

# Development Management Sub Committee

Wednesday 19 April 2017

## Application for Planning Permission in Principle 16/02706/PPP

At Fairview Mill, 14 East Mains Of Ingliston, Ingliston Road  
Erection of mixed use development including hotel (Class 7),  
restaurant/bar (Class 3), business (Class 4), industrial (Class  
5), storage/distribution (Class 6) with associated car parking,  
servicing, access arrangements and landscaping. Temporary  
continuation of existing airport car parking (as amended)

Item number	4.9
Report number	
Wards	A01 - Almond

## Summary

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The principle of the hotel/bar and restaurant development complies with the Edinburgh Local Development Plan and non statutory guidelines. The proposal will make a financial contribution to WETA and the Tram network.

## Links

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<a href="#">Policies and guidance for this application</a>	LDPP, LDES01, LDES02, LDES03, LDES04, LDES06, LDES07, LDES08, LEN12, LEN21, LEN22, LEMP04, LEMP10, LTRA01, LTRA02, LTRA08, NSG, NSGD02, NSP, NSDCAH, NSESBB,
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# Report

## **Application for Planning Permission in Principle 16/02706/PPP**

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Erection of mixed use development including hotel (Class 7),  
restaurant/bar (Class 3), business (Class 4), industrial (Class  
5), storage/distribution (Class 6) with associated car parking,  
servicing, access arrangements and landscaping.  
Temporary continuation of existing airport car parking (as  
amended)**

### **Recommendations**

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

### **Background**

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#### **2.1 Site description**

The development site extends to 4.3 hectares and lies to the west of Edinburgh Airport, north east of the Royal Highland Showground site. Its last use was as a mill with silos and storage buildings by 2Agriculture as their principle poultry feed mill operation in Scotland. The mill buildings include the main processing plant and associated storage silos, which are located across the central area of the site. There is a vehicle entry and weighbridge building located to the immediate east of the main building complex. Smaller buildings are located to the north of the main complex.

The southern part of the site is occupied by Flying Scot Airport Car parking. This area of the site comprises hard standing with some single storey garages and a small building, formerly a dwelling house but currently used as part of the parking facility operations.

There are a variety of planted trees, shrubs and hedges situated along all of the site boundaries with an area of established trees in the centre of the site.

The main access to the site is from Fairview Road, via Eastfield Road. A second access is located further west along Fairview Road, which provides the access to the Flying Scot Car Park. Pedestrian access is provided from the existing footpath network running along the south side of Fairview Road, and Ingliston Road on the west boundary of the site.

#### **2.2 Site History**

There is an extensive planning history for the site.

2 August 2001 - Planning permission granted for extension to existing outbuilding area and storage building (application reference number 01/00500/FUL).

8 October 2008 - Planning permission granted for office extension modular accommodation and stand alone office granted 8 October 2008 (application reference number 08/02094/FUL).

13 Fairview Road, Ingliston (overlaps the site).

4 November 2001 - Planning permission refused and enforced for secure long stay airport parking and use of an existing building for administration (application reference number 04/01202/FUL).

4 November 2011 - Planning permission refused and enforced for change of use from storage of caravans to car parking/storage (application reference number 04/02329/FUL).

7 April 2006 - The Enforcement Notice was quashed at appeal by Scottish Executive (appeal reference P/ENA/230/120).

#### Neighbouring Sites

12 August 2015 -The Development Management Sub-Committee on 24 April 2011 was minded to grant Planning Permission in Principle for the Royal Highland Showground Masterplan which encompasses this site, subject to a section 75 legal agreement. A report on this legal agreement was considered at the Development Management Sub-Committee on 12 August 2015 (application reference number 10/01832/PPP).

3 February 2015 - A Proposal of Application Notice was submitted for the International Business Gateway proposal on the eastern side of Eastfield Avenue (application reference number 15/00225/PAN).

7 December 2015 - Phase One of the International Business Gateway was submitted (application reference number 15/05580/FUL).

29 July 2015 - To the west of the site, the Development Management Sub-Committee was minded to grant planning permission for a hotel at Almond Road, subject to a section 75 legal agreement (application reference 15/00661/FUL).

## **Main report**

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### **3.1 Description Of The Proposal**

The proposal is for planning permission in principle for a mixed use development with associated car parking, servicing, access arrangements and landscaping.

The existing mill operation will be relocated elsewhere and the associated buildings demolished and removed.

## Scheme 2

The proposal is for planning permission in principle, the main elements of the proposed development and floorspace breakdown of each unit is proposed as follows:

- Hotel 180 bedrooms up to four storeys in height;
- Restaurant/bar 845 sq metres; and
- Associated car parking 118 spaces in total accommodating 72 car spaces (including 4 disabled) and 3 coach spaces for the Hotel and 43 spaces for the pub/restaurant (including 2 disabled).

The proposal includes retention and enhancement of the existing areas of landscaping in the middle and around the boundaries of the site. New landscaping will be introduced within the new site layout.

It is proposed to retain and upgrade the two existing vehicular access points from Fairview Road.

The proposed development also includes continuation of the existing quantum of temporary airport car parking. It is proposed that this is relocated to the northern half of the site on the resultant hard core area from the demolished mill.

The site Masterplan was amended to satisfy SEPA requirements. The revised application proposes to deliver phase one of the original proposal on the southern half of the site.

## Scheme 1

The original Masterplan proposed development over three phases as follows:

- A Hotel of 180 bedrooms;
- Restaurant/pub 845 sq metres;
- Business, industrial and storage/distribution units of 13,667 sq metres;
- Associated car parking - approx 255 spaces in total;
- The retention and enhancement of the existing areas of landscaping in the middle and around the boundaries of the site. New landscaping will be introduced within the new site layout; and
- Retention and upgrading of the two existing vehicular access points from Fairview Road.

It was proposed that the mixed use development would be phased over a period of approximately 6 years as follows:

- Phase 1 - years 1 (2017-2018) to 2 (2018-2019) - hotel, business unit and pub/restaurant;
- Phase 2 - years 3 (2019 -2020) to 4 (2020-2021) - business/industrial and storage /distribution units; and
- Phase 3 - years 4 (2021 -2022) to 5(2022) - business/industrial and storage/distribution units.

The original scheme included temporary continuation of the existing quantum of airport car parking. It was originally intended that as the phases are developed out, the airport car parking will be relocated within the site and will gradually be phased out.

### **Supporting Statement**

The application is accompanied by supporting documents which were updated to reflect the revised scheme. The documents include:

- Planning Statement;
- Pre-application Consultation Report;
- Design and Access Statement;
- Sustainability Statement Form;
- Transport Assessment;
- Air Quality Impact Assessment;
- Noise Impact Assessment;
- Economic Impact Statement;
- Desk Based Archaeology Assessment;
- Phase 1 Geo Environmental Report;
- Flood Risk Assessment and Drainage Strategy; and
- Ecological Assessment.

### **3.2 Determining Issues**

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

Do the proposals comply with the development plan?

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

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

### **3.3 Assessment**

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

- a) the principle of the development proposed is acceptable;
- b) the proposal complies with the West Edinburgh Strategic Design Framework and will not prejudice the comprehensive planning of the wider area;
- c) the height, scale and siting of the proposed building is acceptable;
- d) the proposal will affect the biodiversity of the area;

- e) the proposal will provide acceptable landscape infrastructure;
- f) the proposal will impact upon highway safety;
- g) the proposal will have a detrimental impact upon air quality;
- h) the proposal will detrimentally affect flooding;
- i) the proposal meets the Edinburgh Standards for Sustainable Buildings; and
- j) equalities and Human Rights Impact.

### **a) Principle**

In considering the acceptability of the proposal, regard has to be had to the development plan and other material considerations. The development plan for the area comprises the approved Strategic Development Plan for South East Scotland (SESplan) (June 2013), and the Edinburgh Local Development Plan (LDP) adopted November 2016.

In this instance, other material considerations include Scottish Planning Policy in the form of the National Planning Framework of 2014.

The Local Development Plan allocates the site as within the urban area.

The existing mill use does not sit comfortably with Edinburgh Airport given its incompatibility with the Airport operations and potential issues it presents for the airspace in terms of bird hazards.

The proposed masterplan (as revised) promotes a hotel and pub to the south of the site, with hard standing to replace the existing mill operations to accommodate temporary airport car parking. The proposed uses are acceptable and in accordance with Local Development Plan policy Emp10 and are promoted in the airport masterplan.

The proposed layout has been modified to accommodate drainage issues and as such the proposed site layout could function with the area of land to the north being identified for future airport operations.

The site is well located, within walking distance of Edinburgh Airport and the adjacent tram stops and park and ride facilities.

It is concluded that the proposed uses in this location are acceptable and will compliment the function of the Royal Highland Centre, Edinburgh Airport and the future International Business Gateway.

## **b) West Edinburgh Strategic Design Framework**

National Planning Framework identifies the vision of West Edinburgh in that it will become an employment led city extension. Its success will be measured in terms of international investment, new jobs and quality of place. The new hotel meets with this aspiration and will serve the growth of the airport and the future development of the Royal Highland Centre. The restaurant/bar is an acceptable ancillary feature in this location that is insignificant in scale as to become a leisure location.

The West Edinburgh Strategic Design Framework advises that "development should aim to achieve the highest standards of architectural design and contribute to the image of Edinburgh as a modern, prosperous city through creating a contemporary high quality architectural aesthetic."

The Framework sets out the key aims for the area to provide a mix of uses with good accessibility by public transport, set within a strong and identifiable landscape to create a distinctive place.

The proposal meets with principle RHC9 of the WESDF which supports some buildings at the main entrances to the showground site in order to provide a sense of gateway.

The building responds well to Fairview Road (primary road frontage) and Ingliston Road (secondary road frontage) and accords with the West Edinburgh Landscape Framework.

Details of the proposed hotel including height and materials will be determined at the AMC stage, a condition to ensure appropriate materials is recommended.

The proposal includes a scope for a satisfactory element of landscaping to be established and can achieve links into the footpath network around the site.

It is considered that the proposed hotel and pub accords with the West Edinburgh Strategic Design Framework and will not prejudice the comprehensive planning of the wider area. It is recommended that a condition be applied to ensure appropriate materials prior to works commencing.

## **c) Principle of height scale and siting**

The proposal to locate the hotel and restaurant/bar at the southern end of the site is acceptable in principle and addresses the Fairview Road frontage on the approach to the Royal Highland Centre and is accessible to Edinburgh Airport.

The application is for planning permission in principle establishing a maximum height of four storeys for the hotel. This height is acceptable in this location, as is the L-shaped form which will enclose the car parking area. Edinburgh Airport has advised that the proposed height of the building should not exceed 40m AOD and has offered recommendations to ensure safeguarding of the airport.

Adequate distance is provided to the southern boundary of the site to allow for enhancement of the existing landscape buffer along Fairview Road.

The proposal includes the continuation of temporary airport car parking to the northern element of the site, on the hard core area subsequent to the demolition of mill. The overall quantum of development on the site will not increase and visually the car parking will be further from the Fairview Mill approach to the Royal Highland Centre which is welcomed in principle. The long term future of the car parking is unknown, it is accepted by SEPA as a suitable use for this part of the site and will not increase the flooding problems.

The principles of height and siting as set out in the PPP application are acceptable and a condition is recommended to ensure that the hotel does not exceed four storeys in height.

#### **d) Biodiversity**

The proposed Masterplan aims to retain the key landscape features on the site and provide enhancement to the structural landscaping. Any future landscape scheme will require to be developed in association with Edinburgh Airport to ensure compatibility with airport safeguarding.

A phase 1 habitat survey was carried out in January 2016. It concluded that tree and shrub habitat on the land is restricted and species poor and exhibits low ecological value. There was no evidence of bats found on the site in buildings or in trees. There was no evidence of badgers found on the site with the nearest recorded setts within one kilometre of the site.

There is negligible semi-natural habitat on the land affected by the development and has low value.

The ecology report concludes that overall biodiversity will benefit as a consequence of the habitat diversification. There will be no impact on badgers but precautionary measures should be put in place to safeguard small mammals during construction.

#### **e) Impact on Trees**

The proposed siting of the development will not impact upon the health or stability of trees in and around the site.

#### **f) Highway safety**

Vehicular access to the site is proposed via the existing vehicular access points from Fairview Road to the south via Eastfield Road, accessed from the A8 to the south.

The Transport Assessment predicts that the trips to and from the hotel will not exceed the trips generated by the existing Mill.

Transport has raised no objection to the level of trip generation however in order to encourage more sustainable forms of transport and meet WETA requirements a contribution of approx £178,423 will be required towards WETA, this is based on the WETA report of 2016.

The application site is in close proximity to established pedestrian routes.



The application proposes 118 car parking spaces which meets the criteria of standards for this level of development in this location.

The tram stop is located within 773m from the development site connected by footways. A contribution of £331,908 to TRAM is requested. The applicants accept this financial contribution which will be secured via a legal agreement.

In conclusion, it is considered that a safe means of access can be gained to the development. It is just beyond the 750m distance to the Tram stop and therefore contributions have been adjusted accordingly. The applicant has agreed to pay the Transport Infrastructure contribution generated from the development. Transport matters are satisfied.

### **g) Air Quality**

The site is well located to the tram stops and park and ride.

The applicant has undertaken an Air Quality Impact Assessment.

Environmental Protection has objected to the proposal, which is close to the Air Quality Management Area, on the grounds that there will be excessive parking in an area which is well served by public transport. Environmental Protection support Transport in their request that the applicant fund all the required traffic mitigation measures. The applicant is encouraged to create a Green Travel Plan.

It is concluded that provided such measures are implemented then the detrimental impact upon air quality in this location may be mitigated.

### **h) Flooding**

SEPA objected to the original application (scheme 1) as part of the site is shown to be medium to high flood risk and the proposed development may result in an increased flood risk to the development or elsewhere. The applicant revised the proposal (scheme 2) and SEPA subsequently withdrew their objection. This is on the basis of development located to the southern side of the site which is topographically higher.

Flooding advise that they support this application subject to the following conditions:

1. The proposed surface water discharge rate shall be no higher than 11.3l/s during the 1:200 year event.
2. A 30% allowance for climate change shall be used when calculating the attenuation storage volumes.

It is recommended that the applicant is informed of this requirement so that it may be included in the detailed technical assessments at the AMC application stage.

### **i) The proposal meets sustainability criteria**

The applicant has submitted a sustainability statement in support of the application. The site is a brownfield site some 773 metre walking distance of the tram stop and in close proximity to bus stops and the Park and Ride site.

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

<b>Essential Criteria</b>	<b>Available</b>	<b>Achieved</b>
Section 1: Energy Needs	20	10
Section 2: Water conservation	10	10
Section 3: Surface water run off	10	10
Section 4: Recycling	10	10
Section 5: Materials	30	0
<b>Total points</b>	<b>80</b>	<b>40</b>

The proposal is for planning permission in principle. As a PPP application it fails to satisfy all the objectives of policy Des 6 of the Edinburgh Local Development Plan. The applicant has advised that material details and installation and types of low carbon equipment will be considered at the detailed application stage.

### **j) Equalities and Human Rights**

The proposal is for PPP and when built out as a public building will satisfy building standards.

The car parking layout of the proposal will be required to comply with best practice on Designing Streets. Car parking for disabled users can be accommodated within the layout. Issues with respect to neighbouring amenity are assessed in section 3.3(j). An Equalities and Rights Impact Assessment has been completed.

Impacts on human rights and equalities are considered acceptable.

### **Conclusion**

In conclusion, the proposal satisfies the criteria of the West Edinburgh Strategic Design Framework and West Edinburgh Landscape Framework and will meet the objectives of the National Planning Framework to direct commercial growth to Edinburgh. A legal agreement is required to conclude matters in respect of Transport infrastructure and Tram contributions.

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

### **3.4 Conditions/reasons/informatives**

#### **Conditions:-**

1. Before any work on a site is commenced details of the undernoted matters shall be submitted to and approved in writing by the Planning Authority; the submission shall be in the form of a detailed layout of the site.

#### Approval of matters

- Height, massing, siting and ground floor levels;
- Design and external appearance of all buildings, roof form, open space, public realm and other structures;
- All operational aspects of open space and public realm;
- Existing and finished site and floor levels in relation to Ordnance Datum; Roads, footways, cycleways, servicing and layout of surface parking and cycle parking provision in accordance with standards agreed within the PPP;
- Amendments of any treatment to adopted roads and footways;
- Location and details of car parking venting/exhaust termination and electric vehicle charging outlets and ducting;
- Signing of pedestrian and cycle access routes to/from and through the development;
- Surface water management, drainage arrangements, SUDs proposals and SUDs maintenance plan;
- All operational aspects of the commercial and business uses including details of servicing arrangements, opening hours, all external plant, machinery and/or ventilation, hours of deliveries and collections;
- Waste management and recycling facilities;
- External lighting, including floodlighting and street lighting arrangements for the development;
- Site investigation/decontamination arrangements;

#### Landscaping

- (i) Detailed soft and hard landscaping plan and levels
  - (ii) A schedule of all plants to comprise species, plant size and proposed number and density
  - (iii) Inclusion of hard and soft landscaping details
  - (iv) Landscape management plan including schedule for implementation and maintenance of planting scheme
  - (v) Any boundary treatments.
2. Construction details, specification, including trade names where appropriate, of all proposed external materials shall be submitted to and approved in writing by the Head of Planning before work is commenced on a site; note: sample panels of the materials are to be erected and maintained on a site for an agreed period during construction.
3. i) Prior to the commencement of construction works on site:

- a) A site survey (including intrusive investigation where necessary) must be carried out to establish, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and
  - b) Where necessary, a detailed schedule of any required remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Planning Authority.
  - ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.
4. No development of demolition shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, analysis & reporting, 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.

- 5. The development should not exceed four storeys in height. In any event no building or structure of the development hereby permitted shall exceed 40m AOD.
- 6. Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Planning Authority. The submitted plan shall include details of:
  - monitoring of any standing water within the site temporary or permanent.
  - sustainable urban drainage schemes (SUDS) - Such schemes shall comply with Advice Note 6 'Potential Bird Hazards from Sustainable Urban Drainage schemes (SUDS) (available at <http://www.aoa.org.uk/policy-safeguarding.htm>).
  - management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds. The management plan shall comply with Advice Note 8 'Potential Bird Hazards from Building Design' attached.
  - reinstatement of grass areas.
  - maintenance of planted and landscaped areas, particularly in terms of height and species of plants that are allowed to grow.
  - which waste materials can be brought on to the site/what if any exceptions e.g. green waste.
  - monitoring of waste imports (although this may be covered by the site licence).

- physical arrangements for the collection (including litter bins) and storage of putrescible waste, arrangements for and frequency of the removal of putrescible waste.
- signs deterring people from feeding the birds.

The Bird Hazard Management Plan shall be implemented as approved, on completion of the development and shall remain in force for the life of the building. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Planning Authority.

7. No development shall take place until full details of soft and water landscaping works have been submitted to and approved in writing by the Planning Authority, details must comply with Advice Note 3 'Potential Bird Hazards from Amenity Landscaping & Building Design' (available at <http://www.aoa.org.uk/operations-safety/>). These details shall include:

- any earthworks.
- grassed areas.
- the species, number and spacing of trees and shrubs
- details of any water features.
- drainage details including SUDS - Such schemes must comply with Advice Note 6 'Potential Bird Hazards from Sustainable urban Drainage Schemes (SUDS)' (available at <http://www.aoa.org.uk/policy-safeguarding.htm>).
- others that you or the Authority may specify and having regard to Advice Note 3: Potential Bird Hazards from Amenity Landscaping and Building Design and Note 6 on SUDS].

No subsequent alterations to the approved landscaping scheme are to take place unless submitted to and approved in writing by the Planning Authority. The scheme shall be implemented as approved.

8. Development shall not commence until details of the Sustainable Urban Drainage Schemes (SUDS) have been submitted to and approved in writing by the Planning Authority. Details must comply with Advice Note 6 'Potential Bird Hazards from Sustainable Urban Drainage Schemes (SUDS)'. The submitted Plan shall include details of:

- Attenuation times.
- Profiles & dimensions of water bodies.
- Details of marginal planting.

No subsequent alterations to the approved SUDS scheme are to take place unless first submitted to and approved in writing by the Planning Authority. The scheme shall be implemented as approved.

**Reasons:-**

1. In order to enable the planning authority to consider this/these matter/s in detail.
2. In order to enable the planning authority to consider this/these matter/s in detail.

3. In order to protect the development from landfill gas.
4. In order to retain and/or protect important elements of the existing character and amenity of the site.
5. Development exceeding this height would penetrate the Obstacle Limitation Surface (OLS) surrounding Edinburgh Airport and endanger aircraft movements and the safe operation of the aerodrome.
6. It is necessary to manage the development in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Edinburgh Airport.
7. To avoid endangering the safe movement of aircraft and the operation of Edinburgh Airport through the attraction of birds and an increase in the bird hazard risk of the application site.
8. To avoid endangering the safe movement of aircraft and the operation of Edinburgh Airport through the attraction of Birds and an increase in the bird hazard risk of the application site. For further information please refer to Advice Note 6 'Potential Bird Hazards from Sustainable Urban Drainage Schemes (SUDS)' (available at <http://www.aoa.org.uk/operations-safety/>).

## **Informatives**

It should be noted that:

1. Consent shall not be issued until a suitable legal agreement, including those requiring a financial contribution payable to the City of Edinburgh Council, has been concluded in relation to transport infrastructure.

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 Bird Hazard Management Plan must ensure that flat/ shallow pitched roofs be constructed to allow access to all areas by foot using permanent fixed access ladders or similar. The owner/ occupier must not allow gulls, to nest roost or loaf on the building. Checks must be made weekly or sooner if bird activity dictates, during the breeding season. Outside of the breeding season gull activity must be monitored and the roof checked regularly to ensure that gulls do not utilise the roof. Any gulls found nesting, roosting or loafing must be dispersed by the owner/ occupier when detected or when requested by BAA Airfield Operations staff. The owner/ occupier must remove any nests or eggs found on the roof.

The breeding season for gulls typically runs from March to June. The owner/ occupier must obtain the appropriate licences from the Scottish Executive Environment and Rural affairs Department (SEERAD) before the removal of nests and eggs.

3. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
4. The development is close to the aerodrome and the approach to the runway. We draw attention to the need to carefully design lighting proposals. This is further explained in Advice Note 2, 'Lighting near Aerodromes' (available at <http://www.aoa.org.uk/operations-safety/>). Please note that the Air Navigation Order 2005, Article 135 grants the Civil Aviation Authority power to serve notice to extinguish or screen lighting which may endanger aircraft.

## Cranes

Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes and Other Construction Issues' (available at <http://www.aoa.org.uk/operations-safety/>).

5. The applicant is advised that the proposed surface water discharge rate shall be no higher than 11.3l/s during the 1:200 year event and that a 30% allowance for climate change shall be used when calculating the attenuation storage volumes.
6. a) In accordance with the Council's LTS Travplan3 policy, the applicant should submit a draft Travel Plan prior to first occupation of the premises and a final Travel Plan within 12 months of that date. The scope to be agreed with the Head of Planning and Transport. The Travel Plan should include agreement to provide pedal cycles (inc. electric cycles), secure cycle parking, 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.  
  
b) 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 2016 regulations or British Standard 8300:2009 as approved by the Head of Planning and Transport.  
  
c) 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.

## **Financial impact**

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### **4.1 The financial impact has been assessed as follows:**

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

## **Risk, Policy, compliance and governance impact**

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

## **Equalities impact**

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### **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**

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### **7.1 The sustainability impact has been assessed as follows:**

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

## **Consultation and engagement**

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### **8.1 Pre-Application Process**

The application was subject to pre-application advice.

Pre application discussions were held in July 2015.

A Proposal of Application Notice was submitted on 25 August 2015.

A community consultation event was held at the Shackleton Suite, Hilton at Edinburgh Airport on Thursday 10 September 2015 between 2pm and 8pm.

The PAN was notified to Councillors Lindsay Paterson, Alastair Shields and Norman Work, Colin Keir MSP, Michelle Thomson MSP and Ratho and District Community Council.

The pre application consultation process undertaken and feedback received is detailed in the Pre-application Consultation Report.

### **8.2 Publicity summary of representations and Community Council comments**

The application (scheme 1) was advertised in the Edinburgh Evening News on 14 June 2016. No letters of representation have been received. Scheme 2 was not advertised on the basis of its being a reduced form of development.



## **Background reading/external references**

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- 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**

National Planning Framework 2014 sets out strategic development priorities to support the overarching objective of promoting sustainable economic growth. It states that "West Edinburgh is a significant location for investment, with the airport, the National Showground and the International Business Gateway, Development here will require continued coordination and planning to achieve a successful business led city extension which fulfils its potential for international investment, new jobs and high quality of place."

Scottish Planning Policy (SPP) 2014 sets out national planning policies which should influence Local Development Plans and be material considerations in determining applications. SPP assumes a presumption in favour of development that contributes to sustainable development through design, economic growth and transport.

The Edinburgh Local Development Plan adopted November 2016 identifies the site as within the urban area.

The site is identified in the Edinburgh Airport Masterplan 2011 as being largely ancillary to the Airport operation until 2030 when it is proposed to take the northern section of the site. On the basis of the Masterplan by 2040, the site would be incorporated into the apron of the airport terminal development zone.

Edinburgh Airport has produced a revised Masterplan for the Airport for 2016-2040, currently out to consultation. The site remains ancillary to the airport operation.

**Date registered**

8 June 2016

**Drawing numbers/Scheme**

01, 02A, 03, 11,

## **David R. Leslie**

Chief Planning Officer  
PLACE  
The City of Edinburgh Council

Contact: Jennifer Paton, Senior Planning Officer  
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## **Links - Policies**

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### **Relevant Policies:**

#### **Relevant policies of the Local Development Plan.**

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 3 (Development Design - Incorporating and Enhancing Existing and Potential Features) supports development where it is demonstrated that existing and potential features have been incorporated into the design.

LDP Policy Des 4 (Development Design - Impact on Setting) sets criteria for assessing the impact of development design against its setting.

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

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

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

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.

LDP Policy Emp 4 (Edinburgh Airport) sets out criteria for development proposals at Edinburgh Airport and requires they accord with the West Edinburgh Strategic Design Framework.

LDP Policy Emp 10 (Hotel Development) sets criteria for assessing sites for hotel development.

LDP Policy Tra 1 (Location of Major Travel Generating Development) supports major development in the City Centre and sets criteria for assessing major travel generating development elsewhere.

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 8 (Provision of Transport Infrastructure) sets out requirements for assessment and mitigation of transport impacts of new development.

### **Relevant Non-Statutory Guidelines**

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

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

**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.

**NSESBB Non-statutory guidelines** Part B of 'The Edinburgh Standards for Sustainable Building' sets principles to assess the sustainability of major planning applications in Edinburgh.

# Appendix 1

## **Application for Planning Permission in Principle 16/02706/PPP**

**At Fairview Mill, 14 East Mains Of Ingliston, Ingliston Road  
Erection of mixed use development including hotel (Class 7),  
restaurant/bar (Class 3), business (Class 4), industrial (Class  
5), storage/distribution (Class 6) with associated car parking,  
servicing, access arrangements and landscaping.**

**Temporary continuation of existing airport car parking (as  
amended)**

### **Consultations**

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#### **Archaeology comment**

*As discussed in the accompanying archaeological Desk-based Assessment (DBA) produced by CFA Archaeology, the site lies adjacent to the southern boundary of the present day Edinburgh Airport, constructed on and across the western boundaries of the former RAF Turnhouse. RAF Turnhouse was open in 1915 and continued in service throughout the Cold War though in 1966 it had become a domestic airport. The base played an important and historic role in WWII, with planes from 2 RAF volunteer reserve Squadrons stationed here were credited with the first kills on UK soil by the RAF during this conflict.*

*In addition recent archaeological evidence has demonstrated that River Almond Valley and the surrounding Newbridge and Gogar areas in which this site lies have been extensively occupied for over 5000 years. The main focus of this settlement would appear to be the high ground and river banks either side of the river and the nationally important ritual complex of Huly Hill at Newbridge. Additionally the Cat Stane and its associated 6-9th century burial ground located within the airport itself, adjacent to the River Almond and main airport runway, further support the evidence that the site occurs within an area of archaeological potential.*

*This application must be considered therefore under terms the Historic Environment Scotland Policy Statement (HESPS) 2016, Scottish Planning Policy (SPP), PAN 02/2011 and also CEC's Rural West Edinburgh 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.*

*As stated in the accompanying DBA by CFA, the construction of the Fairview Mill has had a significant impact and the potential for containing significant archaeological remains dating back to prehistory and possibly also relating to the nearby WWII RAF base should be considered to be low-moderate. It is therefore recommended that a programme of archaeological works is undertaken prior to any subsequent development/demolition. In essence this will see a phased archaeological programme, the initial phase being a 10% archaeological evaluation of the site at the earliest opportunity. The results of which would allow for the production of appropriate mitigation strategies to be drawn up to ensure the protection and/or the excavation and recording of any surviving archaeological remains.*

*It is recommended that that the following condition is attached to this consent to ensure that a programme of archaeological works is undertaken prior to construction.*

*'No development or demolition shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, analysis & reporting, 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.*

### **Transport Scotland comment**

*The Director does not propose to advise against the granting of permission.*

### **Edinburgh Trams comment**

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

### **Edinburgh Airport comment**

*The proposed development has been examined from an aerodrome safeguarding perspective and could conflict with safeguarding criteria unless any planning permission granted is subject to the conditions detailed below.*

#### *Height Limitation on Buildings and Structures*

*No building or structure of the development hereby permitted shall exceed 40m AGL.*

*Reason: Development exceeding this height would penetrate the Obstacle Limitation Surface (OLS) surrounding Edinburgh Airport and endanger aircraft movements and the safe operation of the aerodrome.*

*See Advice Note 1 'Safeguarding an Overview' for further information (available at <http://www.aoa.org.uk/operations-safety/>).*

### *Submission of a Bird Hazard Management Plan*

*Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Planning Authority. The submitted plan shall include details of:*

- o monitoring of any standing water within the site temporary or permanent*
- o sustainable urban drainage schemes (SUDS) - Such schemes shall comply with Advice Note 6 'Potential Bird Hazards from Sustainable Urban Drainage schemes (SUDS) (available at <http://www.aoa.org.uk/policy-safeguarding.htm>).*
- o management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds. The management plan shall comply with Advice Note 8 'Potential Bird Hazards from Building Design' attached*
- o reinstatement of grass areas*
- o maintenance of planted and landscaped areas, particularly in terms of height and species of plants that are allowed to grow*
- o which waste materials can be brought on to the site/what if any exceptions e.g. green waste*
- o monitoring of waste imports (although this may be covered by the site licence)*
- o physical arrangements for the collection (including litter bins) and storage of putrescible waste, arrangements for and frequency of the removal of putrescible waste*
- o signs deterring people from feeding the birds.*

*The Bird Hazard Management Plan shall be implemented as approved, on completion of the development and shall remain in force for the life of the building. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Planning Authority.*

*Reason: It is necessary to manage the development in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Edinburgh Airport.*

*The Bird Hazard Management Plan must ensure that flat/shallow pitched roofs be constructed to allow access to all areas by foot using permanent fixed access stairs ladders or similar. The owner/occupier must not allow gulls, to nest, roost or loaf on the building. Checks must be made weekly or sooner if bird activity dictates, during the breeding season. Outside of the breeding season gull activity must be monitored and the roof checked regularly to ensure that gulls do not utilise the roof. Any gulls found nesting, roosting or loafing must be dispersed by the owner/occupier when detected or when requested by Edinburgh Airport Airside Operations staff. In some instances it may be necessary to contact Edinburgh Airport Airside Operations staff before bird dispersal takes place. The owner/occupier must remove any nests or eggs found on the roof.*

*The breeding season for gulls typically runs from March to June. The owner/occupier must obtain the appropriate licences where applicable from Scottish Natural Heritage before the removal of nests and eggs.*

### *Submission of Landscaping Scheme*

*No development shall take place until full details of soft and water landscaping works have been submitted to and approved in writing by the Planning Authority, details must comply with Advice Note 3 'Potential Bird Hazards from Amenity Landscaping & Building Design' (available at <http://www.aoa.org.uk/operations-safety/>). These details shall include:*

- o any earthworks*
- o grassed areas*
- o the species, number and spacing of trees and shrubs*
- o details of any water features*
- o drainage details including SUDS - Such schemes must comply with Advice Note 6 'Potential Bird Hazards from Sustainable urban Drainage Schemes (SUDS) (available at <http://www.aoa.org.uk/policy-safeguarding.htm>).*
- o others that you or the Authority may specify and having regard to Advice Note 3: Potential Bird Hazards from Amenity Landscaping and Building Design and Note 6 on SUDS].*

*No subsequent alterations to the approved landscaping scheme are to take place unless submitted to and approved in writing by the Planning Authority. The scheme shall be implemented as approved.*

*Reason: To avoid endangering the safe movement of aircraft and the operation of Edinburgh Airport through the attraction of birds and an increase in the bird hazard risk of the application site.*

#### *Submission of SUDS Details*

*Development shall not commence until details of the Sustainable Urban Drainage Schemes (SUDS) have been submitted to and approved in writing by the Planning Authority. Details must comply with Advice Note 6 'Potential Bird Hazards from Sustainable Urban Drainage Schemes (SUDS). The submitted Plan shall include details of:*

- o Attenuation times*
- o Profiles & dimensions of water bodies*
- o Details of marginal planting*

*No subsequent alterations to the approved SUDS scheme are to take place unless first submitted to and approved in writing by the Planning Authority. The scheme shall be implemented as approved.*

*Reason: To avoid endangering the safe movement of aircraft and the operation of Edinburgh Airport through the attraction of Birds and an increase in the bird hazard risk of the application site. For further information please refer to Advice Note 6 'Potential Bird Hazards from Sustainable Urban Drainage Schemes (SUDS)' (available at <http://www.aoa.org.uk/operations-safety/>).*

#### *Transport*



*Our view is that the transport impact of this application on the existing transport infrastructure should be considered through the City of Edinburgh Council's WETA refresh study. Any planning approval, including a statement on the appropriate level of S75 contributions can only be concluded upon once the outputs of the WETA refresh study are known. We believe that any consideration of the application prior to the completion of the WETA refresh study would be misplaced given that we understand The City of Edinburgh Council are considering the site within the WETA scope.*

*In relation to the specific Transport aspects of this application, we would draw to your attention the following concerns from our own review of the Transport Assessment carried out in support of this application:-*

#### *Site access*

*Paragraph 3.3 of the Transport Assessment dated March 2016 prepared by Transport Planning Ltd indicates that the development site will be accessed via the existing site junction (to the east of the development) with the formation of a new access junction to the west. An indicative masterplan is provided within Appendix C.*

*On reviewing the Masterplan it would appear the existing access is to be remodelled and does not represent the existing junction layout.*

*Section 3.12 states 'the site layout plan shows the proposed access junction locations' the Transport Assessment document does not present any details of the site access junctions in terms of their geometric design parameters, visibility splays, appropriate junction form or the ability to develop a new junction whilst meeting the City of Edinburgh Council's design development guidelines.*

*In relation to capacity appraisal of the site access junctions, Section 8.7 states 'for simplicity the junction analysis has been undertaken assuming a single point of access'. It is not clear how assessing the operation of two site access junction as one, replicates the operational behaviour of the proposed infrastructure nor gives any consideration to interaction of the site access junctions.*

*Taking cognisance of the above, EAL considers that there is insufficient information provided in respect to the proposed site access in order to draw a conclusion on the applications impact on the existing road network which serves Edinburgh Airport.*

#### *Parking*

*The levels of parking proposed for the Pub/Restaurant element are higher than the maximum levels the City of Edinburgh Council's parking standards prescribe. Given parking constraints within West Edinburgh together with the Council's proposals for a CPZ as an anticipated outcome of the WETA study, we believe this represents a disconnect in the approach to parking in the area.*

#### *Pedestrian connectivity*

*Pedestrian footpath provision along Fairview Road is limited, with a footpath provided on the south side; the development site is located to the north side. Given the proposed hotel and also location of the existing Tram and Public Transport interchange within the Airport, it is likely that a level of footfall will exist between the site and the airport. At present no direct footpath connection is proposed. The Transport Assessment discusses contribution to missing pedestrian links along Ingliston Road (para 3.7) but fails to address the poor connection between the site and existing public transport provision within the Airport itself.*

#### *Infrastructure contributions*

*Any assessment of this application would need to consider the appropriate level of Section 75 contributions associated within development, whether these be tram contributions, transport infrastructure contributions (based on WETA outcomes) or other contributions.*

*We would also make the following observations:*

#### *Lighting*

*The development is close to the aerodrome and the approach to the runway. We draw attention to the need to carefully design lighting proposals. This is further explained in Advice Note 2, 'Lighting near Aerodromes' (available at <http://www.aoa.org.uk/operations-safety/>). Please note that the Air Navigation Order 2005, Article 135 grants the Civil Aviation Authority power to serve notice to extinguish or screen lighting which may endanger aircraft*

#### *Cranes*

*Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes and Other Construction Issues' (available at <http://www.aoa.org.uk/operations-safety/>)*

*We, therefore, have no aerodrome safeguarding objection to this proposal, provided that the above conditions are applied to any planning permission.*

*It is important that any conditions requested in this response are applied to a planning approval. Where a Planning Authority proposes to grant permission against the advice of Edinburgh Airport, or not to attach conditions which Edinburgh Airport has advised, it shall notify Edinburgh Airport, and the Civil Aviation Authority and the Scottish Ministers as specified in the Safeguarding of Aerodromes Direction 2003.*

#### **SEPA comment**

*We object to this planning application on the grounds of lack of information. We will review this objection if the issues detailed in Section 1 below are adequately addressed.*

*Please also note the advice provided below.*

## *Advice for the planning authority*

### *1. Flood risk*

#### *Summary*

*1.1 We object to the proposed development on the grounds that it may place buildings and persons at flood risk contrary to Scottish Planning Policy.*

*1.2 In summary, part of the site is shown to be at medium to high flood risk and the development itself may be impacted and through further building on the site, there may be an increased flood risk elsewhere. We wish to receive clarification on the following points before we would consider removing our objection to the proposed development:*

*o A Flood Risk Assessment should be provided to show how the site can be developed without flood risk either to the development itself or elsewhere. Details of any mitigation measures should be provided.*

*1.3 In the event that the planning authority proposes to grant planning permission contrary to this advice on flood risk, the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 provides criteria for the referral to the Scottish Ministers of such cases. You may therefore wish to consider if this proposal falls within the scope of this Direction.*

#### *Technical report*

*1.4 Review of the SEPA Flood Map indicates that part of this site lies within the 0.5% annual probability (1 in 200-year) flood extent and may therefore be at medium to high risk of flooding. The flood risk identified at this site is from both fluvial and surface water sources. Scottish Planning Policy has a presumption against development in areas of flood risk due to the impact on the development itself and also an increased flood risk elsewhere.*

*1.5 The Flood Risk Assessment (FRA) indicates that the site lies within an area of little or no flood risk on the SEPA Flood Map although this statement is incorrect as outlined above. The FRA also indicates that the site levels range from 31.8 - 31.4mAOD which is also incorrect as the topographic information provided shows the northern part of the site to have levels below 30.5mAOD.*

*1.6 A number of flood studies have been carried out for the Gogar Burn to determine development around the airport and show ground. Edinburgh Council should be contacted for further details of these studies. A recent FRA (carried out by Fairhurst) for a nearby development site for a hotel at Eastfield Road has also indicated that part of the development site is at flood risk when using LiDAR to create a 2D model domain for the Gogar Burn.*

*1.7 Part of this site may be developable but further information is required to determine the extent of the flood risk and this information should be used to determine how, if at all, the site can be developed. It is noted that the site is currently used for commercial purposes and provided there is no increase the building footprint then re-development of the site for a use of the same sensitivity would be acceptable.*

*However, that is not the current proposals. It should be noted that a FRA in this area is likely to be complex and may be expensive. It may be feasible to re-design the site with smaller scale development on the existing higher ground.*

## *2. Surface water drainage*

*2.1 We expect surface water from all developments to be treated by SUDS in line with Scottish Planning Policy (Paragraph 268) and, in most cases, the requirements of the Water Environment Controlled Activities Regulations (CAR). SUDS help to protect water quality and reduce potential for flood risk. Guidance on the design and procedures for an effective drainage system can be found in Scotland's Water Assessment and Drainage Assessment Guide.*

*2.2 SUDS systems must be designed in accordance with CIRIA's The SUDS Manual C753. SUDS must be designed to prevent runoff from the site for the majority of small rainfall events (interception), as described in section 4.3.1. Runoff must also be treated to improve water quality. Applicants must follow the Simple Index Approach as described in section 26.7.1, assisted by the online tool to determine the type of SUDS required. Appendix C of the SUDS Manual also includes worked examples of applying the Simple Index approach.*

*2.3 Where the development has a high pollution hazard level, a detailed risk assessment is likely to be required. Guidance on the detailed risk assessment is available from section 26.7.3 of the CIRIA guidance. Where run-off from high risk areas cannot be directed to the foul sewer we advise that the applicant contacts the local SEPA team to discuss potential licensing issues.*

*2.4 Proposed detention basins, ponds, swales and/or filter trenches should be designed to Scottish Water's standards for adoption as specified in Sewers for Scotland or the SUDS Manual. In such instances, comments should be requested from Scottish Water.*

*2.5 Advice from the local authority's roads department and flood prevention unit, and not from SEPA, should be sought on the SUDS strategy in relation to water quantity and flooding.*

*2.6 We are satisfied with porous paving proposed provided that it has 2 levels of treatment. Some porous paving consists of only one level therefore the porous paving proposed should contain 2 levels. The information provided is not clear about this. Please contact the SEPA Local Regulatory Team (see the regulatory section below) for further details.*

## *3. Waste water drainage*

*3.1 The drainage strategy states 'As part of the Scottish Water Pre Development enquiry, the ultimate discharge position of the foul drainage to the public sewer has been confirmed as being the Newbridge Waste Water Treatment works, although there are currently capacity issues and a Development Impact Assessment is currently under way'. We are satisfied that the ultimate destination is the sewage treatment works and any capacity issues are to be discussed with Scottish Water (SW). We would encourage the foul to be directed to the sewage works.*

3.2 We recommend that the applicant keeps in regular contact with SW to ensure such a connection is available at the time of development of the site, as SW facilities may have accepted discharge from other developments before construction commences at this site.

3.3 It should be noted that should a connection to the public sewer not be achievable then we would be required to be re-consulted as any private waste water discharge would require authorisation under Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR). Given the size of the development SEPA would have concerns over such an authorisation, which could in turn potentially constrain development at the site.

#### 4. Sustainable waste management

4.1 Scottish Planning Policy Paragraph 190 states that "All new development including residential, commercial and industrial properties should include provision for waste separation and collection to meet the requirements of the Waste (Scotland) Regulations." In accordance with this policy, the relevant Local Development Plan and the Scottish Government Planning and Waste Management Advice, space should be designated within the planning application site layout to allow for the separation and collection of waste, consistent with the type of development proposed. This includes provision to separate and store different types of waste, kerbside collection and centralised facilities for the public to deposit waste for recycling or recovery ("bring systems"). Please consult the council's waste management team to determine what space requirements are required within the application site layout.

4.2 Scottish Planning Policy (Paragraph 192) states that planning authorities should consider requiring the preparation of sites management plans for construction sites. In the interests of seeking best practice and meeting the requirements of Scottish Planning Policy, we recommend that a site waste management plan (SWMP) is submitted, showing which waste materials are going to be generated and how they are going to be treated and disposed.

#### 5. Contaminated land

5.1 If applicable, advice on land contamination issues should be sought from the local authority contaminated land specialists because the local authority is the lead authority on these matters under Part IIA of the Environmental Protection Act 1990 except for matters relating to radioactively contaminated land or special sites. Please note that SEPA contaminated land specialists should be consulted directly by the local authority contaminated land specialists and not through planning.

#### **SEPA further comment**

*We refer to the planning application detailed above, to SEPA's letter of objection and to the additional information received from the applicant's agent (most recently email from Dan Piggott of Curtins dated 21 September 2016). I am writing to update you on our position.*

*Advice for the planning authority*

*Our objection to this application is now withdrawn. Please see the advice below.*

## 1. Flood Risk

1.1 We are now in a position to remove our objection to the proposed development on flood risk grounds. Notwithstanding the removal of our objection, we would expect Edinburgh Council to undertake their responsibilities as the Flood Prevention Authority.

### Technical Report

1.2 SEPA previously objected to this application as part of the site lies within the 0.5% annual probability (1 in 200-year) flood extent of the SEPA Flood Map and the application included an increase in building footprint and also increase in vulnerability from commercial/car parking to hotel/commercial/car parking usage. We requested that a Flood Risk Assessment (FRA) was provided to indicate whether the proposals were appropriate. In further advice to the consultant we have indicated that a change in site layout may be sufficient to address our flood risk concerns.

1.3 The masterplan for the site has now been amended to locate the hotel development in the southern part of the site which lies outwith the 1 in 200-year flood extent of the SEPA Flood Map and on higher ground as shown by the topographic information supplied. The northern part of the site is being used for commercial/car parking as existing and although there is an increase in overall building footprint it is noted that more of the buildings are being located on the higher ground and outwith the functional floodplain. As such there should be no additional loss of floodplain storage within the site and no increased flood risk as a result of development.

1.4 Based on the above information we are now in a position to remove our objection to the application. We would still recommend that finished floor levels for the hotel are raised above ground levels to reduce any residual flood risk from surface water which is shown to potentially impact the site. The commercial properties should be designed to be flood resilient with any sensitive equipment raised above ground level.

### Caveats + Additional Information for Applicant

1.5 The SEPA Flood Maps have been produced following a consistent, nationally-applied methodology for catchment areas equal to or greater than 3km<sup>2</sup> using a Digital Terrain Model (DTM) to define river corridors and low-lying coastal land. The maps are indicative and designed to be used as a strategic tool to assess flood risk at the community level and to support planning policy and flood risk management in Scotland. For further information please visit [www.sepa.org.uk/environment/water/flooding/flood-maps/](http://www.sepa.org.uk/environment/water/flooding/flood-maps/).

1.6 Please note that we are reliant on the accuracy and completeness of any information supplied by the applicant in undertaking our review, and can take no responsibility for incorrect data or interpretation made by the authors.

1.7 The advice contained in this letter is supplied to you by SEPA in terms of Section 72 (1) of the Flood Risk Management (Scotland) Act 2009 on the basis of information held by SEPA as at the date hereof. It is intended as advice solely to Edinburgh Council as Planning Authority in terms of the said Section 72 (1). Our briefing note entitled: "Flood Risk Management (Scotland) Act 2009: Flood risk advice to planning authorities" outlines the transitional changes to the basis of our advice in line with the phases of this legislation and can be downloaded from <http://www.sepa.org.uk/environment/land/planning/guidance-and-advice-notes/>.

### **CEC Flooding**

We are happy to support this application provided the applicant is bound by these two conditions;

1. The proposed surface water discharge rate shall be no higher than 11.3l/s during the 1:200 year event
2. A 30% allowance for climate change shall be used when calculating the attenuation storage volumes

### **Police Scotland comment**

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

### **CEC Environmental Assessment comment**

We refer to the report entitled 'Phase 1 Detailed Desk Top Study' (19 February 2016) that was produced by Curtins Ltd, and which contains a preliminary assessment of the potential for land contamination risks; a material consideration within the development control process.

The report is considered to be sufficiently comprehensive to enable for planning and design of prospective site investigations, recommended by the report's conclusion, to enable risks to be assessed in line with current industry based guidance, to a high level of confidence.

Should the applicant or consultant wish to discuss the design and direction of any prospective site investigation with Environmental Protection, I would be willing to provide assistance upon request.

At this stage, Environmental Protection would recommend the use of a commonly applied Planning Condition (SIO3c) for the general purpose of enabling this Authority to be in a position to determine that the land has been assessed for contamination and made suitable for proposed use.

## **CEC Environmental Protection 27 March 2017**

*The applicant proposes developing a mixed use development including hotel (Class 7), restaurant/bar (Class 3), business (Class 4), industrial (Class 5), storage/distribution (Class 6) with associated car parking, with a temporary continuation of existing airport car parking. The following provision is currently proposed: Hotel: - 72 car spaces (including 4 disabled) - 3 coach spaces Pub/ Restaurant: - 43 car spaces (including 2 disabled).*

*The site is located to the west of Edinburgh airport, to the east of Ingliston Road and north of Fairview Road. The eastern side of the site is bounded by undeveloped open land and to the north is industrial development associated with the Airport operations. The site is currently occupied by an airport car park and Fairview Mill operated by 2 Agriculture Foodgroup. The site is approximately 1.2km from the eastern edge of the current Glasgow Road Air Quality Management Area (AQMA), between the M9 and Ratho Station on the A8, which has been declared for exceedances of the annual mean objective concentration for nitrogen dioxide (NO<sub>2</sub>).*

### *Road traffic Local Air Quality Impacts*

*The applicant has submitted an air quality impact assessment to predict the impacts this proposed development may have on the nearby AQMA for Nitrogen Dioxide (NO<sub>2</sub>).*

*The scale of this proposed developments parking numbers is problematic. The potential impacts traffic generated by the site will have on the nearby AQMA which has been declared for Nitrogen Dioxide been assessed. The main source of this pollution is traffic generated and this site will introduce an increased number of vehicles onto the network. The proposed numbers of parking spaces is excessive for a site that is well served by public transport. The applicant has not fully considered the full range of mitigation measures open to them. We would normally encourage developers to work with Environmental Protection 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 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 cycle/pedestrian facilities and links.*
- 6. Taxi specific rapid electric vehicle charging points*

*Transport Planning have advised that they cannot support the application until the applicant agrees to fund a number of transport related mitigation measures such as actions indentified in the updated WETA and trams contributions.*

### *Contaminated Land*

*The applicant has submitted a Ground Investigation Report which has been assessed by Environmental Protection. At this stage, Environmental Protection would recommend the use of a commonly applied Planning Condition for the general purpose of enabling this Authority to be in a position to determine that the land has been assessed for contamination and made suitable for proposed use.*



*On balance Environmental Protection recommend the application is refused. This is based on the fact that Transport Planning have advised that permission should not be granted until the applicant has agreed to fund all the required traffic mitigation measures.*

### **CEC Economic Development comment**

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

#### *Commentary on existing uses*

*The existing site has a working mill which currently employs 52 people; these jobs will be lost as if the development proceeds. Using the SABS stats for GVA this could equate to a loss of £4.76million. The site also currently operating as a private airport car park supporting a nominal number of jobs which would also be lost.*

#### *Commentary on proposed uses*

*The proposal includes a 180 bed hotel, 845sqm bar/restaurant, 13,667sqm of Business Space/ Industrial as well as storage/distribution (Class 6) and associated car parking (approximately 255 spaces in total).*

#### *Class 7 Hotel and Hostel.*

*The proposed development would deliver a 180 bed hotel near Edinburgh Airport and the Royal Highland Showground. Based on average densities, and assuming a mid market operator, this would directly support 60 FTE posts in Edinburgh.*

*Based on the average gross value added per worker for workers in the accommodation sector (£29,948) the 60 jobs could be expected to directly support GVA of approximately £1.79million per annum. Taking multiplier effects into account this could result in an overall impact of £2.69million of GVA (2013 prices) and 78 FTE jobs.*

*The hotel could also be expected to support additional visitor spend in Edinburgh. Hotel occupancy in Edinburgh averages 81.5% suggesting this hotel could support 53,546 bed nights in Edinburgh, with an average spend of £92 per night this could represent an additional £4.92million of additional visitor spend per annum. Based on the average visitor spend profiles it is anticipated that 38% (£1.87million) would be on accommodation while 62% (£3.05million) would be spent in the wider economy including shopping, dining out and visitor attractions. This £3.05 million of expenditure could be expected to support a further £2.05million of GVA per annum (2013 prices) and 84 jobs.*

#### *Class 3 Restaurant/bar*

*Included within the development is an 845sqm restaurant/ bar which has the potential to support 42 FTE. A restaurant of this size in this location is likely to be associated with the hotel and will predominantly be used by the hotel guests which would not lead to significant displacement in the surrounding area. Taking the multipliers into account this could have a knock on effect of supporting 63 FTE.*

#### *Business/ Industrial (Class 4 and 5)*

*The proposal included 13,667sqm of Business Space/ Industrial which has the potential to support 291 FTE jobs on the site if this were to become light industrial space under this class or 380 FTE as industrial manufacturing space. The application does not state the exact use of this space, for our calculations we will assume an average of 336 FTE jobs will be created through the use of this space.*

*The remainder of the site is designated as storage/distribution (Class 6) and Associated car parking (approximately 255 spaces in total) which will have a nominal economic impact.*

#### *Summary response to the consultation*

*The application has the potential to create approximately 561 jobs in Edinburgh and a gross value added of £10million (including additional visitor spend) support the wider economy through increased visitor spend and employee GVA contribution.*

*While we note that the development will bring a significant number of new jobs and GVA to the area it is understood that this is to the detriment of the existing jobs within the mill and car park.*

*The Council has identified that there is a shortage of industrial developments in Edinburgh; this development has the potential to contribute to alleviating the shortage. There is also evidence of increasing demand for hotel space in the City. The proposed development would help in part to meet this need.*

#### **Transport comment**

*The application should be continued.*

#### *Reasons:*

*To enable the application to be fully assessed, the following additional information relating to the transport assessment is required;*

- 1. Further details on the previous use traffic generation including survey details, number of staff employed, copies of traffic data etc.*
- 2. Further details on the proposed use traffic generation including survey details, copies of traffic data etc.*
- 3. Details of the measures proposed to achieve the stated modal share targets stated in the report.*

## Transport comment

*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:*

*1. Contribute the sum of £178,423 in line with the infrastructure works identified in the final West Edinburgh Transport Appraisal report. ( £154,230 for 180 room hotel and £24,193 for 845 sq.m pub-restaurant);*

*2. Contribute the sum of £331,908 to the Edinburgh Tram in line with the approved Tram Line Developer Contributions report (£262,793 for 180 room hotel and £69,115 for 845 sq.m bar/restaurant) see note ii below;*

*3. Contribute the sum of £2,000 to progress a suitable order to redetermine sections of footway and carriageway as necessary for the development;*

*4. Contribute the sum of £2,000 to progress a suitable order to introduce waiting and loading restrictions as necessary;*

*5. In accordance with the Council's LTS Travplan3 policy, the applicant should submit a draft Travel Plan prior to first occupation of the premises and a final Travel Plan within 12 months of that date. The scope to be agreed with the Head of Planning and Transport. The Travel Plan should include agreement to provide pedal cycles (inc. electric cycles), secure cycle parking, 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;*

*2. 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 2016 regulations or British Standard 8300:2009 as approved by the Head of Planning and Transport;*

*3. 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*

*4. Car and cycle parking numbers/layout and footway/junction/road layout to be reserved matters.*

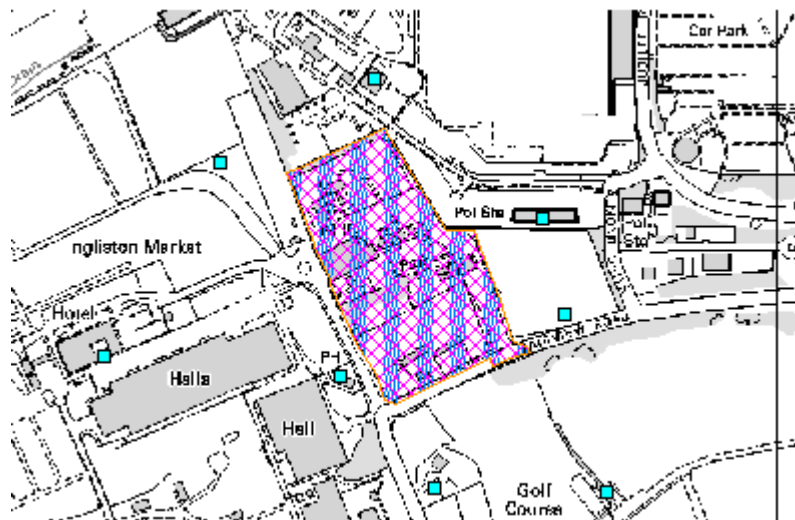
### Notes

*i. Current Council parking standards for Zone 5b permit up to a maximum of 1 space per 2.5 bedrooms for hotels (max. 72 spaces for 180 rooms), up to 1 space per 15 sq.m for bars etc (max 56 spaces for 845 sq.m) giving a total of 128 spaces. The development proposes to provide around 120 spaces, however this will be a reserved matter subject to discussions on mode share targets etc.*

ii. The development was assessed as being 773m to the nearest tram stop. The amounts quoted above have been reduced in line with previous agreements for applications out with the 750m contribution zone (zone 3).

## Location Plan

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**END**