

Development Management Sub Committee

Wednesday 19 April 2017

Application for Planning Permission in Principle

16/03895/PPP

At Land 292 Metres West Of 10, Gilmerton Station Road,
Edinburgh

Residential development with associated infrastructure,
landscaping and engineering works.

Item number	4.12
Report number	
Wards	A16 - Liberton/Gilmerton

Summary

The proposal is acceptable in principle. The indicative layout, scale and design comply with the Edinburgh Local Development Plan (LDP) design policies and the Edinburgh Design Guidance. There are no issues raised with regards to flooding or drainage, contamination or archaeology. Subject to appropriate contributions being made, there are no issues with transport or education infrastructure. The provision of the affordable housing will be secured by a legal agreement.

There are no other material considerations that outweigh this conclusion.

Links

[Policies and guidance for this application](#)

LDPP, LDEL01, LDES01, LDES02, LDES03, LDES04, LDES05, LDES06, LDES07, LDES09, LEN09, LEN16, LEN21, LEN22, LHOU01, LHOU02, LHOU03, LHOU04, LHOU10, LTRA01, LTRA02, LTRA08, OTH, NSGD02,

Report

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**At Land 292 Metres West Of 10, Gilmerton Station Road,
Edinburgh
Residential development with associated infrastructure,
landscaping and engineering works.**

Recommendations

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

Background

2.1 Site description

The site is currently undeveloped greenfield land within the south east of Edinburgh and is 18.6 hectares in area. It is roughly rectangular in shape and is bounded to the west by Lasswade Road and to the south by Gilmerton Station Road. On the opposite side of Lasswade Road are three single storey houses, which are within the green belt. To the north is Gilmerton Dykes Road with an established housing area beyond. To the east is undeveloped land, although planning permission in principle has been granted for housing development on two sites at Gilmerton Station Road (LDP Proposal HSG 24) and Gilmerton Dykes Road (LDP Proposal HSG 23).

The site slopes from north to south and there is a 30 metre level difference between the highest and lowest parts of the site.

There are no features of notable interest on the site; the western boundary is denoted by a post and wire fence, while the northern boundary is a stone wall. There are some mature trees along the eastern boundary and most of these are outwith the application site boundary, with the exception of two mature sycamores in the northern part of the site.

2.2 Site History

There is no relevant planning application history for this site.

Other Relevant Applications

18 January 2016 - planning permission granted on appeal for residentially-led mixed-use development including primary school, commercial/community uses, open space, access, car parking and landscaping at Gilmerton Station Road (application reference: 14/01649/PPP; Appeal reference: P/PPA/230/2137).

15 June 2016 - planning permission granted on appeal for residential development of 61 units with associated accesses, roads and landscaping at Gilmerton Dykes Road (application reference: 14/01446/FUL; Appeal reference: P/PPA/230/2151).

8 August 2016 - planning permission granted on appeal for residential development at Lang Loan (application reference: 14/05145/PPP; Appeal reference: P/PPA/230/2152).

Main report

3.1 Description Of The Proposal

Planning permission in principle is sought for residential development with associated landscaping and infrastructure works. The applicant has also indicated that an area of land within the application site can be utilised for community uses, such as a doctor/dentist surgery or small commercial unit.

The applicant submitted supporting information which demonstrated how the site could be developed. It shows potential capacity for around 310 units, with two vehicular accesses being taken from Lasswade Road. However, this information is indicative and further details on the development of the site will require to be submitted in applications for matters specified in conditions, if planning permission is granted.

As part of the proposals, existing junctions will require to be upgraded in order to cope with the additional vehicular traffic. In order to address this, the Council is preparing the Action Programme for adoption. This site falls within an area which requires new development to contribute towards the reconfiguration of the signals at the junction of Lasswade Road/Captain's Road; and the replacement of the roundabout at the junction of Lasswade Road and Lang Loan (at an estimated cost of £400,000). The applicant has indicated that the roundabout will be upgraded as part of the proposals.

The planning permission for the site opposite on Lang Loan (application reference: 14/05145/PPP) is required to make a contribution (of £175,000) through a Section 75 legal agreement towards the Lasswade Road/Captain's Road junction. However, further contributions may be required from this application site, as the junction may require additional works beyond what was identified for Lang Loan.

Supporting Statements

The following statements were submitted to support the application:

- Landscape and Visual Impact Assessment;
- Transport Assessment;
- Archaeological Assessment;
- Settlement and Local Character Assessment;
- Statement of Site Effectiveness;
- Planning Statement;
- Green Belt Assessment;
- Engineering Assessment;
- Assessment of Housing Land Supply;
- Environmental Noise Assessment;
- Air Quality Impact Assessment;

- Education Impact Assessment;
- Sustainability Assessment;
- Arboricultural Assessment;
- Design Statement;
- Coal Mining Assessment
- Pre-application Consultation Report, and;
- Ecological Assessment;

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

3.2 Determining Issues

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) the principle of residential development is acceptable;
- b) the scale, design and layout of the proposed development is acceptable;
- c) the proposal would be sustainable;
- d) there is sufficient amenity for existing neighbours and future occupiers;
- e) there are any infrastructure constraints;
- f) the proposal would have acceptable transport impacts;
- g) the proposal would raise archaeological, drainage, flooding, ground stability or contamination issues;
- h) the proposal would have any detrimental air quality impacts;
- i) the proposal would have any equalities or human rights impacts; and
- j) there are any comments raised by third parties to be addressed.

a) The Principle of the Development

The site is identified as being within the urban area in the adopted Edinburgh Local Development Plan (LDP). Within the urban area, Policy Hou 1 gives priority to the delivery of the housing land supply and relevant infrastructure on suitable sites, provided proposals are compatible with other policies in the plan. Conformity with other policies is assessed below. The site is currently in agricultural use, but as the site is not in the green belt, the principle of development is acceptable. The proposal would contribute around 310 homes to Edinburgh's housing land supply.

b) Scale, Design and Layout

The application is for planning permission in principle and therefore detailed designs have not been submitted. However, the application was supported by a Design Statement and Indicative Development Framework, showing principles of how the site could be developed.

The Indicative Development Framework shows a staggered double row of trees along the western boundary of the site. This is an appropriate response to the site as it creates a gradual transition from the green belt to the south and west into the urban area. Similarly, the southern third portion of the site is open space, incorporating the sustainable urban drainage system (SUDS) for the site, as well as trees and meadow grassland. This open space will link in to the housing area to the east of the site, as the masterplan for the adjoining site shows an area of open space along the boundary of the site.

A detailed breakdown of housing mix and heights has not been provided. The submitted information indicates that a number of larger dwellings would be provided, which, depending on the final detail, would meet the expectations of at least 20% being three bedrooms or above as set out in the Edinburgh Design Guidance.

The proposal is to establish the principle of residential development on the site. The proposed layout, scale and design as indicated in the framework comply with the LDP design policies and the Edinburgh Design Guidance at this stage.

Further details would require to come forward as approval of matters specified in conditions.

c) Sustainability

The proposal is for planning permission in principle and is not at the detailed stage in terms of building design. Sustainability measures will require further consideration if a detailed application comes forward.

In terms of the location of the site, it is served by a frequent bus service along Lasswade Road. Although not part of this PPP application, there is an opportunity for a local shop or community facility within the site, which will help reduce car journeys. This is essential to ensure a sustainable development and is therefore secured by a condition of the planning permission.

The pedestrian/cycle links through to adjoining sites also help encourage walking and cycling, particularly to the new school within the adjoining site.

The sustainability measures are acceptable at this stage.

d) Amenity

Existing Residents

The residents most affected by the proposals will be located to the north in the existing housing at Gilmerton Dykes Road. However, due to considerable distances between the properties, there would be no impact on privacy or amenity. There will be a visual impact as the site is currently undeveloped green field land. However, all of the houses on Gilmerton Dykes Road are facing the site with the gable ends or upper bedroom windows, so immediate outlook from residential properties will remain largely unchanged.

New Residents

The indicative layout plan shows how the site could interact with adjoining areas by means of footpath connections and cycle routes. This will increase permeability across the sites and will help integrate adjoining areas, particularly in accessing the proposed new primary school within the adjacent site.

The applicant has submitted a noise impact assessment in support of the application. The noise impact assessment has demonstrated that transport noise can be mitigated by careful building layout and design. The installation of an acoustic barrier and appropriate insulation can provide a reasonable level of protection for amenity for gardens and habitable rooms. Environmental Protection is satisfied that noise can be mitigated. However the exact specifications of the mitigation measures will be required in the form of a noise impact assessment when more details of the proposed development are available. The current plan indicates a large buffer zone between the proposed residential properties and the city by-pass and this provides sufficient distance to negate excessive road traffic noise.

In relation to community facilities, the applicant has indicated that there is an area for a potential community facility (local shop or doctor/dentist) within the application site. This would be secured through further applications if planning permission was granted. This is necessary in order to provide some amenity within the site for local residents.

Based on the information submitted at this stage, the levels of amenity for existing and new residents is considered to be acceptable. However, this will require to be assessed through further applications, if planning permission is granted.

e) Infrastructure

LDP Policy Del 1 requires proposals to contribute to infrastructure provision where relevant to mitigate any negative additional impact and where commensurate to the scale of the proposed development. Supplementary guidance has been prepared to provide further detail on the approach to the implementation of this policy. The developer contributions required for this application have been identified within the context of the supplementary guidance.

The proposal is assessed in accordance with the Supplementary Guidance on Developer Contributions and Infrastructure Delivery. With regards to this development, the main infrastructure considerations relate to affordable housing provision, transport impact and education services.

Affordable Housing

The total number of affordable housing units required is 25% of total units. This will be secured through a legal agreement.

Education

The application site lies within the Liberton and Gracemount Education Contribution Zone. The proposed development is expected to generate primary school and secondary school pupils and a contribution towards education infrastructure, land remediation and servicing (subject to indexation) is required. Contributions are required at the rate of £3885 per flat with more than one bedroom (with an additional £607 per unit of land costs) and £18,941 per house (plus an additional £2603 per unit for land costs).

It is not possible to calculate the exact amount of education contribution required at this time because the number, size and mix of residential units for the development are yet to be agreed. This will form the basis of the legal agreement.

Transport

The application site lies within several contribution zones within the adopted LDP Action Programme, including Gilmerton Station Road/Drum Street junction, Gilmerton Crossroads, Lasswade Road/Lang Loan and the Lasswade Road/Captains Road junction.

This requires the developer to contribute towards (or carry out the works required towards) the reconfiguration of the signals at the junction of Lasswade Road and Captain's Road (£225,000 estimate); replace the roundabout at the junction of Lasswade Road and Lang Loan with signals (£400,000 estimate); provide suitable pedestrian and cycle routes through the site, and; upgrade bus stops. These are required to mitigate the impacts of the development.

The applicant has indicated that the works will be carried out as required to the Lasswade Road/Lang Loan junction, with the appropriate contributions made. This will be secured via a legal agreement.

The transport impacts are further assessed in (f) below.

Health

NHS primary care services are identified in the LDP Action Programme and supplementary guidance. At this time the requirements have not been detailed and the level of any contribution required cannot be reasonably calculated.

The applicant has indicated that it is willing to pay the contributions as set out by the supplementary guidance in relation to transport and education provisions. This will be included in the legal agreement.

f) Transport Impacts

LDP Policy Tra 8 states that development proposals relating to major housing or other development sites, and which would generate a significant amount of traffic, shall demonstrate through an appropriate transport assessment and proposed mitigation that:

- a) Identified local and city wide individual and cumulative transport impacts can be timeously addressed in so far as this is relevant and necessary for the proposal;
- b) Any required transport infrastructure in Table 9 and in the general and site specific development principles has been addressed as relevant to the proposal;
- c) The overall cumulative impact of development proposals throughout the SESplan area (including development proposals in West Lothian, East Lothian and Midlothian) has been taken into account in so far as relevant to the proposal.

The main transport impacts arising from this site are the impacts of car-bourne journeys on the existing road network. As described above, the infrastructure requirements have been assessed as part of the LDP Action Programme and there are mechanisms in place in order to upgrade existing junctions to accommodate additional trips. Although this site is not allocated for housing in the LDP (and therefore not assessed as part of the Action Programme), the supporting Transport Assessment has confirmed that no additional transport actions are required, and the applicant will make the appropriate contributions. However, the development has only assessed the transport impact of up to 310 units. If more units are proposed at the masterplan stage, further transport assessments will be required.

The applicant has indicated that the existing roundabout on Lasswade Road/Lang Loan will be upgraded to a signalised junction as part the development. This will help pedestrians and cyclists navigate this junction.

The applicant has submitted a Transport Assessment which examines walking and cycling within and around the site and has expressed a commitment to encouraging sustainable modes of transport around the site. The Council has also recently upgraded the off-road cycle path which runs along the western boundary of the site, and the indicative framework shows how potential connections can be made into this, offering a potential alternative to using a car. The site is also served by a frequent bus service which travels northwards into the city centre, and southwards towards Bonnyrigg. The applicant is required to upgrade the bus stops on Lasswade Road adjacent to the application site in order to make them suitable for increased use.

Furthermore, the applicant is required to progress suitable traffic orders (TROs) to, amongst other things, redetermine footways/carriageways, introduce yellow lines, control disabled parking spaces, amend/introduce speed limits as necessary, including a 20mph speed limit within the site.

Therefore, subject to the junction improvements and TROs being made as noted above, the site has the potential to support alternative means of transport in both a north/south and east/west direction.

The transport impacts are therefore acceptable and in accordance with the requirements of LDP Policy Tra 8.

g) Archaeology, Drainage, Flooding, Ground Stability and Contamination

Archaeology

The site is located immediately to the south west of the historic early medieval (12th century) village of Gilmerton, with the site's north west boundary coinciding with the garden grounds surrounding the village's former 16th century 'manor' the House of Gilmerton. The supporting archaeological assessment suggests that the site contains a range of archaeological sites including the 18th century hamlet of Carhill, a possible linear crop-marks and pit alignments. The latter could be pre-historic in origin but also evidence for the areas important mining industry dating back to the late medieval period.

A suitable condition is therefore required, whereby a programme of archaeological work is to be agreed prior to the commencement of works on site.

Drainage and Flooding

LDP Policy RS 6 (Water and Drainage) states that planning permission will not be granted where there is an inadequate water supply or sewerage available to meet the demands of the development and necessary improvements cannot be provided.

It is proposed that the new development will connect to the public water and drainage systems. Surface water drainage will be controlled to greenfield discharge rates by means of a SUDS basin in the south western corner of the site. Other SUDS measures will be incorporated within the proposal. This is acceptable at this stage in terms of policy RS 6, and further details will be required to come forward in subsequent applications if planning permission is granted.

With regards to flooding, LDP policy Env 21 (Flood Protection) states that planning permission will not be granted for development which would increase a flood risk or be at risk of flooding itself. The site is not identified by SEPA's Flood Risk Management map as being at risk from fluvial or pluvial flooding. The Flood Risk Assessment submitted with the application demonstrates that the proposal will not be at risk from flooding and will not increase the risk of flooding of properties downstream.

SEPA has indicated that there are no objections to the proposed development subject to the condition that a site plan showing the proposed SUDS treatment is submitted. This will be a condition of the consent if planning permission is granted.

This is acceptable at this stage in terms of LDP policy Env 21.

Ground Stability

A mining report was submitted with the application and stated that examination of historical records shows that several coal seams were created by mining and quarrying techniques over much of the site. The Coal Authority report also identified the potential for surface instability in relation to workings. The site is potentially unstable from mine workings in these seams and records indicate approximately 21 mine entries across the site. A further Coal Mining Risk Assessment was carried out and indicated that these mining constraints could be addressed through drilling, grouting and capping the shafts and entries.

The Coal Authority was consulted as part of the application and recommended that a suitable condition be imposed, requiring intrusive site investigation works to be carried out prior to commencement of development. In the event that the site investigations confirm the need for remedial works to treat any of the recorded mine entries and/or areas of shallow mine workings to ensure the safety and stability of the proposed development, these should also be conditioned to be undertaken prior to commencement of the development.

At this stage, this is acceptable and further work will be carried out if planning permission is granted.

Contamination

A desktop site investigation report was submitted with the application which indicated that there are site constraints with regards to ground conditions. Further work will require to be carried out once the design details of the site are known. Therefore a condition is recommended in order to address detailed contamination issues.

h) Air Quality

Due to the size and density of the development, Environmental Protection requested that the applicant assess the potential impacts this proposed development may have on the local air quality, taking into account any other developments in the area. The applicant submitted a supporting air quality impact assessment in which dispersion modelling was undertaken, in order to quantify pollutant concentrations across the site and predict air quality impacts as a result of emissions associated with traffic generated by the development. Exceedences of the relevant air quality objectives were not predicted at any location across the development. Predicted impacts on nitrogen dioxide and Particulate Matter₁₀ concentrations as a result of operational phase emissions were predicted to be negligible within the vicinity of the site. Environmental Protection has considered the assessment and do not accepts its findings, as it is not clear what other nearby development sites have been considered as committed development.

The applicant provided clarification regarding the committed developments in the area and noted that the traffic flows used for the application in both the Transport Assessment and Air Quality Impact Assessment include all the committed developments in the Edinburgh Local Development Plan as well as all other committed developments that the Council has included in the Edinburgh Strategic Transport model.

In assessing this application it is noted that there are concerns regarding air quality. However, the applicant's air quality impact assessment predicts that the impacts would be negligible, and that it has taken into account all relevant committed developments in the area. There is no technical evidence which would support refusal of the application on the basis of concerns about impacts on air quality.

i) Equalities and Human Rights

The application has been assessed for any potential impacts on equalities and human rights. Air quality and noise issues are largely short-lived matters during the construction stage that can be mitigated through good working practices.

The proposal would lead to the loss of the existing agricultural land, although it would provide new housing, including 25% affordable which could aid in improving the standard of life.

In relation to equalities, the houses could be designed to accommodate changes in lifestyle and mobility that can be anticipated over the lifetime of their occupants.

Equalities and human rights would be reconsidered at a further detailed stage if permission was granted.

j) Representations

One letter of representation was received from Spokes following neighbour notification and press advertisement. The points of objection are:

- The site is prime agricultural land and brownfield land is available (assessed in 3.3a);
- The site is remote from the City and is not well connected to public transport (assessed in 3.3d);
- There are no amenities for the site (shops, medical centres) and the distance to existing amenities are too far to walk and not on a direct bus route (assessed in 3.3d);
- The site would be heavily car-dependent and are not sustainable (assessed in 3.3e); and
- The existing cycle link to the south of the site requires to be upgraded and a contribution should be sought from the developer for this (assessed in 3.3f).

Overall Conclusion

The proposal is acceptable in principle. The indicative layout, scale and design comply with the Edinburgh Local Development Plan (LDP) design policies and the Edinburgh Design Guidance. There are no issues raised with regards to flooding or drainage, contamination or archaeology. Subject to appropriate contributions being made, there are no issues with transport or education infrastructure. The provision of the affordable housing will be secured by a legal agreement.

There are no other material considerations that outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. Prior to the submission of any applications for the approval of matters specified in conditions (as required by condition 2 below), a Masterplan for the entire site shall be submitted for the approval by the Planning Authority.

The Masterplan shall include a plan identifying individual sub-sites and phasing. The Masterplan shall also demonstrate how the site can be developed for at least 310 units. Hereafter, reference to sub-sites in subsequent conditions relates to the identified sub-sites within this phasing plan.

The Masterplan shall include the following details:

- the total number of residential units;
- the location and size of the proposed health/community facilities (to be subject of a separate application);
- the location of individual plots or development phases;
- existing site levels;
- details of scale, density, massing, heights, built form, frontages;
- open space, landscaping and SUDS;
- connectivity and access;
- pedestrian, cycle and vehicular links;
- standards for car parking and cycle parking; and
- a phasing plan for the delivery of open space and pedestrian cycle routes.

The Masterplan shall be accompanied by the following supporting information:

- If more than 310 units are proposed, an updated Transport Assessment, the scope of which will be agreed with Planning and Transport prior to the submission of the Masterplan;
 - a Design and Access statement, detailing the layout, streets and spaces, accessibility, safety and security, sustainability and energy efficiency;
 - an updated Landscape and Visual Impact statement;
 - details of management and maintenance of the landscaping, SUDS and open space;
 - surface water management strategy; and
 - a layout plan which identifies appropriate zones of influence for the mine entry on site and the definition of a suitable 'no-build' zone.
2. Before any work on a site which forms part of an identified sub-site development plot 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 within the relevant development plot and shall be in accordance with the Masterplan as approved by condition 1.

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. note:- all development shall be placed outside the predicted 200 year plus climate change flood extent;
 - Existing and finished site and floor levels in relation to Ordnance Datum;
 - Roads, footways, cycleways, servicing and layout of car parking and cycle parking provision in accordance with standards agreed within the Masterplan;
 - Surface water management, drainage arrangements, SUDs proposals and SUDs maintenance plan;
 - Waste management and recycling facilities;
 - External lighting, including street lighting arrangements for the development;
 - Full landscaping information, including a detailed soft and hard landscaping plan, boundary treatments, tree pit details and levels; a schedule of all plants to comprise species, plant size and proposed number and density; a landscape management plan including schedule for implementation and maintenance of planting scheme;
 - Any noise attenuation measures.
3. Construction details, specification, including trade names where appropriate, of all proposed external materials shall be submitted to and approved in writing by the Planning Authority 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.

4. 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;
 - (b) Where necessary, a detailed schedule of any remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Council as Planning Authority. 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.
5. No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, analysis & reporting and publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.
6. Prior to the completion of the 250th home, an application for the delivery of the serviced site (as shown on Dwg. No. 15023-MPSK-P006 Indicative Development Framework with Non Residential Uses) for health or other community facilities shall be submitted to the Planning Authority.
7. Prior to the commencement of works on site, information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations) shall be submitted for approval. Further to this, the remediation measures shall be carried out.

Reasons:-

1. To ensure that the site is designed and developed cohesively.
2. In order to secure a satisfactory design.
3. In order to consider these matters in more detail.
4. In the interests of human health.
5. In the interests of cultural heritage.
6. In the interests of providing health or community facilities on site in accordance with LDP Policy Hou10.
7. To ensure the site is remediated with regards to coal mining activity.

Informatives

It should be noted that:

1. LEGAL AGREEMENT

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 appropriate funding to schemes identified in the Transport Action Programme to mitigate the transport impacts of the proposed development and including those identified in the applicant's Transport Assessment. The legal agreement shall also secure necessary funds and / or measures to implement other measures including relevant traffic regulation orders (TROs).

Consent shall not be issued until the applicant has entered into a suitable legal agreement to ensure that affordable housing is provided in accordance with Council policy.

Consent shall not be issued until a suitable legal agreement has been concluded to make a financial contribution to Communities and Families to alleviate school accommodation pressures in the local catchment area as detailed in the report, commensurate with the requirements of the draft Developer Contributions and Infrastructure Delivery supplementary guidance.

2. a) Application for the approval of matters specified in conditions shall be made before the expiration of 3 years from the date of the grant of planning permission in principle, unless an earlier application for such approval has been refused or an appeal against such refusal has been dismissed, in which case application for the approval of all outstanding matters specified in conditions must be made within 6 months of the date of such refusal or dismissal.

b) The approved development shall be commenced not later than the expiration of 3 years from the date of grant of planning permission in principle or 2 years from the final approval of matters specified in conditions, whichever is later.
3. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
4. As soon as practicable upon the completion of each phase 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.

Financial impact

4.1 The financial impact has been assessed as follows:

If the applicant is able to pay the required contributions, there are no financial implications to the Council.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

A Proposal of Application Notice was submitted and registered on 11 December 2015. Copies of the Notice were also issued to:

- Liberton and District Community Council;
- Gilmerton and The Inch Community Council; and
- All ward councillors.

A community consultation event was held in February 2016 Full details can be found in the Pre-Application Consultation report, which sets out the findings from the community consultation.

This is available to view on the Planning and Building Standards Online services.

8.2 Publicity summary of representations and Community Council comments

The application was advertised on 26 August 2016 and one letter of objection was received.

A full assessment of the representation 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**

It is within the Urban Area in the Edinburgh Local Development Plan.

Date registered

11 August 2016

Drawing numbers/Scheme

01, 28A.,

David R. Leslie

Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Lesley Carus, Senior Planning Officer
E-mail:lesley.carus@edinburgh.gov.uk Tel:0131 529 3770

Links - Policies

Relevant Policies:**Relevant policies of the Local Development Plan.**

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

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

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 9 (Urban Edge Development) sets criteria for assessing development on sites at the Green Belt boundary.

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

LDP Policy Env 16 (Species Protection) sets out species 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 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 3 (Private Green Space in Housing Development) sets out the requirements for the provision of private green space in housing development.

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 10 (Community Facilities) requires housing developments to provide the necessary provision of health and other community facilities and protects against valuable health or community facilities.

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.

Other Relevant policy guidance

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

Appendix 1

Application for Planning Permission in Principle 16/03895/PPP

**At Land 292 Metres West Of 10, Gilmerton Station Road,
Edinburgh
Residential development with associated infrastructure,
landscaping and engineering works.**

Consultations

Archaeology 18 August 2016

Further to your consultation request I would like to make the following comments and recommendations regarding this planning application in principal for residential development and associated works.

The site occurs immediately to the SW of the historic early medieval (12th century) village of Gilmerton, with the sites NW boundary coinciding with the garden grounds surrounding the village's former 16th century 'manor' the House of Gilmerton. An earlier version of this manor house was destroyed in 1547 by the English armies after the Battle of Pinkie, demonstrating the significance of the house and adjacent settlement. As detailed in GUARD's Desk-based Assessment (DBA) evidence suggests that site contains a range of archaeological sites including the 18th century hamlet of Carhill, a possible linear crop-marks and pit alignments. The latter could be pre-historic in origin but also evidence for the areas important mining industry dating back to the late medieval period.

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 Edinburgh City Local Plan (2010) policy ENV9. The aim should be to preserve archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.

Having read over and assessed the accompanying DBA produced by GUARD, I generally concur with their conclusions as set out in Section 8 of this report, namely that overall this proposal is regarded as having a significant but moderate archaeological impact in terms of buried remains. Accordingly it is considered essential that a programme of archaeological works is undertaken prior prior to the submission of AMC/detailed applications and development in order to fully excavate, record and analysis any significant buried remains affected by ground breaking.

In essence this will see a phased archaeological programme of works the initial phase will be the undertaking of an archaeological evaluation (10%) of the site prior to the submission of AMC/detailed applications. The evaluation will also incorporate metal detecting/field-walking surveys given the potential for artefacts relating to both the 16th century attack on Gilmerton and also associated with the development the medieval village, Carhill and associated sites.

The results of this programme of evaluation will allow for the production of more detailed mitigation strategies to be drawn up, to ensure the appropriate protection and/or excavation, recording and analysis of any surviving archaeological remains prior to/during construction. This will include a programme of public/community engagement (e.g. site open days, viewing points, temporary interpretation boards) will be required to be undertaken, the final scope to be agreed with CECAS.

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 shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, analysis & reporting, community engagement, publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.'

The work would 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.

The Coal Authority 5 October 2016

Thank you for your consultation letter of 22 September 2016 seeking the views of The Coal Authority on the additional information submitted in support of the above planning application.

The Coal Authority is a non-departmental public body sponsored by the Department for Business, Energy & Industrial Strategy. As a statutory consultee, The Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas.

The Coal Authority Response: Material Consideration

The application site falls within the defined Development High Risk Area; therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application.

The Coal Authority previously objected to this planning application in a letter to the LPA dated 31 August 2016. The objection was raised on the grounds that a Coal Mining Risk Assessment did not appear to have been submitted as part of the application.

The Coal Authority is therefore pleased to note that appropriate mining information for the proposed development site had been obtained on behalf of the applicant and had been used to inform a Coal Mining Risk Assessment Report (August 2016, prepared by Mason Evans), which accompanies this planning application.

The Coal Mining Risk Assessment Report correctly identifies that the application site has been subject to past coal mining activity. The Coal Authority records indicate that the site has been subject to historic recorded underground coal mining at shallow depth and is also likely to have been subject to historic unrecorded underground coal mining at shallow depth. Our records also indicate the presence of 18 mine entries (shafts and adits) within, or within 20m of the planning boundary.

The Coal Mining Risk Assessment Report has been informed by an appropriate range of sources of information including ; including a Coal Mining Report, BGS geological mapping and past borehole data. Based on a review of these sources of geological and mining information, the Report confirms that the site should be considered suspect from the mineral support aspect both from the point of view of the underlying mine workings and the presence mine entries.

Accordingly, the Coal Mining Risk Assessment Report makes appropriate recommendations for the shafts to be located, investigated and treated and for the drilling of rotary boreholes to prove the presence or otherwise of potential instability and refine the area that maybe subject to consolidation via grouting.

The applicant should ensure that the exact form of any intrusive site investigation is agreed with The Coal Authority's Licensing and Permitting Department as part of their permit application. The findings of these intrusive site investigations should inform any mitigation measures, such as the drilling and grouting of shafts/adits and the subsequent capping of any shaft, if identified, which may be required in order to remediate mining legacy affecting the site and to ensure the safety and stability of the proposed development.

Building over or within the influencing distance of a mine entry raises significant safety and engineering risks and exposes all parties to potential financial liabilities. The Coal Authority has adopted a policy where, as a general precautionary principle, the building over or within the influencing distance of a mine entry should wherever possible be avoided. The Coal Authority would take this opportunity to make the applicant aware of our adopted policy: <https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries>

The Coal Authority would therefore expect any subsequent application for approval of matters specified in conditions relating to the site layout to adhere to the above policy and avoid the siting of building over or within influencing distance of any recorded mine entry on or off site.

The Coal Authority Recommendation to the LPA

The Coal Authority concurs with the recommendations of the Coal Mining Risk Assessment Report; that coal mining legacy potentially poses a risk to the proposed development and that intrusive site investigation works should be undertaken prior to development in order to establish the exact situation regarding coal mining legacy issues on the site.

The Coal Authority recommends that the LPA impose a Planning Condition should planning permission be granted for the proposed development requiring these site investigation works prior to commencement of development. In the event that the site investigations confirm the need for remedial works to treat any of the recorded mine entries and/or areas of shallow mine workings to ensure the safety and stability of the proposed development, these should also be conditioned to be undertaken prior to commencement of the development.

A condition should therefore require prior to the submission of the detailed stage:

- * The submission of a scheme of intrusive site investigations for the mine entries for approval;*
- * The submission of a scheme of intrusive site investigation for the shallow coal workings for approval; and*
- * The undertaking of both of those schemes of intrusive site investigations.*

A condition should require at the detailed stage:

- * The submission of a report of findings arising from both of the intrusive site investigations, including the results of any gas monitoring undertaken;*
- * The submission of a layout plan which identifies appropriate zones of influence for the recorded mine entries on site, and the definition of a suitable 'no-build' zones;*
- * The submission of a scheme of treatment for the recorded mine entries, if identified on site for approval; and*
- * The submission of a scheme of remedial works for the shallow coal workings for approval.*

A condition should also require prior to the commencement of development:

- * The implementation of those remedial works.*

The Coal Authority considers that the content and conclusions of the Coal Mining Risk Assessment Report are sufficient for the purposes of the planning system in demonstrating that the application site is, or can be made, safe and stable for the proposed development. The Coal Authority therefore withdraws its objection to the proposed development subject to the imposition of a condition or conditions to secure the above.

Coal authority 31st August 2016

The Coal Authority is a non-departmental public body sponsored by the Department for Business, Energy & Industrial Strategy. As a statutory consultee, The Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas.

The Coal Authority Response: Fundamental Concern

I have reviewed the proposals and confirm that the application site falls within the defined Development High Risk Area.

The Coal Authority records indicate that the site has been subject to historic recorded underground coal mining at shallow depth and is also likely to have been subject to historic unrecorded underground coal mining at shallow depth. Our records also indicate the presence of numerous mine entries (shafts and adits) within the site.

The Coal Authority objects to this planning application, as a Coal Mining Risk Assessment Report has not been submitted as part of the application.

It is a requirement of the planning system that the applicant demonstrates to the satisfaction of the LPA that the application site is safe, stable and suitable for development.

The Coal Authority Recommendation to the LPA

In accordance with the agreed risk-based approach to development management in Development High Risk Areas, the applicant should be informed that they need to submit a Coal Mining Risk Assessment Report as part of this application.

Without such an assessment of any risks to the development proposal posed by past coal mining activity, based on up-to-date coal mining information, The Coal Authority does not consider that the LPA has sufficient information to determine this planning application and therefore objects to this proposal.

The Coal Authority would be very pleased to receive for further consultation and comment any subsequent Coal Mining Risk Assessment Report which is submitted in support of this planning application.

Waste Services 6 September 2016

As this is a domestic housing development (of approximately 310 homes at Lasswade Road), Waste Services would normally expect to be responsible for the provision of waste collections to the properties. I am assuming from the information provided that these will be low density properties and therefore will require kerbside waste collections (as opposed to communal bins).

While reference is made in the sustainability statement to the effect that waste facilities will be detailed later, and elsewhere to the lack of culs de sac so that reversing is not required, there appears nevertheless to be no waste management strategy or other information provided and it is therefore not currently possible to judge the extent to which the developer has allowed for:

The various types of bins/recycling boxes, and their sizes, to be split to allow recycling of food, paper and other dry recyclables, and glass, as well as the disposal of residual waste, and where appropriate garden waste- each of these requires its own bin (food and glass are collected in recycling boxes);

Off street storage of bins;

The extent to which the Council's requirements with regard to vehicle access and operational safety are met;

The extent of the engagement with the Community Waste Officer for the area.

The level of information provided does not allow me to say whether the arrangements for the collection and segregation of waste, access to collect bins, movement of waste along inclines, etc, at this location are likely to be adequate either operationally or in terms of compliance with the Council's waste management strategy.

Every developer should be engage with our Community Waste Officers team to ensure that these objectives (and indeed legal requirements) are built into a development and I would advise that the developer should engage with the Community Waste Team at the soonest possible opportunity.

Unfortunately as a result of restructuring our staff are currently in a process of change. In the short-term however I would advise contact with Brendan Skilling in the first instance. He is always really helpful. I have copied him into this email too for information.

SEPA 4 October 2016

Advice for the planning authority

1. Surface Water Drainage

1.1 The applicant has indicated that there is adequate space within the site for SUDS but it is not confirmed how this will be achieved in detail. We note that Part 2 of the Design Statement makes make reference to provision of levels of surface water treatment.

1.2 Proposals must meet the treatment requirements of CIRIA C753. A site plan showing the proposed SUDS treatment train must be submitted. The Simple Index Approach calculation must also be submitted in support of the site plan, and the online tool may be used to assist in this. We ask that the submission of this information be secured by way of a condition.

1.3 Comments on the acceptability of post-development runoff rates for flood control should be sought from the local authority flood prevention unit, and not from SEPA. Comments from Scottish Water should be sought where the SUDS proposals would be adopted by them.

2. Foul Drainage

2.1 We note that foul drainage to be connected to Scottish Water system therefore we do not consider there to be any issues as long as Scottish Water confirm that there is adequate capacity.

3. Flood Risk

3.1 We have no objection to the proposed development on flood risk grounds. Notwithstanding this we would expect Edinburgh Council to undertake their responsibilities as the Flood Prevention Authority.

Technical Report

3.2 Review of the SEPA Flood Map indicates that the site lies out with the medium to high flood risk area (flooding with a 0.5% annual probability or 1 in 200 risk of occurrence). We agree with the Flood Risk Assessment (FRA) that the site is not considered at flood risk from either the Park Burn or Burdiehouse Burn, both of which lie a significant distance below the level of the site.

3.3 Some surface water flood risk is indicated on Gilmerton Station Road immediately to the east of the site. This is a low spot where ponding of water from higher ground immediately to the west (the development site) would collect. Although the topography of the site means that ponding of water is unlikely, there could be a flow of surface water across the site during periods of heavy rainfall. In order to reduce flood risk we would recommend that finished floor levels are raised above ground levels and site levels landscaped to ensure there is no ponding of water against properties. We would also advise that measures, such as interceptor ditches and SUDS, should be put in place on site boundaries to prevent any increased runoff from the site to adjacent areas.

4. Air Quality

4.1 The proposed development will be in an area that is currently not affected by poor air quality. An air quality modelling assessment has been undertaken and the findings are reported. We note and welcome the decision to use ADMS Roads to assess the impact of traffic on local air quality. The modelling assessment has shown that the completed development is unlikely to have a significant impact on local air quality.

Greenhouse gas emissions

4.2 We note that the development is located some distance from local amenities, therefore there is likely to be an increase in the number of journeys made by car. Whilst this figure may appear to be insignificant, when considered alongside other developments across Scotland, the cumulative increase in the distance travelled by car - and subsequent emissions of carbon dioxide - could undermine the Scottish Government's commitment to reduce emissions of greenhouse gases.

4.3 Scottish Planning Policy sets out an approach to integrating transport and land use planning by supporting a pattern of development and redevelopment that "reduces the need to travel and as a consequence reduce emissions from transport sources". It also states that "Planning permission should not be granted for significant travel-generating uses at locations which would increase reliance on the car and where the transport assessment does not identify satisfactory ways of meeting sustainable transport requirements." 4.4 Greenhouse gas emissions from road traffic are expressed as grams of carbon dioxide emitted per kilometre travelled (g/km), therefore every additional km travelled will increase the emissions of greenhouse gases. Road transport emissions account for 72.4% of all transport emissions of greenhouse gases and cars account for over half road emissions. "The Climate Change (Scotland) Act 2009 sets a target of reducing greenhouse gas emissions by at least 80% by 2050, with an interim target of reducing emissions by at least 42% by 2020. Annual greenhouse gas emission targets are set in secondary legislation". Section 5 of the Scottish Government's Climate Delivery Plan describes the issue in detail.

Cumulative effects of development

4.5 When considered in isolation, a single development will appear to have a negligible impact on local air quality. However, when the same development is considered alongside other developments in the area, the cumulative impact could be more significant - particularly along main commuter routes. SEStran has warned "the allocation of extensive new land for development underlines the importance of integrating land-use and transport planning in the SEStran area, building these links into the forthcoming City Region plan and other development plans. Failure to do so will lead to further significant increases in car use", and " It has been demonstrated that the SEStran area faces particular challenges in catering for the travel volumes and patterns resulting from the anticipated growth in population and employment in the area. In addition to the forecast increase in the number of jobs, the trend of dispersal of jobs, services and homes will, if it continues, bring further pressure to bear on the transport network." Transport Scotland advise: "With several proposals in close proximity, a more detailed Transport Assessment of the cumulative impact of the proposals may be more appropriate than one for each proposal in isolation".

4.6 City of Edinburgh Council should be satisfied that the assessment has considered the cumulative impact of all development that will add traffic to the road network- particularly along main commuter routes. 'Land-Use Planning and Development Control: Planning for Air Quality' (Produced by Environmental Protection UK and Institute of Air Quality Management, 2015) explains how a cumulative impact should be undertaken.

5. Location considerations

5.1 We note that the proposed development site is bound to the north-west and north-east by two sites which we have previously provided consultation comments on for the Proposed Local Development (HSG23 and HSG24).

5.2 We would reiterate our comments from the consultation responses of these sites, in regard to the proximity of the proposed development site to a waste transfer station located to the south of the site boundary.

5.3 The waste transfer site is licensed to accept and treat up to 75,000 tonnes of waste per year (Viridor EnviroScot).

5.4 SEPA regularly receive complaints regarding litter and seagulls arising from the waste transfer station. It also receives and processes recyclates.

5.5 We would like to bring to the Council's attention the relevant sections of the revised Scottish Planning Policy (SPP), and to highlight that placing additional sensitive receptors in close proximity to these waste treatment sites (in particular the Viridor site) could put additional burdens on the waste management licence holder.

5.6 We consider that decisions on development proposals such as housing close to regulated sites should be made with full knowledge of the potential interaction between the two. There are many examples of sensitive development being permitted close to regulated processes that result in requirements for tighter and more expensive controls for the businesses concerned in order to avoid nuisance. The developments can also lead to long term complaints in relation to - for example - odour and noise. This in turn results in disproportionate use of SEPA resources to resolve such problems, which would not have arisen had the decision to place new development close to the source been taken in full awareness of the likelihood of impact on people.

5.7 In cases such as this we can provide to you, if requested, information on the technical standards to which they operate.

5.8 As this is a matter on which the planning authority must make an informed decision we do not object to a development proposal. We do, however, recommend that you consult the operator of the regulated sites as the licence holder also has a responsibility to make representations to the planning authority.
Detailed advice for the applicant

6. Flood Risk

Caveats & Additional Information for Applicant

6.1 The SEPA Flood Maps have been produced following a consistent, nationally-applied methodology for catchment areas equal to or greater than 3km² 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 <http://www.sepa.org.uk/environment/water/flooding/flood-maps/>.

6.2 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.

6.3 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/>.

Regulatory advice for the applicant

7. Regulatory requirements

7.1 Our preference would be that all the technical information required for all permissions and licensing is submitted at the same time as the planning application. However, we consider it to be at the applicant's commercial risk if any significant changes required during the regulatory stage necessitate a further planning application and/or neighbour notification or advertising.

Housing and Regeneration 28 October 2016

1. Introduction

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

Housing requirements by tenure are assessed in line with the 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 residential units or more.

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

2. Affordable Housing Provision

This application is for a development consisting of approximately 310 homes and as such the AHP will apply. There will be a AHP requirement for a minimum of 25% homes of approved affordable housing tenures, so if 310 homes were built this would be a requirement for 78 affordable homes. We request that the developer enters an early dialogue with the Council to identify a Registered Social Landlord (RSL) to take forward the affordable homes and deliver a well integrated and representative mix of affordable housing on site.

The applicant has stated that a mix of house types and sizes will be provided and the development will include affordable homes to meet the Council's requirements. This is welcomed by the department. The affordable homes are required be situated in at least two locations on the site, to be tenure blind and fully compliant with latest building regulations and further informed by guidance such as the relevant Housing Association Design Guides and Housing for Varying Needs design procedures.

This department requests that in subsequent detailed applications, the locations, numbers and tenures of the affordable homes should be identified within the development site and the RSL (or RSLs) taking forward the affordable housing should be clearly stated.

In regards to accessibility, the applicant has confirmed that all new homes are located within a 400m walk of public transport links on Lasswade Road and this is in accordance with PAN 75 guidance.

3. Summary

The applicant has made a commitment to provide on site affordable housing and this is welcomed by the department. The number and locations of affordable homes, and the RSL who will own or manage them should be identified by applicant, in agreement with the Council. These details will need to be confirmed in subsequent detailed applications and the affordable homes will be secured by a Section 75 Legal Agreement. This approach will assist in the delivery of a mixed sustainable community.

In summary:

- The applicant is requested to enter an early dialogue with the Council regarding which Registered Social Landlord (RSL) is to deliver the affordable housing*
- 25% of affordable housing is required to be delivered onsite, across at least two locations, to enable mixed communities*
- The affordable housing includes a variety of house types and sizes to reflect the provision of homes across the wider site*
- In the interests of delivering mixed, sustainable communities, the affordable housing will be expected to be identical in appearance to the market housing; an approach described as "tenure blind"*
- The applicant will be required to enter into a Section 75 legal agreement to secure the affordable housing element of this proposal.*

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

Environmental Protection 03 November 2016

Environmental Assessment has raised concerns regarding this development including the impacts the development may have on local air quality, odour and noise impacts from neighbouring commercial uses and local roads, possible light pollution from the new school and contaminated land. The applicant has addressed these areas and where appropriate has submitted supporting documents.

Local Air Quality

Due to the size and density of the development Environmental Assessment requested that the applicant assessed the potential impacts this proposed development may have on the local air quality taking into account any other developments in the area. It should be noted that it's not clear if all the recommended committed developments have been considered. The applicant has submitted a supporting air quality impact assessment in which dispersion modelling was undertaken in order to quantify pollutant concentrations across the site and predict air quality impacts as a result of emissions associated with traffic generated by the development. Exceedences of the relevant air quality objectives were not predicted at any location across the development. Predicted impacts on nitrogen dioxide and Particulate Matter₁₀ concentrations as a result of operational phase emissions were predicted to be negligible within the vicinity of the site. Environmental Protection has considered the assessment and do not accept its findings; as it's not clear what other nearby development sites have been considered as committed development.

Noise

The applicant has submitted a noise impact assessment in support of the application. The noise impact assessment has demonstrated transport noise can be mitigated by careful building layout and design along with a high acoustic barrier and appropriate insulation can provide a reasonable level of protection for amenity for gardens and habitable rooms. Environmental Protection is satisfied that noise can be mitigated however the exact specifications of the mitigation measures will be required in the form of a noise impact assessment when more details of the proposed development are available. The current plan indicates a large buffer zone between the proposed residential properties and the city by pass. Environmental Protection would not object to the principle of having residential properties sited closer to the city by pass than currently proposed in this PPP application. However a noise impact assessment would need to demonstrate that amenity can be protected if residential properties are located closer to the city by pass. This will need to be submitted along with the detailed plans when available.

Contaminated Land

The applicant has submitted a Ground Investigation Report which is currently being assessed by Environmental Protection. Until this has been completed Environmental Protection recommends that a condition is attached to ensure that contaminated land is fully addressed.

Therefore on balance Environmental Protection recommends that the application is refused due to the likely adverse impacts a development of this density in this location may have on local air quality. However if consent is granted the following conditions and informatives are recommended;

1. Detailed site plans of where the electric vehicle charging outlets and ducting shall be submitted.

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

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

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

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

3. No development shall take place until a scheme for protecting the residential development hereby approved from noise from the road noise (Gilmerton Station Road, Lasswade Road & City by Pass and commercial noise (Industrial area east of Gilmerton Station Road) has been submitted to and approved in writing by the Head of Planning; all works which form part of the approved scheme shall be completed to the satisfaction of the Head of Planning before any part of the development is occupied.

Informative

1. The electric vehicle charge points required should be installed in accordance with Transport Scotland's 'Switched On Scotland: A Roadmap to Widespread Adoption of Plug-in Vehicles' (2013). In particular the charge points should include a 70 or 50kW (100 Amp) DC with 43kW (64 Amp) AC unit. The DC charge should be delivered via both JEVS G105 and 62196-3 sockets and the AC supply by a 62196-2 socket. The outlet must have the ability to be de-rated to supply 25kW to any two of the three outlets simultaneously.

2. When available the applicant shall provide details of all the boilers to Environmental Protection to ensure compliance with the Clean Air Act 1993

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

4. *The developer shall ensure that risk of dust annoyance from the operations is assessed throughout the working day, taking account of wind speed, direction, and surface moisture levels. The developer shall ensure that the level of dust suppression implemented on site is adequate for the prevailing conditions. The assessment shall be recorded as part of documented site management procedures.*
5. *Internal un-surfaced temporary roadways shall be sprayed with water at regular intervals as conditions require. The frequency of road spraying shall be recorded as part of documented site management procedures.*
6. *Surfaced roads and the public road during all ground works shall be kept clean and swept at regular intervals using a road sweeper as conditions require. The frequency of road sweeping shall be recorded as part of documented site management procedures.*
7. *All vehicles operating within the site on un-surfaced roads shall not exceed 15mph to minimise the re-suspension of dust.*
8. *Where dust from the operations are likely to cause significant adverse impacts at sensitive receptors, then the operation(s) shall be suspended until the dust emissions have been abated. The time and duration of suspension of working and the reason shall be recorded.*
9. *This dust management plan shall be reviewed monthly during the construction project and the outcome of the review shall be recorded as part of the documented site management procedures.*
10. *No bonfires shall be permitted.*

Communities and Families 14 December 2016

General Approach to Contributions

The Council has assessed the impact of the growth set out in the LDP through an Education Appraisal (Updated December 2016), taking account of school roll projections. To do this, an assumption has been made as to the amount of new housing development which will come forward ('housing output'). This takes account of new housing sites allocated in the LDP and other land within the urban area.

The Council's assessment has indicated that additional infrastructure will be required to accommodate the cumulative number of additional pupils from development. Education infrastructure 'actions' have been identified and are set out in the Action Programme and current Supplementary Guidance on 'Developer Contributions and Infrastructure Delivery'.

Residential development is required to contribute towards the cost of education infrastructure to ensure that the cumulative impact of development can be mitigated. To ensure that the total cost of delivering the new education infrastructure is shared proportionally and fairly between developments, Education Contribution Zones have been identified and 'per house' and 'per flat' contribution rates established.

Assessment and Contribution Requirements

Assessment based on:

62 Flats

248 Houses

This site falls within Sub-Area LG-1 of the 'Liberton Gracemount Education Contribution Zone'.

The Council has assessed the impact of the proposed development on the identified education infrastructure actions and current delivery programme, as set out in the Action Programme and Supplementary Guidance.

The Education Appraisal considered the impact of new housing development from potential sites within the Urban Area, including from the application site. Appropriate education infrastructure actions to mitigate the cumulative impact of development are identified. The required contribution will therefore be based on the established 'per house' and 'per flat' rate for the appropriate part of the Zone.

The application is for planning permission in principle. The S75 should be based on the established 'per house' and contribution 'per flat' contribution figures set out below.

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

Per unit infrastructure contribution requirement:

Per Flat - £3,885

Per House - £18,941

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

Per unit land contribution requirement:

Per Flat - £607

Per House - £2,603

Note - no indexation to be applied to land contribution.

Transport 9 March 2017

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

1. *The applicant will be required to:*

a) *Contribute to the reconfiguration of the signals at the junction of Lasswade Road, Gilmerton Dykes Street and Captain's Road (estimated contribution of £225,000 towards total estimated cost of £400,000);*

b) *Carry out works or contribute to replace roundabout at junction of Lasswade Road and Lang Loan with signals (total £400,000 estimate);*

c) *provision of suitable pedestrian and cycle routes through the site;*

d) *upgrade bus stops on Lasswade Road;*

e) *provision of suitable pedestrian and cycle routes on Lasswade Road adjacent to the proposed development;*

f) *Provide the sum of £2,000 each, to progress suitable traffic orders to, inter alia, redetermine footways / carriageways, introduce yellow lines, control disabled parking spaces, amend / introduce speed limits as necessary, including 20mph speed limit within the site;*

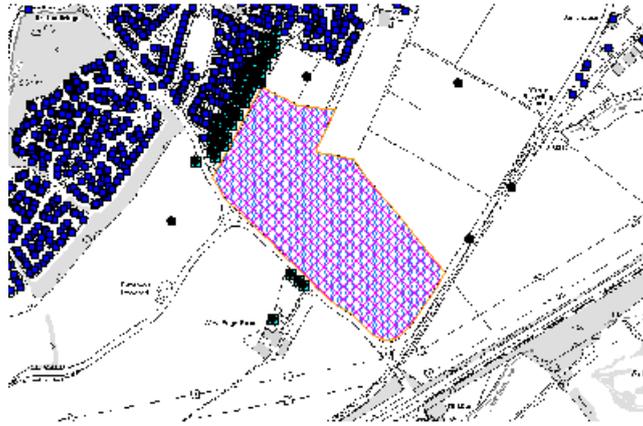
All works to be approved in writing prior to commencement of those works. Items a) to f) as set out in the Edinburgh Local Development Plan Action Programme December 2016;

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, access, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. The road layout is not approved at this stage. In particular, the proposed access points on Lasswade Road require detailed consideration;*
3. *A Quality Audit, as set out in Designing Streets, to be submitted at an early stage and prior to the grant of Road Construction Consent;*
4. *The applicant should note that new road names will be required for the development and this should be discussed with the Council's Street Naming and Numbering Team at an early opportunity;*
5. *Cycle parking for those properties without garages will be required in a secure and undercover location. The design, layout and specification to be to be satisfaction of the Head of Transport;*
6. *Any hard standing outside should be porous, to comply with 'Guidance for Householders' published in December 2012;*
7. *The applicant should be informed that prior to carrying out any works to an existing road, whether adopted or not, appropriate permits must be applied for and secured;*
8. *All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Head of Transport if he wishes the bays to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2002 regulations or British Standard 8300:2009 as approved by the Head of Transport;*
9. *In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), secure cycle parking, 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.*

Note:

- *It appears from the submitted Transport Assessment (August 2016) that additional units may be justified on the site but would require further assessment;*
- *It is noted that the Coal Authority has confirmed the presence of mine workings in the area;*
- *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.*

Location Plan



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