

Development Management Sub Committee

Wednesday 7 December 2016

Application for Approval of Matters Specified in Conditions 16/04342/AMC

At Granton Harbour, West Harbour Road, Edinburgh
Application for approval of matters specified in condition 2 of application 01/00802/OUT for plot 3, at 65 West Harbour Road, EH5 1PW. Erection of a 4/6 storey residential development of 104 flats with associated parking, landscaping and accessibility.

Item number	4.9
Report number	
Wards	A04 - Forth

Summary

The proposed development will contribute to the wider regeneration of Granton Waterfront by bringing forward new housing on a vacant urban site. The proposal provides 104 affordable residential units and is acceptable in terms of scale, layout, design and materials. The impact on the amenity of occupiers and neighbours is acceptable and adequate car parking and cycling is provided.

Links

Policies and guidance for this application	LDEL01, LDEL03, LDES01, LDES02, LDES06, LDES05, LDES07, LDES08, LEN20, LHOU01, LHOU02, LHOU04, LHOU06, LTRA02, LTRA03, NSP, NSGD02, NSMDV, NSDCAH, NSP,
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Report

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Recommendations

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

Background

2.1 Site description

The application site is an approximate square shape to the south of West Granton Harbour and to the west of Middle Pier. It is currently unused, reclaimed land. The site covers one hectare and is generally flat. The centre of the site is approximately one metre below the surrounding area.

The site is bounded to the east by five storey flats. To the south, on the opposite side of Hesperus Crossway, are commercial warehouses. There is open land to the west of the site and to the north is vacant land with West Granton Harbour beyond.

The site is referred to as Plot 3 in the overall Granton Harbour Master Plan.

2.2 Site History

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

21 July 2005 - Approval of reserved matters for 131 flats at Plot 3 (application number 04/01662/REM). This application was for general housing with 100% underground parking arranged in a perimeter block of between four and eight storeys.

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

31 January 2014 -Application approved for matters specified in condition 2 as attached to outline permission 01/00802/OUT: covering siting and height of development; design and configuration of public and open space; access, road layouts; footpaths and cycle routes'. (application number 13/04320/AMC). This related to a revised Master Plan for Granton Harbour.

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

History of Other Sites

01 July 2005- Application approved for 290 new build residential and retail/commercial units as Plots 4 and 7a (application number 03/01922/FUL).

17 August 2016- Application approved for matters specified in condition 2 of outline application 01/00802/OUT covering siting and height of development, design and configuration of public and open spaces, access, road layouts, footpaths and cycle routes'. Granton local shopping centre Masterplan. This was approved subject to a number of conditions and informatives which indicated that the details of matters specified in conditions, including the siting, height of development, design and configuration of public open spaces, access, road layouts, four storey car park structure, footpaths and cycle routes contained in drawing numbers 2b, 3, 4, 5 and 6 were not approved (application number 16/01273/AMC). This relates to a revised Master Plan for plots 12, 14, 15, 15A, 16 and 17.

Main report

3.1 Description Of The Proposal

The proposal is for the construction of 104 new residential units. The development provides a mix of 22 maisonettes and 82 flats. The maisonettes have three bedrooms and the 82 flats comprise a mix of one and two-bedrooms. Two of the two bed flats are larger and suitable for wheelchair use. The development will provide affordable housing units.

The form of the development is a perimeter block around a landscaped courtyard. The main elevations front on to Hesperus Crossway (southeast) and Heron Place (north east). The development is four storeys in height on all elevations except at the corner of the north and east elevations where the height rises to six storeys. There is decked access to some of the flats on the upper floors. There are two gaps in the building, one on the west elevation and one on the east elevation. These gaps allow pedestrian access into the internal courtyard.

Access will be taken off Hesperus Crossway. Sixty-one public parking spaces are proposed for the development plus two disabled parking spaces. The parking is on-street and arranged around the perimeter of the site with trees planted every five spaces. Fully integrated, secure cycle storage for 104 cycles is provided. The cycle stores are located adjacent to the communal stairs in each of the blocks.

The design of the flats is contemporary. Materials proposed for the external elevations are a light grey facing brick and a light buff brick to the internal facing of the courtyard. Some of the upper flats have integrated recessed balconies in light grey TRESPA panelling with galvanised dark grey metal railings. The fifth and sixth storeys at the north east corner have TRESPA panelling in two different light grey/brown tones. Windows have a dark grey frame. The two main entrances for the flatted blocks on the north and west elevations are single glazed with secure access to the central courtyard.

Marshalls porous paving will form the public parking spaces at the periphery of the development. Textured permeable concrete block paving is proposed immediately in front of the flats.

The central courtyard area is to be shared by all residents. The external walkways on the upper levels shall be landscaped with planters beside windows and other planting pots on the side where screening will be provided marking the flats' entrances. These will also act as a buffer and add privacy when entering the individual flat. Ground floor flats will benefit from private front gardens, acting as a buffer to the street, and larger rear gardens with some decking for a sitting area and soft landscaping with an area allocated for a shed. Decorative trees and other native plants will also grow in the corners of the tenement block, marking entrances to the amenity stores.

Bin stores will be provided at the four corners of the development adjacent to the communal stairs. Details of the waste type and volumes are provided on the waste management drawing.

A full landscaping scheme for the development has been submitted.

The applicant has submitted the following supporting documents:

- Design and Access Statement;
- Site Investigation Report;
- Acoustic Survey;
- Ecological Assessment; and
- Flood Risk Assessment and Drainage Strategy Report.

These documents have been submitted in support of the application and are available to view on the Planning and Building Standards Online Services.

3.2 Determining Issues

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) the principle of development and housing mix are acceptable;
- b) the proposed scale, design, layout and materials are acceptable;
- c) the proposals are detrimental to the amenity of occupiers and neighbours;
- d) parking, access and road safety arrangements are acceptable;
- e) the proposals meet sustainability criteria;
- f) the proposals have any equalities or human rights impacts;
- g) there are other material planning considerations; and
- h) the representations raised have been addressed.

a) Principle of development and housing mix

The outline planning permission for Granton Harbour (01/00802/OUT) supports up to 3396 residential units. This application for 104 residential units accords with the outline permission.

The site is located within the Granton Harbour Area at Granton Waterfront, as identified in the adopted Edinburgh Local Development Plan (LDP). It is covered by Proposal EW2c for housing led mixed use development across Granton Harbour. Policy Del 3 supports proposals which meet a number of requirements including the provision of a series of mixed use sustainable neighbourhoods that connect with the waterfront and proposals for a mix of house types, sizes and affordability.

This application represents a reduction in the density of development since the previous permission (04/01662/REM) which was for 131 flats. The previous application was for general housing with no affordable provision and 100% car parking provided under ground.

The proposed development of 104 flats is consistent with the recently approved master plan for Granton Harbour (14/05305/AMC) and will provide affordable housing contributing towards meeting Edinburgh's housing need. Underground parking is not provided for viability reasons which has implications for the number of units on the plot.

The legal agreement attached to the outline permission requires 15% affordable housing provision across Granton Harbour. The most recent master plan proposes 2102 residential units in total - 15% of this is 315. This application for 104 affordable units by a registered social landlord will contribute to the overall affordable housing requirement. The Council's Housing and Regulatory Service has confirmed that the applicant has entered into an agreement to provide affordable housing on this site through the Affordable Housing Supply Programme.

The proposal accords with LDP Policy Hou 2 as it provides a mix of maisonettes and flats. The 82 flats are a mix of 36 one bed, 44 two bed and two larger two beds which are suitable for wheelchair use. Family housing is provided in 22 maisonettes which are all three bed. This represents 21% of the total number which meets the requirements of the Edinburgh Design Guidance for 20% family accommodation.

The principle of development and housing mix are acceptable.

b) Scale, design, layout and materials

LDP Policies Des1, Des 4 and Des 7 and the Edinburgh Design Guidance set out the design and layout criteria against which this application is assessed.

This application site lies immediately to the west of a site which has been developed for flats. The proposal forms a perimeter block consistent with the development principles for Granton Harbour (ref EW 2c) of the LDP. The proposals step down in height to the east as they approach the corner of Hesperus Crossway (south) from Heron Place and follow the same height all the way around until the north elevation where it rises two additional storeys to follow the height line of the adjacent development. The four storeys of this proposal which increases to six storeys at the north east corner fits in well with the adjacent development.

Vertical emphasis is given by the porches sitting below balconies. Entrances are set forward with larger areas of glazing and their own separate roof space extended to form canopies which provide shelter and are visually welcoming.

The Edinburgh Design Guidance indicates that materials should normally harmonise with materials used on surrounding buildings. It also advises that where alternative materials are used, these should either harmonise or provide a striking contrast. In this instance, the materials used provide a contrast with those used on the adjacent site to the east (plot 4). The external materials used on plot 4 are predominantly off white render with some blue, grey and terracotta panelling. This development has not weathered well and therefore the use of alternative materials is appropriate.

The Edinburgh Design Guidance notes that brick has good weathering characteristics and its use on plot 3 is appropriate. The submitted drawings show two complementary shades of brick - light grey and light buff. These together with TRESPA panelling in light grey and brown tones provide a simple palette creating an acceptable contrast with the adjacent development. A condition is recommended requiring approval of the detailed specification of external materials. It is anticipated that the materials used in this development will help influence the character for future proposals at Granton Harbour.

The scale, design, layout and materials are appropriate.

c) Amenity of occupiers and neighbours

The applicant has submitted a supporting noise assessment with the application. The assessment has investigated the potential noise impacts from neighbouring land uses. Environmental Protection has identified that there is no effect from any noise sources and no mitigation will be required.

In terms of internal space standards, all the maisonettes have an internal floor area of 105 sq m which exceeds the standards set out in the Edinburgh Design Guidance of 81 sq m. The two-bed flats are all 77 sq m which exceeds the standards of 66 sq m set out in the Guidance. The one bed flats are generally between 52 and 54 sq m which meets the standards of 52 sq m. Only one flat is marginally less than the Guidance at 51 sq m. At only one sq m less, this is considered a very minor and acceptable infringement of the Edinburgh Design Guidance.

LDP Policy Hou 3 sets out the requirements for open space to meet the needs of future residents. This indicates that 10 sq m of open space should be provided per flat. There are 104 flats and the layout plan shows total communal green space of 1450 square metres, i.e. more than the required 1040 square metres.

In terms of privacy, the minimum distance between the proposed development and the adjacent residential development to the east and warehouses to the south is 21 metres and 25 metres respectively. These distances are acceptable. The proposed building also has no impact on daylighting / overshadowing of the adjacent residential development. The applicant has submitted Vertical Sky Component calculations for four windows on the adjacent block and they all pass the standards set within the Edinburgh Design Guidance. In terms of daylighting for the new occupiers, all the flats and maisonettes have dual aspect glazing allowing for maximum views and sunlight right through the living spaces.

Sunpath studies have been submitted to demonstrate adequate sunlight to the shared garden space in the courtyard. The studies show that more than half of the shared garden space could receive at least six hours of sunlight at the spring equinox. This exceeds the requirements of at least half of garden space receiving sunlight for more than three hours as set out in the Edinburgh Design Guidance. An objection has been received on the grounds that the sunpath studies do not take account of 11-storey flats which have planning permission on Plot 7A to the north east of the site (03/01922/FUL). This permission relates to Plot 4 which has already been built and Plot 7A which could still be implemented. Given changes in market conditions since this permission was granted in 2005, it is anticipated that revised proposals will be submitted for Plot 7A in due course. However, the 11-storey blocks are positioned at the northern end of Plot 7A and if they were built, there would be no effect on the open space of this proposal.

The proposed development complies with the Edinburgh Design Guidance in terms of privacy, loss of sunlight or overshadowing.

The proposals for waste management meet the requirements of the Council's Waste Management Services and raise no amenity concerns.

Overall, the proposals are acceptable in terms of impact on the amenity of residents and neighbours.

d) Transport Matters

The access to the development off Hesperus Crossway is acceptable.

The current Council Parking Standards for affordable housing require between 0.1 and 0.5 spaces per unit depending on the number of rooms. For the proposed 104 units, this would require 62 spaces. The development provides 63 car parking spaces of which two are for disabled use. This is considered acceptable.

Four separate internal secure cycle stores are provided adjacent to the communal stairs. Storage for a total of 104 cycles will be provided which equals 100% provision and meets the Council's cycle parking standards.

e) Sustainability

The applicant has submitted a sustainability statement in support of the application. The proposed development will meet current Building Standards, will be constructed on brownfield land and will meet a 30% carbon reduction. The development will include a combined heat and power system with individual smart meters located in each property which will improve significantly the efficiency and reduce cost. Wall construction will be 'breathable' and timber framed and aluminium clad windows will be low maintenance. The proposal is classed as a major development and has been assessed against Part B of the sustainability standards. The points achieved against the essential criteria are set out in the table below:

Essential Criteria	Available	Achieved
Section 1: Energy Needs	20	20
Section 2: Water Conservation	10	10
Section 3: Surface Water Run Off	10	10
Section 4: Recycling	10	10
Section 5: Materials	30	30
Total Points	80	80

The proposal meets the essential requirements of the Edinburgh Standards for Sustainable Buildings.

f) Equalities and Human Rights

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

g) Other material considerations

Environmental Impacts

The applicant has submitted a site investigation report which is currently being assessed by Environmental Assessment. As this assessment has not yet been completed, a condition is required to ensure that contaminated land is fully addressed.

The Council's Archaeologist has advised that there are no known archaeological implications.

Drainage/Flooding

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

The applicant has submitted a Flood Risk Assessment and Surface Water Drainage Strategy. The Council's Flooding team has confirmed that the relevant condition in the outline permission has been met and the proposal is acceptable in terms of flood risk and surface water drainage.

Education

Developer contributions towards education infrastructure are secured through the legal agreement attached to the relevant outline permission. The financial implications of this are set out in section 4.1 of this report.

h) Matters raised in representations

Two representations to the application were received.

Material representations - Objections

- Sunpath studies take no account of two 11 storey buildings planned to the north east of the site. Addressed in section 3.3 (c).
- The area needs low rise family housing rather than 4/6 storey flats. Addressed in 3.3 (b).
- The design of the development does not blend in well with the adjacent housing. Addressed in 3.3 (b).
- The proposed density and building style do not complement the area. Addressed in 3.3 (b).

Conclusion

The proposed development will contribute to the wider regeneration of Granton Waterfront by bringing forward new housing on a vacant urban site. The proposal provides 104 affordable residential units including family housing and is acceptable in terms of scale, layout, design and materials. The impact on the amenity of occupiers and neighbours is acceptable and adequate car parking and cycling is provided.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. i) Prior to the commencement of construction works on site:
 - a) A site survey (including intrusive investigation where necessary) must be carried out to establish, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and
 - b) Where necessary, a detailed schedule of any required remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Planning Authority.
- ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.
2. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Planning Authority before work is commenced on site; Note: samples of the materials may be required.
3. The approved landscaping scheme shall be fully implemented within six months of the completion of the development.

Reasons:-

1. In order to ensure the most efficient and effective rehabilitation of the site.
2. In order to enable the planning authority to consider this/these matter/s in detail.
3. In order to ensure that the approved landscaping works are properly established on site.

Informatives

It should be noted that:

1. The works hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. 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.
3. 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.
4. 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.
5. 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, signs, markings, structures, layout, car and cycle parking 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. For the avoidance of doubt, the road layout (including footways) is not approved at this stage.
6. The applicant should note that new road names will be required for the development and this should be discussed with the Council's Street Naming and Numbering Team at an early opportunity.
7. 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.

8. Any gates or doors must open inwards onto the property.
9. The works to form footway crossings may require to be carried out under permit and in accordance with the specifications.
10. All disabled persons parking places should comply with the Disabled Persons Parking Place (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 Planning and 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 parking places must comply with the relevant legislation.
11. Electric vehicle charging outlets should be considered for this development including dedicated parking spaces with charging facilities and ducting and infrastructure to allow electric vehicles to be readily accommodated in the future.
12. A contribution of £2,000 will be required to progress a suitable order under Section 207 of the Town and Country Planning (Scotland) Act 1997 to stop up sections of verge as necessary.

Financial impact

4.1 The financial impact has been assessed as follows:

A section 75 agreement has been concluded for the related outline planning permission. This agreement required contributions towards transport and education infrastructure. The required transport contributions have already been paid by the previous owner of the site and this part of the legal agreement has been discharged.

The education contributions are to be paid on a plot by plot basis. Communities and Families has advised that, on the basis of the standards recommended in the current Developer Contributions guidance, this application would normally require a total education contribution of £222,455 at Quarter 1 2015 value. However, as there is a legal agreement attached to the outline planning permission (01/00802/OUT), the terms of this agreement are applicable to this AMC application. The relevant clause of the agreement requires payment of £1,366 per residential unit index linked.

At Quarter 1 2015 value, a payment of £208,520 (the exact contribution will be index linked at point of payment) is required towards new education infrastructure for the 104 flats. This is £13,935 less than the amount required under current guidance. However, as this level of contribution has already been agreed, there is no mechanism to seek the additional amount requested by Communities and Families.

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

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

Two pre-application meetings were held.

8.2 Publicity summary of representations and Community Council comments

Neighbour notification was carried out on 14 September 2016. Two objections were received.

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

Background reading/external references

- To view details of the application go to
- [Planning and Building Standards online services](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)
- [Scottish Planning Policy](#)

Statutory Development

Plan Provision

The Edinburgh City Local Plan identifies the site as being within the Waterfront Area of Change (WAC 2). This part of the waterfront regeneration area is allocated for mainly housing.

Date registered

8 September 2016

Drawing numbers/Scheme

01-16,

John Bury

Head of Planning & Transport
PLACE
City of Edinburgh Council

Contact: Lesley Porteous, Planning Officer
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Links - Policies

Relevant Policies:

LDP Policy Del 1 (Developer Contributions and Infrastructure Delivery) identifies the circumstances in which developer contributions will be required.

LDP Policy Del 3 (Edinburgh Waterfront) sets criteria for assessing development in Granton Waterfront and Leith Waterfront.

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

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

LDP Policy Des 6 (Sustainable Buildings) sets criteria for assessing the sustainability of new development.

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

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

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

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

LDP Policy Hou 1 (Housing Development) sets criteria for assessing the principle of housing proposals.

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.

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

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

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

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

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

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

Non-statutory guidelines on 'MOVEMENT AND DEVELOPMENT' establish design criteria for road and parking layouts.

Non-statutory guidelines on Developer Contributions and Affordable Housing gives guidance on the situations where developers will be required to provide affordable housing and/or will be required to make financial or other contributions towards the cost of, providing new facilities for schools, transport improvements, the tram project, public realm improvements and open space.

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

Appendix 1

Application for Approval of Matters Specified in Conditions 16/04342/AMC

**At Granton Harbour, West Harbour Road, Edinburgh
Application for approval of matters specified in condition 2 of application 01/00802/OUT for plot 3, at 65 West Harbour Road, EH5 1PW. Erection of a 4/6 storey residential development of 104 flats with associated parking, landscaping and accessibility.**

Consultations

Archaeology response – dated 15 September 2016

Further to your consultation request, I would like to make the following comments and recommendations in respect to this application for approval of matters specified in condition 2 of outline application 01/00802/OUT for Plot 3, erection of 104 flats.

An archaeological mitigation strategy was agreed for the redevelopment of Granton Harbour in response to the original 2001 Outline application. Although various elements have been undertaken in the intervening period, principally by CFA Archaeology, with the last element of field work to the Western Harbour was undertaken in 2008, not all of the required mitigation has been undertaken.

Plot 3 occurs outwith the areas identified as requiring further archaeological mitigation. Accordingly it has been concluded that there are no known archaeological implications in regards to this application.

Affordable Housing response – dated 6 October 2016

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

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

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

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

2. Affordable Housing Provision

This proposal is for up to 104 units and as such the AHP will apply. This application is part of a master plan area for which up to 3,396 units were approved (reference number 01/00802/OUT).

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

The applicant is a registered social landlord and has stated that 100% of the homes will be affordable. This is welcomed by the department. The affordable housing proposed will be a mix of social rent and mid market rent homes and there will be a mix of one, two and three bedroom flats and maisonettes. This is welcomed by the department.

The affordable homes have been approved for Affordable Housing Supply Programme (AHSP) grant funding by the Council and this has secured the tenure of the homes as 100% affordable. The terms of the grant funding (which has been accepted by the applicant) ensures that the affordable homes cannot be disposed of without prior permission from the Scottish Government and the Council.

3. Summary

The applicant has made a commitment to provide 100% on site affordable housing and this is welcomed by the department. The applicant has entered in to an agreement to provide affordable housing through the Affordable Housing Supply Programme (administered by the Council) which has secured the homes as 100% affordable.

Transport response – dated 19th October 2016

No objections to the application subject to the following being included as conditions or informatives as appropriate:

1. The applicant will be required to contribute the sum of:
 - a. £2,000 to progress a suitable order under Section 207 of the Town and Country Planning (Scotland) Act 1997 to stop up sections of verge as necessary (see Note below);
 - b. £2,000 to promote a suitable order to control on-street disabled parking places (see Note below);
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, signs, markings, structures, layout, car and cycle parking 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. For the avoidance of doubt, the road layout (including footways) is not approved at this stage;

3. The applicant must be informed that any proposed on-street car parking spaces cannot be allocated to individual properties, nor can they be the subject of sale or rent. The spaces will form part of the road and as such will be available to all road users. Private enforcement is illegal and only the Council as roads authority has the legal right to control on-street spaces, whether the road has been adopted or not. The developer is expected to make this clear to prospective residents;
4. The applicant 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. Any gate or doors must open inwards onto the property;
6. The works to form any footway crossing or other amendments to the road etc. to 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
7. Electric vehicle charging outlets should be considered for this development including dedicated parking spaces with charging facilities and ducting and infrastructure to allow electric vehicles to be readily accommodated in the future.

Notes:

- a. The applicant should note that Heron Place is an adopted road, i.e. it is a road maintained by the Council as roads authority. Hesperus Crossway is not an adopted road and is currently understood to be maintained by others. It appears that part of the verge on the north side of Hesperus Crossway lies within the site boundary and is required for development. The applicant should satisfy themselves that they have the necessary rights and authority to seek stopping up of any section of road (verge etc) as necessary;
- b. Current Council parking standards for affordable housing require between 0.1 and 0.5 spaces per unit depending on number of rooms. For the proposed 104 units this would require 62 spaces. The proposal is for mid market rent for which there is not currently a specific standard. The development provides 63 spaces which is considered acceptable;
- c. 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 Planning and Transport if he wishes the bays to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2002 regulations or British Standard 8300:2009 as approved by the Head of Planning and Transport;
- d. It is understood that a legal agreement was signed in connection with this site and was discharged by agreement with Forth Ports in 2012. Therefore no further transport contributions are appropriate other than those stated above.
- e. The applicant should note that a programme of 20mph speed limits is being progressed across the existing road network and therefore the development should be designed to a 20mph limit. However, the development is not currently part of that programme;

8. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a draft Travel Plan prior to first occupation and a final Travel Plan within 12 months of that date. The Travel Plan should include consideration of provision of pedal cycles (inc. electric cycles), public transport travel passes, a Welcome Pack, a high quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport and a monitor within the property capable of displaying real time public transport information as appropriate.

Communities and Families response – dated 16 November 2016

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

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

CONTRIBUTION ZONE ACTIONS

Granton & North Central

Action

Cost at Q1 2015

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

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

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

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

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

£7,414,083

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

The application proposes 104 flats. 36 of the flats only have one bedroom and have been excluded from the assessment.

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

Assessment based on:

68 flats

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

Education Infrastructure, land remediation and servicing

Contribution per unit

Flats

£3,183.41

Houses

£15,903.37

Total required contribution

£216,472

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

Land purchase

Contribution per unit

Flats

£87.99

Houses

£381.28

Total required contribution

£5,983

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

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

If 104 units are delivered at Granton Harbour under the terms of the original agreement, the value of the financial contributions that the Council would receive is estimated to be £208,520 (as at Q1 2015).

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

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

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

Flooding Response - dated 25 November 2016

The condition relates to many reserved matters, we can confirm that our requirements have been met regarding the following condition.

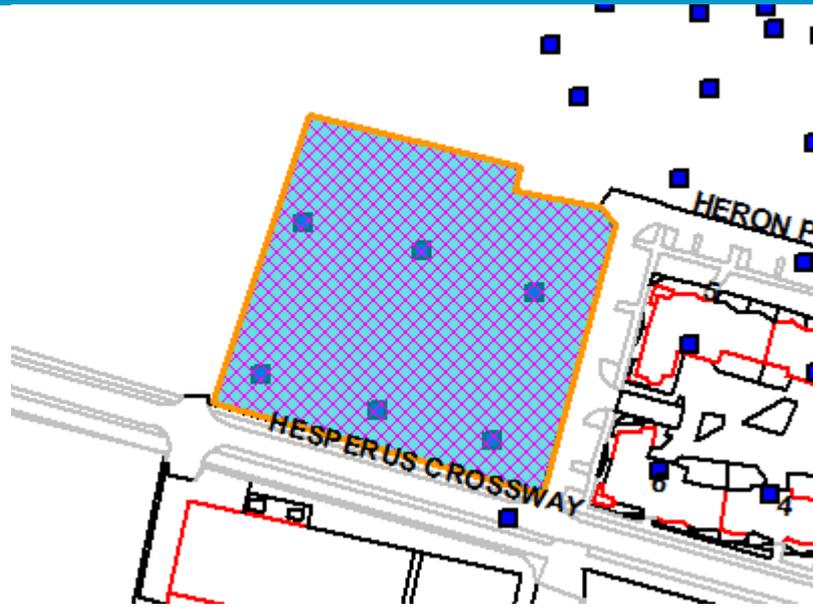
-Floor levels (including the submission of all calculations to support the levels, and including a report on sea levels, with climate change, storm surge and wave action).

With regard to the following recommendation by the independent checker Kaya Consulting:

* No flood response plan is recommended in the report. We would suggest that due to the location of the site adjacent to the sea, with risk of wave overtopping that recommendation should be made for residents to sign up to flood warning alerts for coastal flooding.

We would agree with the sentiment of this recommendation we cannot see a process for applying it, but if you think you can add it to a recommendation to the developer please do so.

Location Plan



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