

Development Management Sub Committee

Wednesday 9 November 2016

**Application for Planning Permission 15/05100/FUL
At Land 150 Metres South West Of 28, Newmills Road,
Balerno
Proposed residential development of 206 houses and flats,
formation of linear park, associated infrastructure and
ancillary works (as amended).**

Item number	7.4
Report number	
Wards	A02 - Pentland Hills

Summary

Although the proposal is contrary to the Rural West Edinburgh Local Plan because it is a housing development in the green belt, the site is allocated for housing development in the Edinburgh Local Development Plan as Modified September 2016 (LDP). The principle of residential development on the site is acceptable provided it accords with the Balerno and Currie Site Brief and other relevant planning policies and guidance.

The number of units and the mix of houses and flats proposed is at the mid range of the LDP's capacity assumptions which makes the most of the greenfield site and would create a diverse, mixed community.

Development of the site would change the appearance and character of the area. The existing urban edge at Old Newmills Road and views across the agricultural field would change to a suburban one with a new green belt boundary formed along the north ridge of the site. The proposed development would integrate into the existing urban area to the east and the proposed park along the west would maintain a degree of separation between the existing settlements.

The proposed layout accords with the development principles in the Balerno and Currie Site Brief which includes the proposed vehicular accesses, linking new multi-user paths to existing and safeguarded routes, a new path along the east boundary and the creation of a linear park.

Links

[Policies and guidance for this application](#)

LPRW, RWH1, RWE5, LDPP, PLDP51, PLDP06, PLDP10, PLDP12, PLDP13, PLDP14, PLDP52, PLDP53, PLDP27, PLDP38, PLDP39, PLDP40, PLDP56, PLDP73, PLDP73, PLDP01, NSG, NSGD02, NSGSTR, NSP, NSOSS,

Report

Application for Planning Permission 15/05100/FUL At Land 150 Metres South West Of 28, Newmills Road, Balerno Proposed residential development of 206 houses and flats, formation of linear park, associated infrastructure and ancillary works (as amended).

Recommendations

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

Background

2.1 Site description

The application site is a green wedge of undeveloped land. It is mainly in agricultural use and has an area of 11.35 hectares. A mature woodland is positioned along the west boundary and there is a mature hedgerow and tree lined edge along its east boundary. The trees located outwith the site, on the south-east boundary, are protected by a Tree Preservation Order. The site is located to the west of Newmills Road and lies on the northern edge of Balerno. The land is gently undulating and has a prominent ridge along its north boundary. Low density residential development is located to the east and west.

2.2 Site History

28 July 1999 - outline planning permission refused for the erection of a residential development due to it being contrary to development plan policies in relation to green belt, greenfield housing sites and traffic impact (application number: 98/02158/OUT).

09 August 2000 - outline planning permission refused for a mixed use development including; residential, commercial and leisure development (application number: 00/00429/OUT).

14 July 2003 - subsequent appeal dismissed (DPEA reference: P/PPA/230/272).

22 July 2015 - proposal of application notice submitted for a residential development (application number: 15/03458/PAN).

Main report

3.1 Description Of The Proposal

The application proposes the erection of 206 residential units and the formation of a linear park along the west boundary.

Residential accommodation

A mix of accommodation is proposed, outlined in the table below:

Table 1:

	One bed	Two bed	Three bed	Four bed	Five bed	TOTAL
Flats	30	81 (39%)	10 (5%)			121
Houses		6 (3%)	12 (6%)	42	25	85
TOTAL	30	87	22	42	25	206
%	15	42	11	20	12	100%

The detached, semi-detached and terraced houses are all two storeys with pitched roofs. The townhouses are two-and-a-half storey with accommodation in the roof. All dwellings have private open space to the front and rear.

Eight blocks of two-and-a-half storey flats, with accommodation in the roof, would face the proposed park. Four blocks of two storey 'cottage' flats would be positioned towards the centre of the residential development. Two 'mews' flats would be located above the garage and cycle parking blocks.

All the one bedroom flats are single aspect, 12 face north and 18 face west. All other flats are dual aspect.

The internal floor area of the flats would be:

- One bedroom flat 54-62 sqm.
- Two bedroom flat 72-80 sqm.
- Two bedroom 'cottage' flat 80-92 sqm.
- Three bedroom 'cottage' flat 95-100 sqm.
- Three bedroom 'mews' flat 129 sqm.

Each flat on the upper levels would have its own balcony (average 3.6 sqm). The ground floor flats, with the exception of the cottage flats, do not have direct access outside. The proposed flats would have shared private amenity space with a seating area next to each block, enclosed by a hedgerow.

The houses and flatted blocks would be finished in render and stone with tiled roofs. The houses' rear gardens would be bounded by a 1.8 metre high timber screen fence or a 1.8 metre high stone and rendered wall where the rear garden would front a road. The houses facing Old Newmills Road, along the east boundary, would face onto the proposed path and their rear gardens would be bound by hedgerows.

Parking for the detached houses would be provided in the curtilage of each unit in the form of a garage and hard surface. Parking for the other houses and all flats would be provided in residents' car parks and parking bays around the site. This includes 163 car parking spaces, 12 garage spaces and cycle storage for 242 bikes. A total of 175 spaces are proposed for 121 flats, 12 terraced houses, 12 townhouses, and six semi-detached houses: 136 spaces for the flats and 39 spaces for the houses. Visitor parking, 41 spaces, would be provided across the site.

Affordable Housing

A total of 51 units would be affordable:

- block of flats at the north-west corner of the site housing 27 units (18 x two-bedroom flats and 9 x one bedroom flats);
- block of flats at the south-west corner housing 15 units (nine x two bedroom and six x one bedroom flats);
- six, two-storey, two bedroom, semi-detached houses; and
- three, two-storey, three bedroom terraced houses.

The flats located in the north-east corner would be for discounted sale and the flats and houses located along the south boundary would be for rent through a registered social landlord.

Linear Park and Public Open Space

A 3.1 hectare park would be provided along the west boundary that will provide an amenity lawn, a three metre wide multi-user path, a central playspace and a sustainable urban drainage system. The northern end would be planted with wildflower and woodland planting. A tree belt would be formed along the north boundary of the site.

Avenue planting would also be provided along some roads across the site.

Original proposal

A total of 206 units were proposed: 59 detached houses (29%), 12 terraced houses (6%), 10 townhouses (5%), six semi-detached houses (3%) and 24 one bedroom flats (12%), 65 two bedroom flats (31%) and 30 three bedroom flats (14%).

The main differences between the revised scheme and the original are:

- Number of blocks of flats reduced from 13 to 12;
- Number of three bedroom flats reduced from 30 to 10;
- Number of two bedroom flats increased from 65 to 81;
- Number of one bedroom flats increased from 24 to 30;
- Private amenity space for flats provided in between blocks;
- Design of the flats along the west boundary reduced from three-storeys to two-and-a-half with accommodation in the roof;
- Footpath provided along the east boundary and the proposed houses realigned to face Old Newmills Road; and

- Playspace relocated from south-east corner of the site to the linear park.

Supporting documents

The following documents were submitted in support of the application:

- Design and Access Statement;
- Planning Statement (and update);
- Transport Assessment (and update);
- Landscape and Visual Assessment;
- Linear Park Design Statement;
- Air Quality Impact Assessment;
- Drainage and Flood Risk Assessment (and update);
- Ecological Survey;
- Tree Survey;
- Landscape Maintenance Schedule; and
- Pre-application Consultation Report.

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

3.2 Determining Issues

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a. the proposal is acceptable in principle, including the loss of agricultural land;
- b. the landscape and visual impacts are acceptable;
- c. the housing mix, design and layout are acceptable;
- d. the proposed development offers an acceptable living environment for future residents or adversely affects the amenity of neighbouring residents;
- e. the proposed development raises any parking or road safety implications;

- f. there are any material considerations that justify approval or refusal;
- g. any impacts on equalities or human rights are acceptable; and
- h. any comments raised have been addressed.

a) Principle

Loss of agricultural land

Development of the site would result in the permanent loss of prime (class 3.1) agricultural land and is contrary to Rural West Edinburgh Local Plan (RWELP) policy E7: Protection of Prime Agricultural Land. There is no similar policy in the Local Development Plan as Modified, September 2016 (LDP). Scottish Planning Policy (SPP) recognises the loss of prime agricultural land could be justified as a component of a settlement strategy, this is considered in detail below. The need for housing as part of a growth strategy would justify the loss of prime agricultural land.

Proposed Housing Development

Adopted Rural West Edinburgh Local Plan (RWELP)

The site is located in the green belt and therefore housing development is contrary to policy E5: Development in Green Belt and Countryside Areas because it is not necessary for the purposes of agriculture, horticulture, forestry or countryside recreation.

The proposal is also contrary to policy H1: Identified Housing Sites, because the application site is not identified for housing development in the adopted plan.

The proposal does not comply with RWELP policies E5 and H1.

The Local Development Plan as Modified, September 2016 (LDP)

The LDP was accepted by the Planning Committee on 5 September 2016 and is at an advanced stage in the process to adoption by the Council at the end of November. The LDP allocates the site for housing development (HSG 37) along with a new publicly accessible greenspace proposal (GS 11) along the west boundary. Subject to the proposal according with the Balerno and Currie Site Brief and development principles, assessed in detail below, the proposal is acceptable in principle.

How the proposal accords with the development principles is considered in detail below in sections 3.3c) and d).

Policy Conclusion

The proposal is contrary to the adopted RWELP but a departure is justified because there is a need to provide effective housing sites, the LDP allocates the site for housing development and this allocation has been endorsed by the independent examination of the proposed plan. The proposal is acceptable in principle, subject to accordance with the relevant Site Brief and development principles and other relevant planning policies.

b) Landscape and visual impacts

The suitability of the site for housing development was considered in the Revised Environmental Report (June 2014) that forms part of the background papers to the LDP. It found that the site has a limited role in terms of the wider landscape setting of the city. The Examination Report agrees with this finding. Development on the site would have an impact on the local landscape character and visual amenity but not on the wider landscape setting of the city. Views from Lanark Road would largely be unaffected with the provision of a green space along its western edge.

Development towards the north ridge would be prominent in views from the north and therefore the new woodland along the north boundary is important to establish a defensible green belt boundary that respects the land form. The proposed greenspace along the west boundary and woodland along the north boundary would contain the proposed housing development within the site and mitigate any adverse impacts on local views. The proposal would have an acceptable landscape impact and would not affect the city's distinctive character and scenic value.

c) Housing mix, design and layout

The proposed 206 units are within the density capacity range identified in the LDP of 175-245, which assumes a range of 21.8-30 dwellings per hectare. The number of units achieves a density of 25.8 dwellings per hectare and is acceptable in this respect.

The Edinburgh Design Guidance requires a variety of house types laid out to form a range of different streets and spaces. The proposal accords with this requirement.

The introduction of flats is out of keeping with the prevailing character of two storey detached and semi-detached houses, developed in the 1960s/1970s, that achieve a density of 16 dwellings per hectare. LDP Policy Hou 2: Housing Mix, requires a mix of house types and accepts that a higher density can be achieved alongside detached and semi-detached dwellings without a detrimental impact on character and amenity. The proposed housing mix makes the most of greenfield land and creates a diverse and mixed community. The introduction of flats is acceptable.

Turning to whether the proposed layout accords with the development principles in the Site Brief and other relevant planning policies, the Site Brief sets out the following development principles:

- vehicular access to be taken from Newmills Road and Lanark Road West;
- linear park to be formed along the west edge;
- residential street to front the park;
- new woodland to the north; and
- connect to existing footpath/cycle path network, including the transport safeguard to re-route the National Cycle Network (NCN) 75.

The proposed vehicular accesses accord with the Site Brief. The proposed cycle and pedestrian routes link to the existing network and the proposed site plan shows a new footpath/cycle path that terminates near the north-west of the site that could link to the re-route of the NCN 75, safeguarded by the LDP. The proposed park is well designed and is multifunctional, incorporating the sustainable urban drainage system and a playspace that would address the large greenspace and playspace deficiency in the area. The central position of the playspace is acceptable because it would form part of the publicly accessible park and would be overlooked by the proposed flats.

The new woodland to the north has gaps that weaken its function as a defensible green belt boundary. The gaps are unavoidable because they relate to realigned underground services through the site that cannot be built or planted on, excluding new roads. Accordingly, an infringement to policy LDP Des 9: Urban Edge Development is accepted.

To promote walking and cycling and reduce use of the private car, the LDP Transport Appraisal requires development on the site to promote active travel by incorporating a new footway along the east frontage of the site. This intervention would also reduce travel by car and its adverse impacts.

The proposed layout includes a footpath along the east boundary. The dwellings' main doors face onto the footpath and create pedestrian movement between the buildings and the street. This active frontage is important to encourage walking by making it feel safe. The retention of the trees would also make it feel pleasant. Designing Streets, national policy for street design, recognises walking is the most sustainable form of transport. It requires streets to be designed to actively encourage walking to take place and notes the propensity to walk is influenced by distance and the quality of the experience. The proposed footpaths have been designed to be safe and convenient and meet this objective.

Old Newmills Road currently acts as an edge to the existing urban area and it has the character of a rural road with rear gardens that face onto it. Development of the site would change the appearance of the area. Views of an agricultural field would be lost and the semi-rural character and appearance would change to a suburban one. The rural edge at this location would no longer exist. The proposed houses face the road to acknowledge the change to the area's character and appearance proposed by the development.

The private amenity space is provided through a mix of balconies and communal garden ground. The 'private' garden ground would be positioned next to the proposed flats and meets the quantitative requirements of policy LDP Hou 3: Private Green Space in Housing Developments, and the qualitative requirements in terms of being well defined, of good quality, and designed for a range of functions. The private amenity space is sensitively located, easily accessible from the flatted buildings and would be bounded by hedgerows for privacy that also distinguish them from other public amenity space provided across the site.

The proposed layout accords with LDP policies Des 5: Development Design - Amenity, Des 7: Layout Design, and Hou 3: Private Green Space in Housing Developments and the development principles in the Balerno and Currie Site Brief.

d) Amenity

Existing residents

The proposal would not have an adverse impact on the daylight, sunlight or privacy enjoyed by neighbouring properties because of the distance of the proposed housing units from existing properties.

Future residents

The proposed units exceed the minimum internal floor area stated in the Edinburgh Design Guidance (EDG). Single aspect flats account for 25% of the total flats proposed, and 15% of the total units, and do not exceed the 50% maximum in the EDG. In total, 60% of the single aspect flats would face west and would have an outlook that faces onto the proposed park.

Each dwellinghouse has its own private garden that exceeds nine metres deep, with the exception of the terraced houses (7.5m) and townhouses (8.8m) positioned in the centre of the site. This EDG encourages rear gardens to be longer than nine metres so the house can be adopted and extended over time. The rear gardens that are less than nine metres deep face a car park, not another rear garden, and therefore any reduction in the rear gardens depth would not adversely affect neighbouring privacy.

The flats have access to an enclosed area of private amenity space that meets the quantitative and qualitative requirements in the EDG and would enjoy access to a private amenity space commensurate to their tenure.

e) Parking and road safety

The traffic impacts of residential development on the site have been assessed as part of the allocation within the LDP and the Transport Appraisal predicts modest increases in traffic on Lanark Road West. The LDP Action Programme identifies the transport infrastructure necessary to support housing growth on the site and to mitigate the impact of the development that include the following:

- Improved pedestrian/cycle crossing facilities on A70;
- Upgrade cycle routes between Newmills Road and Curriehill Station;
- Provide additional cycle parking at Curriehill Station;
- Provide new bus stop facilities on A70, in vicinity of Newmills Road; and
- Extend car park at Curriehill Station.

The Roads Authority has no objections to the proposal provided the above, or contributions towards it, is provided. Their consultation response, copied in Appendix 1, details the contributions required to support housing growth on the site and to mitigate the impact of the development. The applicant is required to provide the site specific transport infrastructure listed above and a suitable Toucan crossing on Lanark Road West. The applicant is also required to make a contribution towards upgrading Gillespie Crossroads and extending Hermiston Park and Ride. The applicant has agreed to make the appropriate contribution to transport infrastructure.

The proposed layout has been designed to ensure streets cannot be used as a rat-run during busy periods and active frontages have been provided on important routes through the site to encourage active travel and reduce reliance on the private car.

The parking proposed for the flats equates to an average of 1.12 spaces per flat. It does not differentiate between market and affordable housing and is acceptable because it ensures the development is tenure blind and reflects the site's mid-low accessibility score.

The Parking Standards require two cycle spaces per flat and a total of 242 spaces are proposed within buildings located next to the flatted blocks. The buildings are located in positions that make using a bike convenient. The cycle storage is acceptable.

The proposal would not have a significant adverse impact on the road network provided the transport infrastructure identified in the LDP Action Programme is provided. It is proposed that this is subject to a legal agreement.

f) Other material considerations

Affordable Housing

LDP Policy Hou 6: Affordable Housing, requires the provision of 25% affordable housing. The development meets this requirement by providing a mix of 51 affordable housing units on site that would be available at discounted sale and rent through a registered social landlord. Housing Investment has been consulted and has no objections to the proposal. The affordable housing would be delivered via a suitable legal agreement.

Air Quality

An Air Quality Impact Assessment accompanied the application and identified that no specific measures were required. Environmental Assessment has been consulted and accepts the findings and has no objections on air quality grounds provided the transport infrastructure identified in the Action Programme is provided. The proposal would not have a significant adverse effect on air quality.

Archaeology

The site potentially contains unrecorded archaeological remains associated with the site of Curriehill Castle and the former Balerno Branch Line of the Caledonian Railway. The City Archaeologist has advised development of the site has a low-moderate archaeological impact and has no objections to the proposal subject to a condition to secure a programme of archaeological works is undertaken.

Contamination

Environmental Assessment has recommended that a site investigation report assessing potential contaminants is attached to ensure the ground conditions are suitable for the proposed development.

Ecology

An Ecology Survey accompanied the application. No evidence of rare habitats, plant species or protected mammal species was found on site. The provision of a linear park along the west would create a new habitat for wildlife and the proposal would have a positive impact on the site's biodiversity value.

Education

The site is located in the South West and Wester Hailes Education Centre Education Contribution Zone where a three primary school class is required to accommodate the projected pupil generation of new housing developments within the zone. A total cost has been estimated at £838,627. The proposal is expected to generate primary school pupils. Communities and Families does not object to the application, provided the applicant makes an appropriate contribution, of £429,602, to the primary school extension. The contribution would be index linked to the date of payment.

Flood risk

A Drainage Strategy Plan and Flood Risk Assessment Report accompanied the application. Flood Prevention has been consulted and is satisfied the proposed development would not pose a flood risk.

Future maintenance of the park

Parks, Greenspace & Cemeteries has advised it is supportive of the proposal to establish new woodland, a SUDS, and parkland but is unable to resource its maintenance. It recommends the land is protected as public open space and maintained by the landowner. A legal agreement is therefore required to state the landowner is responsible for the maintenance of the park and woodland. A condition is also recommended to ensure the approved landscaping is established. The existing and proposed trees would be safeguarded through the landscape proposals.

Local Services

The provision of primary care facilities is the responsibility of the integrated Edinburgh Health and Social Care Partnership. Edinburgh Health and Social Care Partnership has been consulted and is unable to quantify what actions are required to support housing growth and mitigate the impact of the development on GP services in the local area. It is working with the local practice to address concerns.

There is currently insufficient information and justification to require developer contributions towards the provision healthcare facilities.

g) Equalities and Human Rights

This application has been assessed in terms of equalities and human rights. The proposal would be designed to the current building regulations on accessibility and each proposed block of flats includes a lift provision and would be accessible for people with mobility issues. The proposal would offer a good standard of living with access to transport and public places including greenspaces. The living accommodation is accessible for people with mobility issues.

Impacts on human rights and equalities are acceptable.

h) Representations

Principle: addressed in section 3.3a)

- Premature; Second Proposed LDP not approved, site part of capital coalition pledge to remove housing allocation, outstanding objections to LDP designation for housing;
- Loss of green belt;
- Loss of prime agricultural and grazing land;
- Sufficient brownfield land to accommodate housing land supply deficit;
- Proposed dwellings will not provide social or affordable housing; and
- Proposed development is not required in Balerno.

Character: addressed in section 3.3c)

- Damage village character of Balerno;
- Proposed buildings not in keeping with the character of the area;
- Harm the landscape character of the area;
- Coalescence of Currie and Balerno;
- Proposed flats not in keeping with character of the area; and
- Change the character of the area from semi-rural village to urban.

Transport: addressed in section 3.3e)

- Traffic congestion and capacity of existing roads to accommodate proposed development;
- Poor access to public transport;
- Inaccessibility of Currie train station;
- Proposed controlled junction on Lanark Road will cause congestion;
- Contrary to policies on sustainable development due to reliance on cars and will not encourage walking and cycling;
- Poor opportunities for cycling;
- No improvements to cycle routes;
- Assumptions that future residents will be on foot or bus is unsupported and does not take account of the site's location and distance from local amenities;
- Transport Statement's cycling findings are unrealistic as the NCR75 Water of Leith cycle route is unsurfaced, unlit, muddy in parts, shared with pedestrians and horses and not suitable as a cycle commuting route that is segregated, flat and protected; and

- Development would be dependent on the private car because the site has no facilities, is too remote from amenities for convenient walking and cycling.

Environmental: addressed in section 3.3f)

- Air quality;
- Flood risk - site is locally known as a flood plain; and
- Loss of site important for local wildlife.

Amenities and Community Facilities: addressed in section 3.3f)

- School capacity;
- Pressure on health services;
- Local amenities (i.e. shops) cannot accommodate additional households;
- No employment opportunities available locally; and
- Limited leisure facilities.

Non-material comments

- Insufficient pre-application consultation;
- Development driven by profit minded interests; and
- Increase congestion will increase child care costs.

General comment:

- Opportunity to support existing community facilities, i.e. Currie Rugby Club.

Community Council Comments

Currie Community Council objected to the loss of the green belt and important green corridor linking the Pentland Hills to open land at Dalmahoy and Ratho and increased congestion. It is of the opinion that the Council should ensure brownfield sites, then sites in strategic development areas are developed before other greenfield sites.

Balerno Community Council objected to the loss of the green belt and the housing allocation in the LDP. It explained it was unaware of any demand from Balerno residents for major housing developments in the area and considered there was sufficient brownfield land to fulfil any shortfall in the five year effective housing land supply. It considered other sites more suitable for major housing development and identified the Garden District proposal as an example. It is also concerned about the traffic impacts, the introduction of flats and localised flooding on the site.

Juniper Green Community Council objected to the loss of the green belt, the impact on local wildlife and congestion caused by the proposed development. It also considered there were other more suitable brownfield sites available in the city for development.

Conclusion

The principle of residential development on the site is acceptable and supported in the LDP. The mix of units proposed would create a diverse community and the future occupiers would enjoy a high level of amenity in terms of the size of units and private open space. The provision of convenient cycle stores, and a layout that includes active frontages to important routes that link to existing networks, would encourage active travel. The proposal would also provide a large publicly accessible green space that includes a play space. This addresses the deficiency identified in the Open Space Strategy (2010) of a large greenspace within 800 metres of dwellings and a play space. Approval is recommended.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (Excavation, reporting and analysis, public engagement, publication, interpretation) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Head of Planning and Transport.
2. Prior to the commencement of construction works on site:
 - (a) A site survey (including initial desk study as a minimum) must be carried out to establish to the satisfaction of the Head of Planning and Transport, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and
 - (b) Where necessary, a detailed schedule of any remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Head of Planning and Transport.

Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided to the satisfaction of the Head of Planning and Transport.

3. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Head of Planning and Transport before construction work is commenced on site.

Note: samples of the materials may be required.

4. Prior to the commencement of phase three, as shown on drawing no. 53 (PL(40) Rev B), details of the proposed play equipment shall be submitted to and approved in writing by the Head of Planning and Transport.

5. The approved play equipment shall be fully installed by the applicant within six months of the completion of the development.
6. The approved landscaping scheme shall be fully implemented within six months of the completion of the development.

Reasons:-

1. In the interests of cultural heritage.
2. In order to ensure that the site is free of contamination and suitable for redevelopment.
3. In order to consider these matters in detail.
4. In order to consider these matters in detail.
5. In order to ensure that the approved play equipment is delivered on site.
6. In order to ensure that the approved landscaping works are properly established on site.

Informatives

It should be noted that:

1. Permission should not be issued until the applicant has entered into a suitable legal agreement to provide, construct or contribute to:

Transport

- a) Contribute the sum of £164,835 to increase junction capacity at Gillespie Crossroads;
- b) Contribute the sum of £206,000 towards extending Hermiston Park and Ride;
- c) Construct a 2m (minimum) wide footway on the east frontage boundary of the site at no cost to the Council;
- d) Design and install a suitable Toucan crossing on Lanark Road West in the vicinity of the proposed development access at no cost to the Council. Location, layout, specification and design to be approved in writing by the Head of Planning and Transport prior to construction. Road Safety Audits will be required. The design should be capable of conversion to full signalised junction;
- e) Contribute the sum of £32,000 towards upgrading cycle routes to Curriehill Station;
- f) Contribute the sum of £500 towards provision of additional cycle parking at Curriehill Station;
- g) Provide two new bus stops on Lanark Road West to serve the proposed development;
- h) Contribute the sum of £28,840 towards extending Curriehill Station car park;

- i) Contribute the sum of £2,000 to progress a suitable order to redetermine sections of footway and carriageway as necessary for the development; and
- j) Contribute the sum of £2,000 to progress a suitable order to introduce waiting and loading restrictions as necessary.

Education

The contribution of around £429,602 towards education provision (note: to be index linked based on the increase in the BCIS All-in Tender Price Index from Q1 2015 to the date of payment).

Affordable Housing

The provision of a minimum of 25% of the total number of units on site to be affordable.

Park and woodland

The landowner is required to maintain and manage the public park and woodland.

1. The legal agreement should be concluded within 6 months of the date of this notice. If not concluded within that 6 month period, a report will be put to committee with a likely recommendation that the application be refused.
2. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
3. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
4. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.
5. Roads Authority Issues

All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. Particular attention must be paid to ensuring that refuse collection vehicles are able to service the site. The applicant is recommended to contact the Council's waste management team to agree details;

A Quality Audit, as set out in Designing Streets, to be submitted prior to the grant of Road Construction Consent;

The applicant should note that new road names will be required for the development and this should be discussed with the Council's Street Naming and Numbering Team at an early opportunity;

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

Access to any car parking area is to be by dropped kerb (i.e. not bell mouth);

A length of 2 metres nearest the road should be paved in a solid material to prevent deleterious material (e.g. loose chippings) being carried on to the road;

Any gate or doors must open inwards onto the property;

Any hard standing outside should be porous, to comply with 'Guidance for Householders' published in December 2012;

The works to form a footway crossing must be carried out under permit and in accordance with the specifications. See Road Occupation Permits

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

Any off-street parking space should comply with the Council's Guidance for Householders and be at least 6 metres deep and should not be wider than 3 metres. See

http://www.edinburgh.gov.uk/download/downloads/id/704/guidance_for_householders

All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Head of Transport if he wishes the bays to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2002 regulations or British Standard 8300:2009 as approved by the Head of Transport;

Electric vehicle charging outlets should be considered for this development which includes dedicated parking spaces with charging facilities and ducting and infrastructure to allow electric vehicles to be readily accommodated in the future.

6. Environmental Assessment Issues

Air Quality

Charging outlet (wall/garage or ground mounted) should be of the following standard:

Type 2 (EN62196-2), Mode 3 (EN61851-1) compliant and be twin outlet. With the ability to supply 22 kW (32 Amps) AC - Three Phase power and have the ability to be de rated to supply 11 kW to each outlet when both are in use.

Where this is not possible then 7 kW (32 Amps) AC - Single Phase chargers that have the ability to deliver power of 7 kW capacity to each outlet simultaneously.

Construction and Dust Mitigation Measures

- a) All mobile plant introduced onto the site shall comply with the emission limits for off road vehicles as specified by EC Directive 97/68/EC. All mobile plant shall be maintained to prevent or minimise the release of dark smoke from vehicle exhausts. Details of vehicle maintenance shall be recorded.
- b) The developer shall ensure that risk of dust annoyance from the operations is assessed throughout the working day, taking account of wind speed, direction, and surface moisture levels. The developer shall ensure that the level of dust suppression implemented on site is adequate for the prevailing conditions. The assessment shall be recorded as part of documented site management procedures.
- c) Internal un-surfaced temporary roadways shall be sprayed with water at regular intervals as conditions require. The frequency of road spraying shall be recorded as part of documented site management procedures.
- d) Surfaced roads and the public road (during all ground works) shall be kept clean and swept at regular intervals using a road sweeper as conditions require. The frequency of road sweeping shall be recorded as part of documented site management procedures.
- e) All vehicles operating within the site on un-surfaced roads shall not exceed 15mph to minimise the re-suspension of dust.
- f) Where dust from the operations are likely to cause significant adverse impacts at sensitive receptors, then the operation(s) shall be suspended until the dust emissions have been abated. The time and duration of suspension of working and the reason shall be recorded.
- g) This dust management plan shall be reviewed monthly during the construction project and the outcome of the review shall be recorded as part of the documented site management procedures.
- h) No bonfires shall be permitted.

Financial impact

4.1 The financial impact has been assessed as follows:

If approved, the application would be subject to a legal agreement for developer contributions in respect of affordable housing, education and transport.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

This application meets the sustainability requirements of the Edinburgh Design Guidance.

Consultation and engagement

8.1 Pre-Application Process

In accordance with the Planning etc (Scotland) Act 2006, a Proposal of Application Notice was submitted and registered on 22 July 2015 (planning number: 15/03458/PAN). A copy of the notice was also issued to Currie Community Council and Balerno Community Council and local ward members.

A public exhibition was held in Balerno High School on 19 August 2015. The Pre-Application Consultation report, which sets out the findings from the community consultation, is available to view on the Planning and Building Standards online service.

8.2 Publicity summary of representations and Community Council comments

Original Proposal

The application attracted 157 letters of representation; 156 in objection and one general comment. These include objections from: Balerno Community Council, Juniper Green Community Council, Balerno Green Belt Residents Group, the Cockburn Association, Spokes, Gordon MacDonald MSP and Councillors Bill Henderson and Ricky Henderson.

Revised Proposal

The revised proposal was re-notified to neighbours and anyone who made representations on the original proposal on 15 September 2016. The revised proposal attracted 43 letters of objection. These include objections from: Currie Community Council, Balerno Community Council, Juniper Green Community Council, (Edinburgh) South West Communities Forum, Spokes and Gordon MacDonald MSP.

A full assessment of the representations can be found in the main report in the Assessment section.

Background reading/external references

- To view details of the application go to
- [Planning and Building Standards online services](#)
- [Edinburgh City Local Plan and Rural West Edinburgh Local Plan](#)
- [Planning guidelines](#)

- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)
- [Scottish Planning Policy](#)

**Statutory Development
Plan Provision**

Rural West Edinburgh Local Plan - Green Belt

Second Proposed Local Development Plan - HSG 37
(Housing Proposal) and GS 11 (Greenspace Proposal)

Date registered

6 November 2015

Drawing numbers/Scheme

01; 02A-05A; 06-19; 20B-24B; 25-29; 30A-32A; 33;
34A-35A; 36B-40B; 41A-42A; 43-44; 45A; 46-53,

John Bury

Head of Planning & Transport
PLACE
City of Edinburgh Council

Contact: Gina Bellhouse, Team Manager
E-mail:gina.bellhouse@edinburgh.gov.uk Tel:0131 529 3905

Links - Policies

Relevant Policies:

Relevant policies of the Rural West Edinburgh Local Plan.

Policy H1 says that new development will be supported on sites which already have planning consent and those which were previously identified in the 1999 Finalised Local Plan.

Policy E5 states that in order to protect the landscape quality, rural character and amenity of the Green Belt and countryside areas, development will be restricted.

Relevant policies of the Proposed Local Development Plan.

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

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

Second Proposed LDP Policy Des 5 (Development Design - Amenity) sets criteria for assessing amenity.

Second Proposed LDP Policy Des 7 (Layout design) sets criteria for assessing layout design.

Second Proposed LDP Policy Des 8 (Public Realm and Landscape Design) sets criteria for assessing public realm and landscape design.

Second Proposed LDP Policy Des 9 (Urban Edge Development) sets criteria for assessing development on sites at the Green Belt boundary.

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

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

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

Second Proposed LDP Policy Env 20 (Open Space in New Development) sets out requirements for the provision of open space in new development.

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

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

Second Proposed LDP Policy Hou 6 (Affordable Housing) requires 25% affordable housing provision in residential development of twelve or more units.

Second Proposed LDP Policy Tra 3 (Private Cycle Parking) requires cycle parking provision in accordance with standards set out in Council guidance.

Second Proposed LDP Policy Tra 3 (Private Cycle Parking) requires cycle parking provision in accordance with standards set out in Council guidance.

Second Proposed LDP Policy Del 1 (Developer Contributions) identifies the circumstances in which developer contributions will be required.

Relevant Non-Statutory Guidelines

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

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

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 Planning Permission 15/05100/FUL At Land 150 Metres South West Of 28, Newmills Road, Balerno Proposed residential development of 206 houses and flats, formation of linear park, associated infrastructure and ancillary works (as amended).

Consultations

Affordable Housing

1. Introduction

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

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

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

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

2. Affordable Housing Provision

This application is for a development consisting of 206 homes and as such the AHP will apply. In terms of the AHP there will be a requirement for a minimum of 25% (51) homes of approved affordable tenures.

The applicant has stated that the affordable housing will be provided on site across two locations with nine affordable houses located to the north of the site for golden share and 42 Affordable flats to the south of the site proposed for Registered Social Landlord rented housing. This is welcome by the department.

The affordable housing will have to be fully compliant with latest building regulations and further informed by guidance such as Housing for Varying Needs and the relevant Housing Association Design Guides.

This is welcome by the department and we would request the following:

- 25% of affordable housing is delivered onsite,
- the developer enters into early dialogue with this department and RSLs to negotiate the delivery of the affordable housing requirement
- There will be a representative mix of houses and apartments of approved affordable tenures
- The affordable housing will include an integrated variety of house sizes to reflect the provision across the wider site of approved affordable tenures
- The applicant enter into a Section 75 legal agreement to secure the affordable housing element of this proposal

3. Summary

The applicant stated that there will be affordable housing on site and this is welcomed by the department.

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

We would be happy to assist with any queries on the affordable housing requirement for this application.

Archaeology

The site comprises an area of improvement era (18th/early 19th century) fields situated across a prominent ridge line overlooking the Murray Burn and Dalmahoy and Addistoun estates to the north. Given the sites topography it is considered that the site may have the potential for containing unrecorded prehistoric occupation. The NE corner of the site lies adjacent to the grounds for Curriehill House built in the grounds for the medieval Curriehill Castle first recorded in the 14th century though demolished by the mid 19th. In addition the western boundary of the site is defined by the cutting for the former Balerno Branch Line of the Caledonian Railway.

Accordingly this application must be considered therefore under terms the Scottish Government Historic Environment Policy (SHEP), Scottish Planning Policy (SPP), PAN 02/2011 and also Rural West Edinburgh Local Plan (2010) policy E30. The aim should be to preserve archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.

The site is considered to be of archaeological potential in terms of prehistoric occupation and medieval remains associated with the adjacent site of Curriehill Castle. However it is considered that development of the site would have on the whole a low-moderate archaeological impact. It is essential therefore that prior to development that a programme of archaeological works is undertaken. In essence this will see a phased archaeological mitigation strategy, the initial phase being an archaeological evaluation up to a maximum of 10% of the site linked to a programme of field walking & metal detecting. The results of which would allow for the production of appropriate more detailed mitigation strategies to be drawn up to ensure the appropriate protection and/or excavation, recording and analysis of any surviving archaeological remains during subsequent phases of development.

Furthermore if important discoveries are made during these works a programme of public/community engagement (e.g. site open days, viewing points, temporary interpretation boards) will be required to be undertaken, the final scope to be agreed with CECAS.

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

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

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

Communities and Families

Original proposal

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 South West part of the 'South West and WHEC Education Contribution Zone' where the following education actions have been identified:

SOUTH WEST AND WHEC EDUCATION CONTRIBUTION ZONE ACTIONS

Action: 3 Primary School classes (Currie PS or Dean Park PS)

Cost at Q1 2015: £838,627

Total cost: £838,627

A standard pro-rata contribution towards the costs of delivering these actions has been established for this part of the Zone. This is applicable to new housing developments which will have a net impact on education infrastructure.

The proposed development is expected to generate primary school pupils. A standard contribution towards delivering the infrastructure is therefore required, as set out in the table below.

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

Assessment based on: 95 flats and 88 houses (24 one bed flats excluded from assessment).

Contribution per unit: Flats - £935.27; Houses - £4,052.85

Total contribution required - £445,501

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

Revised proposal

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 South West part of the 'South West and WHEC Education Contribution Zone' where the following education actions have been identified:

SOUTH WEST AND WHEC EDUCATION CONTRIBUTION ZONE ACTIONS

Action: 3 Primary School classes (Currie PS or Dean Park PS)

Cost at Q1 2015: £838,627

Total cost: £838,627

A standard pro-rata contribution towards the costs of delivering these actions has been established for this part of the Zone. This is applicable to new housing developments which will have a net impact on education infrastructure.

206 homes are proposed comprising 85 houses and 121 flats (30 of which are one bed and excluded from this assessment). The proposed development is expected to generate primary school pupils. A standard contribution towards delivering the infrastructure is therefore required, as set out in the table below.

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

Assessment based on: 85 houses and 91 flats (30 one bed flats excluded from assessment)

Contribution per unit: Flats - £935.27; Houses - £4,052.85

Total contribution required: £429,602

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

Environmental Assessment

The applicant proposes developing 206 residential units on land which is currently agricultural. It is located between Newmills Road, to the east, and existing residential development to the west. To the south the site is bounded by an existing residential area and Lanark Road West and to the north by agricultural land.

The site is allocated within the Second Proposed Local Development Plan (LDP2), designated as 'Newmills, Balerno - HSG 37', for an estimated total capacity of up to 245 residential units.

The applicant has submitted a supporting air quality impact assessment due to the density of the proposal. This has identified that no specific mitigation measures will be required however recommends that provisions are made for electric vehicle charging.

The LDP2 has indicated within the Action Programme that several transport related improvements will be required. For example in respect to the Gillespie Crossroads, improvements in the efficiency of the junction through the installation of MOVA (Microprocessor Optimised Vehicle Actuation) should be implemented along with other identified strategic transport measures to support of this development.

Therefore with regards to air quality, Environmental Assessment will not object to this development. However, the developer is encouraged to work with this section to produce a Green Travel Plan which should incorporate the following measures to help mitigate traffic related air quality impacts:

- 1. Keep car parking levels to a minimum.*
- 2. Car Club facilities (electric and/or low emission vehicles).*
- 3. Provision of electric vehicle charging facilities.*
- 4. Public transport incentives for residents.*
- 5. Improved public transport infrastructure (signal improvements)*
- 6. Improved cycle/pedestrian facilities and links.*

Construction Site Impacts

Due to the scale of the proposed development and the close proximity of residential properties there may be air quality impacts during the construction phase if unmitigated. Environmental Assessment recommends a number of control measures to mitigate construction phase impacts.

Site Investigations

Ground conditions relating to potential contaminants in, on or under the soil as affecting the site will require investigation and evaluation, in line with current technical guidance such that the site is (or can be made) suitable for its intended new use/s. Any remediation requirements require to be approved by the Planning & Building Standards service. The investigation, characterisation and remediation of land can normally be addressed through attachment of appropriate conditions to a planning consent.

Therefore Environmental Assessment offers no objections to this planning application subject to the following condition and would also recommend the inclusion of the following informative:

Condition

Site in General

Prior to the commencement of construction works on site:

*A site survey (including intrusive investigation where necessary) must be carried out to establish to the satisfaction of the Head of Planning, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and
Where necessary, a detailed schedule of any remedial and /or protective measures, including their programming, must be submitted to and approved in writing by the Head of Planning.*

Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided to the satisfaction of the Head of Planning.

Informative

Air Quality

Charging outlet (wall/garage or ground mounted) should be of the following standard:

Type 2 (EN62196-2), Mode 3 (EN61851-1) compliant and be twin outlet. With the ability to supply 22 kW (32 Amps) AC - Three Phase power and have the ability to be de rated to supply 11 kW to each outlet when both are in use. Where this is not possible then 7 kW (32 Amps) AC - Single Phase chargers that have the ability to deliver power of 7 kW capacity to each outlet simultaneously.

Construction and Dust Mitigation Measures

a) All mobile plant introduced onto the site shall comply with the emission limits for off road vehicles as specified by EC Directive 97/68/EC. All mobile plant shall be maintained to prevent or minimise the release of dark smoke from vehicle exhausts. Details of vehicle maintenance shall be recorded.

b) The developer shall ensure that risk of dust annoyance from the operations is assessed throughout the working day, taking account of wind speed, direction, and surface moisture levels. The developer shall ensure that the level of dust suppression implemented on site is adequate for the prevailing conditions. The assessment shall be recorded as part of documented site management procedures.

c) Internal un-surfaced temporary roadways shall be sprayed with water at regular intervals as conditions require. The frequency of road spraying shall be recorded as part of documented site management procedures.

d) Surfaced roads and the public road (during all ground works) shall be kept clean and swept at regular intervals using a road sweeper as conditions require. The frequency of road sweeping shall be recorded as part of documented site management procedures.

e) All vehicles operating within the site on un-surfaced roads shall not exceed 15mph to minimise the re-suspension of dust.

f) *Where dust from the operations are likely to cause significant adverse impacts at sensitive receptors, then the operation(s) shall be suspended until the dust emissions have been abated. The time and duration of suspension of working and the reason shall be recorded.*

g) *This dust management plan shall be reviewed monthly during the construction project and the outcome of the review shall be recorded as part of the documented site management procedures.*

h) *No bonfires shall be permitted.*

Flood Prevention

I can confirm that this addresses CEC Flood Prevention's concerns. The microdrainage results show minor flooding at manholes S1, S5 and S6 however these volumes are likely to be stored safely on site and will not pose a flood risk to surrounding properties nor impact upon dry safe pedestrian access to and from the site.

Flood prevention therefore has no further comment on this application.

NHS Lothian and Edinburgh Health and Social Care Partnership

The impact of current developments in the area on Pentland Medical Centre is likely to take the practice close to their maximum practice population capacity and, as things stand, there is insufficient GP capacity in the area to absorb the proposed additional population from these planned developments. Provision of GP services for this population would be contingent on additional investment to extend or internally reorganise practice premises and investment in more staff, as well as the practice agreeing to expand further which currently they are reluctant to do. We will continue to work with the practice, and others in the area, to see if we can address concerns.

Parks, Greenspace & Cemeteries

Although supportive of the proposal to establish new woodland, a SUDS, and parkland, unless there is a commensurate uplift in revenue budget I can confirm that due to reductions in staff numbers and budget the Council is unable to resource the maintenance of the green space to be created as part of this development proposal. I therefore recommend that the land be protected as public open space (perhaps using a Fields in Trust dedication) and maintained by the landowner or future residents under a factoring or management Trust arrangement.

Roads Authority Issues

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

1. *Consent should not be issued until the applicant has entered into a suitable legal agreement to:*
 - a) *Contribute the sum of £164,835 to increase junction capacity at Gillespie Crossroads;*
 - b) *Contribute the sum of £207,000 towards extending Hermiston Park and Ride;*

- c) Construct a 2m (minimum) wide footway on the east frontage boundary of the site at no cost to the Council;
 - d) Design and install a suitable Toucan crossing on Lanark Road West in the vicinity of the proposed development access at no cost to the Council. Location, layout, specification and design to be approved in writing by the Head of Planning and Transport prior to construction. Road Safety Audits will be required. The design should be capable of conversion to full signalised junction;
 - e) Contribute the sum of £32,000 towards upgrading cycle routes to Curriehill Station;
 - f) Contribute the sum of £500 towards provision of additional cycle parking at Curriehill Station;
 - g) Provide 2No. new bus stops on Lanark Road West to serve the proposed development;
 - h) Contribute the sum of £28,840 towards extending Curriehill Station car park;
 - i) Contribute the sum of £2,000 to progress a suitable order to redetermine sections of footway and carriageway as necessary for the development;
 - j) Contribute the sum of £2,000 to progress a suitable order to introduce waiting and loading restrictions as necessary;
 - k) Contribute the sum of £2,000 to promote a suitable order to introduce a 20pmh speed limit within the development. The applicant should be advised that the successful progression of this Order is subject to statutory consultation and advertisement and cannot be guaranteed;
- Items a) to h) above as per the LDP Second Action Programme;
2. All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. Particular attention must be paid to ensuring that refuse collection vehicles are able to service the site. The applicant is recommended to contact the Council's waste management team to agree details;
 3. A Quality Audit, as set out in *Designing Streets*, to be submitted prior to the grant of Road Construction Consent;
 4. The applicant should note that new road names will be required for the development and this should be discussed with the Council's Street Naming and Numbering Team at an early opportunity;
 5. The applicant must be informed that any proposed on-street car parking spaces cannot be allocated to individual properties, nor can they be the subject of sale or rent. The spaces will form part of the road and as such will be available to all road users. Private enforcement is illegal and only the Council as roads authority has the legal right to control on-street spaces, whether the road has been adopted or not. The developer is expected to make this clear to prospective residents;
 6. Access to any car parking area is to be by dropped kerb (i.e. not bell mouth);
 7. A length of 2 metres nearest the road should be paved in a solid material to prevent deleterious material (e.g. loose chippings) being carried on to the road;
 8. Any gate or doors must open inwards onto the property;
 9. Any hard standing outside should be porous, to comply with 'Guidance for Householders' published in December 2012;

10. The works to form a footway crossing must be carried out under permit and in accordance with the specifications. See Road Occupation Permits
http://www.edinburgh.gov.uk/downloads/file/1263/apply_for_permission_to_create_or_alter_a_driveway_or_other_access_point

11. Any off-street parking space should comply with the Council's Guidance for Householders and be at least 6 metres deep and should not be wider than 3 metres. See

http://www.edinburgh.gov.uk/download/downloads/id/704/guidance_for_householders

12. All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Head of Transport if he wishes the bays to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2002 regulations or British Standard 8300:2009 as approved by the Head of Transport;

13. Electric vehicle charging outlets should be considered for this development which includes dedicated parking spaces with charging facilities and ducting and infrastructure to allow electric vehicles to be readily accommodated in the future.

COMMUNITY COUNCILS

Balerno Community Council comment

Green Belt (GB) We note the site is located within the Balerno Green Belt.

Balerno Community Council has a policy of supporting the existing greenbelt boundaries and the associated planning policies. We therefore object to applications that do not conform to the green belt policies as contained within the Rural West Edinburgh Local Plan (RWELP). We understand that the proposed new Edinburgh Local Development Plan (ELDP2) proposes this area for housing, however we have already objected to this proposal as per the ELDP2 consultation and we understand a motion was passed by the CEC to remove this site from the ELDP plans and for it to remain within the Green Belt.

It appears that the main policies that apply are as follows and the relevant sections mention;

RWELP Policy E5: (a) Development in the green belt will not be permitted except where necessary for the purpose of agriculture etc. This housing development application fails this test.

RWELP Policy E6: This Policy does not come into play, because the proposal fails the E5 Policy test.

RWELP Policy E7: Permission will not be given for development, which would result in irreversible damage to, or the loss of, prime quality agricultural land. We believe this agricultural land is either prime quality or very close to it, therefore the proposal appears to be contrary to planning policy. However this policy does not come into play, because the proposal fails the E5 Policy test.

Planning Policy Conclusion

Policy E5 is the over-riding policy that should be used in determining this application and the planning application clearly fails that test. Therefore this planning application should be refused.

In relation to the above, we wish to make some additional comments as follows.

Housing Needs

We are unaware of any demands from Balerno residents for major housing developments within the Balerno area.

SES & Proposed new Edinburgh Local Development Plan 2

We believe that within the strategic plan (SES) that it should indicate a five year housing land supply and that it is subject to supplementary guidance. However this has not yet been settled and it has not yet been decided where exactly this land supply should be located. It is therefore premature for developers to be proposing, that this area of green belt should be used to fulfil any possible shortfall in the Edinburgh five year housing land supply. We have already objected to the ELDP2 proposal that mentions this site may be used for housing and we understand that the CEC have passed a motion that this site should remain within the Green Belt.

Brown Field Sites

We believe that there is sufficient brown field sites to fulfil a possible shortfall in the Edinburgh housing land supply. In addition these areas are located well within Edinburgh and do not require lengthy car or bus trips in and out of the City.

Green Field Sites

If at some later date green field sites are to be developed, then surely they should firstly be those sites that are nearer to the city centre and not those that are so far away, such as the rural village of Balerno, e.g. the Murray proposal for the Garden District. The benefit of the Murray site is that it already has the necessary infrastructure, including bus, train & tram systems, major shopping centre and business areas with many opportunities for local employment and future growth.

Historic Environment

This site is an important link in the green belt that separates the Currie & Balerno greenbelts.

Traffic

We are very concerned, particularly during busy periods, about the impact of hundreds or even thousands of additional vehicles using the already congested & polluted Lanark Road West towards the city. The pollution during busy periods is made much worse because of the lengthy traffic queues. It is worth noting the comments made by the CEC Transport Planning (Andrew McBride) on the 1-11-13, it related to a similar Balerno application 13/02787/PPP. It mentioned the full transport implications need to be examined in the context of all the other housing site proposals and that the application appears to be premature, as we are still waiting for the new ELDP2 plan to be finalized. We do not accept that making modifications to the traffic lights on the Lanark Road West and in particular the lights at Gillespie Cross Roads will make any improvements on the serious traffic congestion & pollution affecting Lanark Road West during busy periods.

Scottish Water

We are unaware of responses in relation to the total of all Balerno proposals.

Drainage - CEC - SEPA

We believe some flooding within the area does occur. We are unaware of responses in relation to the total amount of the all the other Balerno housing proposals and their affect on flooding further down stream.

Other Balerno Green Belt Planning Applications - Refusals & Appeals

Balerno Community Council have recently been heavily involved in opposing three greenbelt housing proposals and appeals as follows;

469 Lanark Road West, Balerno. Several homes proposed. Permission refused and subsequent appeal failed, main reason for refusal was contrary to green belt policy.

Mansfield Road/Cockburn Crescent, Balerno. Approximately 280 homes proposed. Permission refused and subsequent appeal failed, main reason for refusal was contrary to green belt policy.

Ravelrig/Pilmuir Farm, Balerno. The application for 190 houses was refused, main reason for refusal was contrary to green belt policy. Ravelrig Appeal This also went to an appeal and the DPEA has indicated its intention to allow a smaller amount of 120 houses, but subject to certain conditions. According to the DPEA report it mentions that 120 houses would have a relatively limited effect on the character of the settlement as a whole. Furthermore it mentions that no precedent would be set for any further development to the north of Lanark Road West. The Newmills proposal is for 206 houses and is north of LRW, we therefore believe this proposal should be refused.

Planning & Green Belt Authorities

The existing Balerno green belt boundaries and the associated planning policies appear to have been fully supported by the CEC planning refusals. We believe that some planning policies may at some future date be amended, however we are hopeful that Balerno will retain its remaining green belt as shown within the existing RWELP.

Housing Flats

Balerno does have some 3 storey flats, but they are located on the old paper mill site and it included some high buildings, so the building of flats on the old mill site seemed acceptable. However this Newmills area is very different as it is surrounded by villa styled homes, within a rural setting. We wish to add that the building of flats is completely out of keeping with the Newmills area. If planning permission is given then it should not include the building of flats within this area.

Localised Flooding

We note that CALA had stated within the planning application form, that there was no flooding in the area. However some of the land within the site has a history of localised flooding, we have therefore included an attachment photograph it shows the scale of the localised flooding, therefore we believe this problem should be taken more into consideration.

Balerno Community Council (BCC) We represent several thousand local residents and we believe that they expect us to comment or object on their behalf and they have overwhelmingly supported our stance in protecting the Balerno Green Belt.

Balerno Community Council further comment

Further to our objections regarding the above, we have since then received objections from local residents who live around the site, they are strongly objecting to the building of flats within the Newmills area. Also at our Balerno CC meeting of the 3-12-15, we agreed to also submit some additional comments/objections, as follows;

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Balerno Community Council further comment

Green Belt (GB) We note that the ELDP2 has not yet been finalized, so according to the current RWELP the site is still located within the Balerno Green Belt.

ELDP2 - DPEA Report However the DPEA report suggests the site can be developed, but the DPEA report contains caveats relating to issues that need to be resolved before the CEC can give consent, these mainly relate to the lack of infrastructure. The main problem is related to traffic issues as below.

Traffic We are very concerned, particularly during busy periods, about the impact of additional vehicles using the already congested & polluted Lanark Road West towards the city. We believe the road will be unable to cope with the several hundred additional vehicles and it is worth noting the following comments made by the CEC Transport Planning.

In addition to the above we are now asking Heriot Watt University to carry out a traffic assessment survey, it may therefore be a good idea if the CEC delay any decision until the results have been taken into consideration.

However the ELDP2 has not yet been finalized or adopted.

We therefore trust the planning committee will stand by the motion and refuse this planning application.

Green Field Sites & Alternative sites

However the Newmills proposal is for 206 houses and is north of LRW, so this would then total 326 houses, which is a lot more than the 120 decided for the area, we therefore believe this proposal should be refused, so that the area can comply with the DPEA Ravelrig report conclusions.

In addition we are opposed to the building of flats within the area, as there are no other flats within the vicinity. The building of flats should also be considered as an over development of the site.

We note the developers had initially proposed a children's play area to be within the housing development, however this has now been changed and the amended proposal moves the play area much further away towards and adjacent to Dalmahoy Crescent. We have received objections from the Dalmahoy residents and we have therefore agreed to also object to this latest amendment.

Doctors Medical Practice It is also believed that the existing doctor's surgery may be unable to cope with the additional houses proposed for the Balerno area.

Schools We also understand that the site is not within the Balerno schools catchment area, but is instead within the Currie schools catchment area and that both areas may be unable to accommodate the anticipated increase in pupils. We believe the primary schools are full up.

We question the wisdom of this proposal due to the fears that young children may manage to get into the SUDs area when it contains water or is boggy, so there may be a health & safety issue. We all have a duty of care and therefore we are required to object to the proposal.

Currie Community Council

The proposals for Newmills Road would remove part of the existing green belt around Balerno and an important green corridor linking the Pentland Hills with open land at Dalmahoy and Ratho.

This is important as the green corridors form vital links with open spaces around the developed areas south of the railway and to farmland in the green belt to the north.

These proposals would also add further traffic to the Lanark Road (A70), which is already congested at rush hours, and via Riccarton Mains Road to the A71 at Sighthill, which is equally congested. They will also put extra pressures onto existing public transport links.

We are of the opinion that if Edinburgh Council is required to provide additional land for housing developments, it should firstly ensure that brown field sites are used, and secondly SDA sites and other sites that have good transport links such as roads, trains and trams. We understand that such a site is available within the West Edinburgh SDA, situated to the west of the Gyle and the City Bypass, and to the North of the main Edinburgh - Glasgow railway.

Juniper Green Community Council

We wish to object to this development on the following grounds -

The site is part of Edinburgh's Green Belt, as defined in the Rural West Edinburgh Local Plan, and its development would lead to coalescence between the communities of Balerno and Currie;

The site is part of the area of open country extending north from the Pentland Hills towards the Water of Leith and beyond that to Dalmahoy and the River Forth;

The proposed development would significantly reduce the effectiveness of this area for wildlife and biodiversity;

Local roads, in particular the A70 Lanark Road/Lanark Road West are already severely overloaded, especially during peak hours Monday-Friday, and this development would add about 250 extra journeys each way per working day, most of them by car;

Although the developer's Transport Assessment looks at traffic between the site and the Lanark Road in Currie and Juniper Green, it seriously underestimates the likely traffic flows in the morning and afternoon peaks, particularly at Gillespie crossroads;

We would also draw your attention to the comments made by the Reporter, Michael Cunliffe (DPEA ref. PPA-230-2112) in reference to an appeal against refusal by CEC for a recent development at Cockburn Crescent regarding a situation we frequently encounter in Juniper Green:

"several representations draw attention to the frequent tendency for traffic to grind to a halt. This was borne out on the way to my site visit, when a major holdup occurred between Juniper Green and Currie in the early afternoon."

He later stated that

"I am concerned that this and the traffic generated by any other significant developments in Balerno would add to an already congested road and lead to even longer journey times for both car users and bus passengers."

This site, together with the site at Pilmuir recently approved by the DPEA, would equal the site capacity of the site rejected by the Reporter. There are already many undeveloped Brownfield sites throughout the city, with potential capacity many times greater than the number of houses proposed here.#

Juniper Green Community Council further comment

We wish to object to this development on the grounds of cumulative transport problems, pollution, infringement of the Green Belt, coalescence, flooding and because a full impact of the Brexit decision has not yet been quantified as to how it will affect migration numbers to the City of Edinburgh and hence the number of new houses needed. Furthermore, the lack of infrastructure in the area to support population increases has not been taken into account: GP and dental practices are already fully stretched, primary schools are crowded and the A70 is totally inadequate as a commuter route, as are minor roads linking Balerno with other trunk roads.

Local roads, in particular the A70 Lanark Road/Lanark Road West, are already severely overloaded, especially during peak hours Monday-Friday. This development would add about 250 extra journeys each way per working day, most of them by car, to say nothing of additional daytime traffic or the extra public transport required.

Although the developer's Transport Assessment looks at traffic between the site and the Lanark Road in Currie and Juniper Green, it seriously underestimates the likely traffic flows in the morning and afternoon peaks, particularly at Gillespie crossroads.

We would therefore draw your attention to the comments made by the Reporter, Michael Cunliffe, (DPEA ref. PPA-230-2112) in reference to an appeal against refusal by CEC for a recent development at Cockburn Crescent regarding a situation we frequently encounter in Juniper Green: Mr Cunliffe observed "several representations draw attention to the frequent tendency for traffic to grind to a halt. This was borne out on the way to my site visit, when a major holdup occurred between Juniper Green and Currie in the early afternoon." He later stated that "I am concerned that this and the traffic generated by any other significant developments in Balerno would add to an already

congested road and lead to even longer journey times for both car users and bus passengers." The Newmills site, together with the site at Pilmuir recently approved by the DPEA [land 322 metres west of 6 Ravelrig Road, Balerno - PPA-230-2140], would exceed the site capacity of the site rejected by the Reporter on that occasion.

In our previous submission of 4 December 2015 we objected on the grounds of coalescence, infringement of the Green Belt and increased traffic flows down the Lanark Road. Now it is time to apply some evidence to the statements made by the developers and bring into sharp focus the cumulative transport situation facing those living in the A70 corridor.

We begin then with a statement from the reporter, Mr Bowden, in his recent review of Edinburgh's Local Development Plan [LDP-230-2] where in issue 13 he states:

"82. The general development principles, as recommended for inclusion in Part 1 Section 5 of the plan for South-West Edinburgh, apply to all the sites included in this section of the plan but also reference the need for further assessment. Consequently, I am satisfied that these matters can be addressed through the master-plan and planning application stage when further detailed assessment to address commensurate mitigation of any individual and cumulative transport impacts would be required. Policy Tra x (Issue 19) and Del 1 (Issue 21) including its associated guidance apply the relevant policy framework in this respect."

So now that we are at the planning application stage, it is vital that issues of downstream cumulative transport and pollution are investigated more thoroughly. But please do not take our word on this: we refer you to issue 19 of the recent reporter's review of Edinburgh's LDP which states:

"13. Transport Scotland expressed concern at the hearing held to examine infrastructure and housing land delivery that the cumulative impact from the proposed new housing development in the plan has not been fully assessed within the transport appraisal, and that the effect from housing development outwith the City of Edinburgh has not been taken into account at all. Transport Scotland has therefore stated that it is unable to support the proposed plan, because of the insufficient assessment of the cumulative effects of development on the trunk road network (both within and outwith the City of Edinburgh). This means that it is not possible to fully set out the proposals for improvements to the trunk road network which may be required in the local development plan."

In view of the above it is necessary to examine more closely the traffic flow argument as it affects one of Edinburgh's trunk roads, the A70. In Mr Cunliffe's review (DPEA ref. PPA-230-2112) rejecting the case for 280 houses at Cockburn Crescent/Mansfield Road in Balerno, he referred to the traffic appraisal by the developer which recognised that this number of houses would cause a 9% increase in peak traffic flows at Gillespie crossroads. Since Mr Cunliffe upheld CEC's refusal decision there has been or soon will be an additional 230 houses on the A70 corridor in Currie and Juniper Green alone, i.e. a traffic increase of approximately 7% at peak times at the Gillespie crossroads by the developers' own calculation.

Now let us calculate the effect of a further 207 houses at this site at Newmills. A further 207 units will lead to a greater than 14% increase in traffic flow at peak times at the Gillespie lights. If we now include the 120 houses proposed for Ravelrig in Balerno, then the traffic flow increase at the Gillespie crossroads would be of the order of 18% at peak times. In these calculations no account has been taken of growing pressure on the Lanark Road corridor resulting from current and future large housing developments west of Edinburgh which would likely increase the flows even further.

Throughout the recently reviewed LDP the solution often cited is that the MOVA system will solve the problem. MOVA is referenced several times throughout the LDP, and, without any supporting evidence, provides the mantra that will resolve the problem at the Gillespie crossroads. When we check the claims of MOVA we find that a '13%' efficiency over other traffic systems is claimed. So, from our analysis above, it seems clear that the MOVA system will not address the traffic issue and that the proposed housing would contribute to more severe traffic congestion on the A70 which is frequently exacerbated when accidents occur on other parts of the trunk road system in West Edinburgh.

On pollution it is also evident that any percentage increase of peak traffic flows would lead to a vastly greater percentage of air pollution caused by the inevitable extended queueing time. These delays would also have a knock-on effect on the economy owing to the extra travel time for commuters.

The Newmills site is part of Edinburgh's Green Belt, as defined in the Rural West Edinburgh Local Plan, and its development would lead to virtual coalescence between the communities of Balerno and Currie.

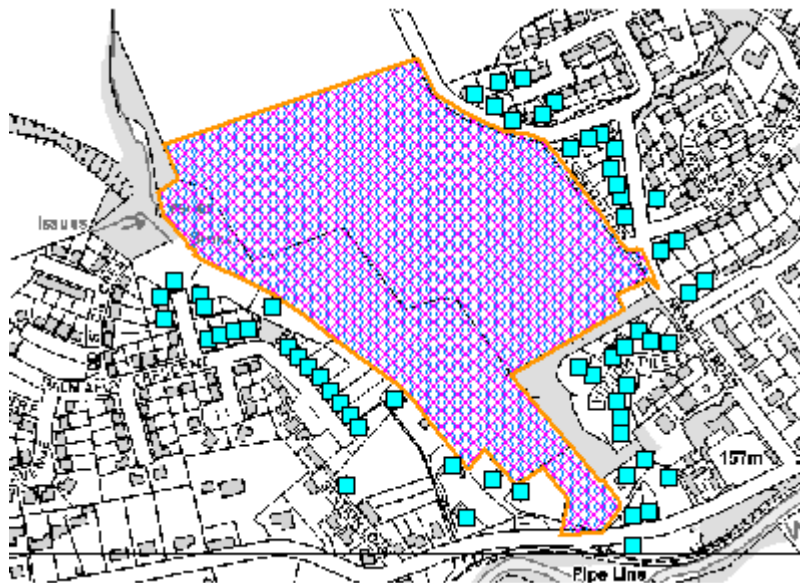
The proposed development would significantly reduce the effectiveness of this area for wildlife and biodiversity.

There are flooding issues at this site too which others are better placed to explain, but, all in all, this application should be rejected as unsatisfactory.

There are already many undeveloped brownfield sites throughout the city, with potential capacity many times greater than the number of houses proposed here.

Finally, the recent Brexit decision has yet to be analysed properly and should bring into question the shaky analysis of migration numbers to Scotland's capital. Currently, some 3,500 people per annum are estimated to move into the Edinburgh area and are projected to do so over the next several years. However, even a small decrease in that figure would result in Edinburgh being capable of housing its population, and any increase, on its current brownfield land bank sites. We are aware from correspondence with the National Records of Scotland on 18 August 2016 that they are currently working to correct data relating to SESPlan. So it is quite possible that the slogan 'brown field first' could be realised in this instance by rejecting the Newmills site for development.

Location Plan



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