to determining developer contributions, there is a legal agreement attached to the original outline consent for the Granton Harbour development (01/00802/OUT). The Planning service has advised that the terms of this agreement are applicable to this application. This requires payment of £1,366 (to be indexed from 2002) per residential unit towards education infrastructure. This equates to £2,005 when indexed to Q1 2015.

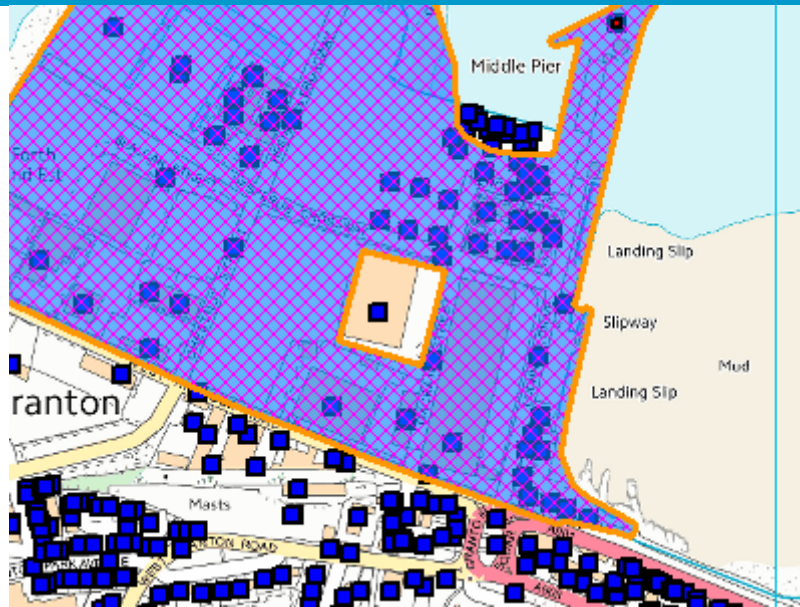
If 1,890 units are delivered at Granton Harbour under the terms of the original agreement, the value of the financial contributions that the Council would receive is estimated to be £3,789,450 (as at Q1 2015).

It is therefore likely that there will be a significant funding gap with regard to the delivery of the infrastructure that is now required to serve the new housing development expected in the Contribution Zone.

The potential for such gaps to arise has previously been identified and reported through LDP Action Programme governance arrangements, including a report to the Council's Finance and Resource Committee (29 October 2015). There is as yet no confirmed source of alternative funding to address the cumulative gap in capital funding arising. There will also be significant additional revenue costs arising from the new education infrastructure for which no revenue budget currently exists within either Communities and Families, or Corporate Property (with whom responsibility for all property related budgets now lies).

Any future capital and revenue budget pressures arising from the infrastructure requirements in this area, and the Local Development Plan as a whole, will need to be considered as part of the on-going budget consultation process. If the funding gap towards the education infrastructure actions identified in the 'Granton and North Central Education Contribution Zone' and the additional revenue costs are not addressed through Council budget processes, there is a significant risk that the Council will not be able to provide local school places for pupils arising from new development in this area.

Location Plan



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