

# Development Management Sub Committee

Wednesday 19 April 2017

## Application for Planning Permission 16/05995/FUL At Land 58 Metres North Of 1 Wester Dalmeny Cottages, Main Street, Dalmeny New Build Residential Development

Item number	4.15
Report number	
Wards	A01 - Almond

### Summary

---

The proposal is acceptable in principle. The development layout is compatible with the surrounding area and will not adversely affect the character and appearance of the conservation area. There are no road safety issues arising from the proposal. The proposal complies with the development plan and non-statutory guidance. The proposal is acceptable and there are no material considerations which outweigh this conclusion subject to the following conditions on materials, archaeology and landscape.

### Links

---

#### [Policies and guidance for this application](#)

LDPP, LDEL01, LDES01, LDES02, LDES03, LDES04, LDES05, LDES07, LDES08, LDES09, LEN06, LEN09, LEN16, LEN20, LEN21, LHOU01, LHOU02, LHOU03, LHOU04, LHOU06, LTRA02, LTRA03, LTRA04, NSG, NSGD02, NSP, OTH, CRPDAL,

# Report

## **Application for Planning Permission 16/05995/FUL At Land 58 Metres North Of 1 Wester Dalmeny Cottages, Main Street, Dalmeny New Build Residential Development**

### **Recommendations**

---

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

### **Background**

---

#### **2.1 Site description**

The application site is 1.47 hectares of sloping grassland lying on the north edge of Dalmeny Village. Bankhead Road lies to the east, the rear gardens of the existing stone Wester Dalmeny cottages lie to the south and a recent steading development lies to the west. The north of the site is bounded by a mature hedge row with farmland lying beyond this. Current access to the site is from Main Street.

The site is covered by Proposal HSG 34 in the Edinburgh Local Development Plan (LDP).

This application site is located within the Dalmeny Conservation Area.

#### **2.2 Site History**

There is no relevant planning history for this site.

### **Main report**

---

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

The scheme is for planning permission for a residential development with associated access, landscaping and open space. A total of 15 residential units is proposed. These comprise:

- 3 x 3 bed detached houses, 144 square metres;
- 10 x 4 bed mix of detached and semi detached houses, these range from 162 square metres to 187.3 square metres; and
- 2 x 5 bed detached and semi detached, these are 205 and 216.4 square metres.

The housing layout is designed with the vehicular access being taken from Bankhead Road forming three short streets within the site where the mix of housing styles and heights is located around the edge of the site. The housing design is a mix of architectural styles each with their own private garden. The proposal includes tree planting and other landscaping.

Cycle and pedestrian access will be taken from the existing access on Main Street.

Each house will provide two off street parking spaces and five visitor spaces within the site.

The proposed materials are white render, slate grey, terracotta coloured tiles and reconstituted stone features.

### Supporting Statement

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

- Design and Access Statement;
- Transport Statement; and
- Stage 2 Road Safety Audit

### **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 harm the character or appearance of the conservation area? If they do, there is a strong presumption against granting of permission.

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 proposed development is acceptable;
- b) the proposal adversely affects the character and appearance of the conservation area;
- c) the landscape impacts are acceptable;
- d) the proposal will preserve neighbour and future occupier amenity;
- e) the proposal raises issues in terms of traffic or road safety;
- f) the proposal will affect local biodiversity;

- g) the proposal raises any flooding and drainage issues;
- h) there are any material considerations that justify approval or refusal;
- i) any impacts on equalities or human rights are acceptable; and
- j) any comments raised have been addressed.

a) Principle

The site is identified as a housing proposal in HSG 34 (Dalmeny) of the Edinburgh Local Development Plan (LDP). The site lies within the urban area and is no longer in green belt. The development broadly accords with the LDP principles for Dalmeny HSG 34.

The principle of housing is acceptable on this site, in accordance with the LDP.

b) Character and Appearance of Conservation Area

The Dalmeny Conservation Area Character Appraisal describes the conservation area as *very coherent and unified character. The overall small scale rural character in its layout and building form must be respected. Where new development is considered acceptable, it is essential that the established character of the conservation area is respected. The use of traditional materials and the continuation of the traditional rural built form are considered essential.*

The proposed development is of a similar height and form to the existing mixed character of the area and adjacent modern development. The development layout creates dual aspect views at the entrance to the site to maintain an active streetscape. Whilst the site is not within a view corridor for the Forth Rail Bridge the development will retain view corridors to the Rail Bridge within the site.

The density of development is appropriate for the site allowing the properties to be accommodated within the plots along with an appropriate quantity of private amenity space that will not be detrimental to the character and appearance of the conservation area.

The entrance to the site will be marked with a traditional stone wall fronting Bankhead Road and the existing woodland and screening on the northern boundary will be retained ensuring the semi rural nature of the site.

There is a mix of materials within the village of Dalmeny as a whole and within the immediate context of the site the surrounding buildings utilise a range of materials including natural stone, slate and render. The development proposes re constituted stone, terracotta tiles and render. The prominent location of this site on the edge of the village should utilise high quality materials that is appropriate for its context. A condition is attached stating that the materials shown on the approved drawings are not approved as an external finish for the building.

Subject to the appropriate materials, the proposal complies the development principles (HSG 34) in the LDP and LDP Policy Env 6, Des 1, Des 4 and Des 5.

c) Landscape

A landscape plan has been submitted and includes new tree planting within the site. A condition has been attached to ensure the landscape works are implemented within six months completion of the development.

Private space is provided for each of the dwellings. There is no requirement within the site to provide amenity greenspace as the site is within 400m of existing amenity greenspaces at Main Street and 800 m of an existing play area of 'good' play value at Carlowrie Crescent.

d) Amenity

The proposed development is for a mix of 3, 4 and 5 bed houses. The Edinburgh Design Guidance (EDG) advises that, in order to ensure satisfactory amenity, dwellings should achieve minimum internal floor areas. The proposed floor areas exceed these minimum requirements specified in the EDG.

Daylight, sunlight and privacy

The development layout ensures that the proposed development will not have an adverse impact on the neighbouring residential development in terms of daylight, overshadowing or privacy.

LDP Policy Des 5 (Development Design - Amenity) aims to ensure that future occupiers will have acceptable levels of amenity in relation to noise, daylight, sunlight, privacy and immediate outlook. The development will provide its occupiers with a good level of daylighting to each of the units with some having an open outlook northwards over existing countryside.

In summary, the amenity of existing residents will not be adversely affected and the amenity of future occupiers of the development is acceptable.

e) Traffic and Road Safety

Adequate parking and visitor parking can be accommodated within the site.

The access to the development is taken off Bankhead Road as outlined in the Development Principles.

The site is also within close proximity to Dalmeny train station, to which there are direct existing pedestrian links. There is a bus service to Edinburgh or South Queensferry that runs through the village. Pedestrian and cycle access will be provided from the site onto Main Street.

The Roads Authority has no objection subject to the a suitable legal agreement to promote a suitable order to extend the 20mph limit on Bankhead Road and informatives relating to allocation of spaces, the extent of adoptable roads and electric charging points.

#### f) Biodiversity

The site is not part of a local biodiversity site. The application site is a grassed area and the proposal will involve the removal of some tree on the boundary. No ecology appraisal has been submitted as it is not considered there is any issue with regards to protected species.

#### g) Flooding and Drainage

Flooding has no objections to the application. An informative has been added relating to the appropriate approval for the adoption and maintenance of the surface water treatment measures.

#### h) Other Material Considerations

##### Affordable Housing

This application is for a development consisting of a 15 homes and as such the Affordable Housing Policy (AHP) will apply. There will be an AHP requirement for a minimum of 25% (3.75) homes of approved affordable tenures.

As this application is for fewer than 20 units the payment of a commuted sum is acceptable in lieu of onsite affordable housing. In line with policy and guidance, any plot of land or sum of money agreed in lieu of onsite affordable housing would be payable upon the signing of the Section 75 Agreement or, at latest, on the commencement of construction. This will enable the provision of affordable housing in the same or adjacent ward.

The applicant has agreed a commuted sum of £40,000 per unit for the affordable housing contribution of 3.75 units; a total sum of £150,000.

A legal agreement is recommended to secure the required contribution.

##### Children and Families

This site falls within Sub-Area Q-1 of the 'Queensferry 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. Appropriate education infrastructure actions to mitigate the cumulative impact of development now anticipated are identified. The required contribution will therefore be based on the established 'per house' rates for the appropriate part of the Zone.

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

Total infrastructure contribution required is £253,830 index linked based on the increase in the BCIS Forecast All-in Tender Price Index from Q1 2015 to the date of payment.

Total land contribution required is £33,660, no indexation to be applied to land contribution.

A legal agreement is recommended to secure the required contribution.

### Archaeology

The site has been identified as having possible archaeological interest and a condition requiring an investigation prior to any work commencing on site has been added in respect of this.

#### i) Equalities and Human Rights

The proposal raises no equalities or human rights issues.

#### j) Public Comments

### **Materials Representations in Objection**

- Housing density - addressed in section 3.3 b).
- not in keeping with the conservation area - addressed in 3.3 b).
- inappropriate materials - addressed in 3.3 b).
- inadequate visitor spaces - addressed in 3.3 e).
- Road safety - addressed in section 3.3 e).

### **Material Representations in Support**

- sensitive development that maintains the character of the settlement and important views.

### **Queensferry and District Community Council**

#### *Material points of objection*

- retention of view corridors - addressed in 3.3 b).
- mix and style of housing is not in keeping - addressed in 3.3 b).
- use of materials - addressed in 3.3 b).
- lack of public amenity space - addressed in 3.3 c).
- access from Bankhead Road - addressed in 3.3 e).

### Conclusion

The proposal is acceptable in principle. The development layout is compatible with the surrounding area and will not adversely affect the character and appearance of the conservation area. There are no road safety issues arising from the proposal. The proposal complies with the development plan and non-statutory guidance. The proposal is acceptable and there are no material considerations which outweigh this conclusion subject to the following conditions on materials, archaeology and landscape.

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

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

#### **Conditions:-**

1. Notwithstanding the approved drawings showing the use of re constituted stone, terracotta tiles and render as a treatment on the external facades, this material is not approved as an external finish for the building.
2. Prior to the commencement of works on site, sample panels, to be no less than 1.5m x 1.5m, shall be produced, demonstrating each proposed external material and accurately indicating the quality and consistency of future workmanship, and submitted for written approval by the Council as planning authority.
3. No development/demolition shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, analysis, reporting and publication, conservation & public engagement) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.'
4. The approved landscaping scheme shall be fully implemented within six months of the completion of the development.
5. 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.

#### **Reasons:-**

1. In order to ensure the development integrates satisfactorily into the surrounding context of the built environment.
2. In order to enable the planning authority to consider this/these matter/s in detail.
3. In order to safeguard the interests of archaeological heritage.
4. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.



5. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.

## **Informatives**

It should be noted that:

1. Consent shall not be issued until a suitable legal agreement has been concluded to make a financial contribution to Children and Families to alleviate accommodation pressures in the local catchment area.

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. Permission should 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.

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.

3. 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.

4.
  - a) All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. Particular attention must be paid to ensuring that refuse collection vehicles are able to service the site. The applicant is recommended to contact the Council's waste management team to agree details;
  - b) The applicant should note that new road names may be required for the development and this should be discussed with the Council's Street Naming and Numbering Team at an early opportunity;
  - c) The applicant must be informed that any proposed on-street car parking spaces cannot be allocated to individual properties, nor can they be the subject of sale or rent. The spaces will form part of the road and as such will be available to all road users. Private enforcement is illegal and only the Council as roads authority has the legal right to control on-street spaces, whether the road has been adopted or not. The developer is expected to make this clear to prospective residents;

- d) 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;
- e) 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.
- f) The developer must submit a maintenance schedule for any SUDS infrastructure.
5. 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
- Edinburgh Airport Limited, incorporated in Scotland (Company number: SC096623). Registered office is at Edinburgh Airport, Edinburgh EH12 9DN. VAT registration number 123 4230 62.
- 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.
- 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 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:

- 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.

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/>).

Edinburgh Airport Limited, incorporated in Scotland (Company number: SC096623). Registered office is at Edinburgh Airport, Edinburgh EH12 9DN. VAT registration number 123 4230 62.

We would also make the following observations:

#### 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.

6. Within Section 8 of the drainage report it states that the City of Edinburgh Council will be adopting and maintaining all surface water treatment measures, the applicant must ensure they have the appropriate approvals.

## **Financial impact**

---

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

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 is not subject to the sustainability requirements of the Edinburgh Design Guidance.

## **Consultation and engagement**

---

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

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

The application was advertised on 23 December 2016 and attracted a total of fourteen letters of representation. Thirteen of these were objections these include comments from the Ward Councillor, Residents Association and Queensferry and District Community Council and one letter of support.

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

## Background reading/external references

---

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

**Statutory Development  
Plan Provision**

Edinburgh Local Development Plan - HSG -34

**Date registered**

7 December 2016

**Drawing numbers/Scheme**

01-25,

Scheme 1

**David R. Leslie**

Chief Planning Officer  
PLACE  
The City of Edinburgh Council

Contact: Lynsey Townsend, Senior Planning Officer  
E-mail:lynsey.townsend@edinburgh.gov.uk Tel:0131 529 3905

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

LDP Policy Env 6 (Conservation Areas - Development) sets out criteria for assessing development in a conservation area.

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

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

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

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

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

LDP Policy Tra 4 (Design of Off-Street Car and Cycle Parking) sets criteria for assessing design of off-street car and cycle parking.

### **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.

### **Other Relevant policy guidance**

The Dalmeny Conservation Area Character Appraisal emphasises the rural character of this village conservation area, the landmark buildings, predominant vernacular building forms and materials, and the mainly residential character.



# Appendix 1

## **Application for Planning Permission 16/05995/FUL At Land 58 Metres North Of 1 Wester Dalmeny Cottages, Main Street, Dalmeny New Build Residential Development**

### **Consultations**

---

#### **Children and Families**

*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 identified where additional infrastructure will be required to accommodate the cumulative number of additional pupils from development. Education infrastructure 'actions' 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 the required 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:*

*15 Houses*

*This site falls within Sub-Area Q-1 of the 'Queensferry 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.*

*Appropriate education infrastructure actions to mitigate the cumulative impact of development now anticipated are identified. The required contribution will therefore be based on the established 'per house' rates for the appropriate part of the Zone.*

*If the appropriate contribution is provided by the developer, as set out below, Communities and Families does not object to the application.*

*Total infrastructure contribution required:*

*£253,830*

*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.*

*Total land contribution required:*

*£33,660*

*Note - no indexation to be applied to land contribution.*

## **Affordable Housing**

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

- o The AHP makes the provision of affordable housing a planning condition for sites over a particular size. The proportion of affordable housing required is set at 25% (of total units) for all proposals of 12 units or more.*
- o This is consistent with Policy Hou 7 Affordable Housing in the Edinburgh City Local Plan.*

### *Affordable Housing Provision*

*This application is for a development consisting of a 15 homes and as such the AHP will apply. There will be an AHP requirement for a minimum of 25% (3.75) homes of approved affordable tenures.*

*As this application is for fewer than 20 units the payment of a commuted sum is acceptable in lieu of onsite affordable housing. In line with policy and guidance, any plot of land or sum of money agreed in lieu of onsite affordable housing would be payable upon the signing of the Section 75 Agreement or, at latest, on the commencement of construction. This will enable the provision of affordable housing in the same or adjacent ward.*

*The applicant has agreed a commuted sum of £40,000 per unit for the affordable housing contribution of 3.75 units; a total sum of £150,000.*

### *Summary*

*The applicant has made a commitment to provide 25% affordable housing as a commuted sum. This will be secured by a Section 75 Legal Agreement.*

- o The applicant agrees to pay an affordable housing contribution of £150,000*
- o The applicant will be required to enter into a Section 75 legal agreement to secure the commuted sum element of this proposal.*

## **Archaeology**

*Further to your consultation request, I would like to make the following comments and recommendations in respect to this application for a new build residential development.*

*The site lies at the centre of the medieval village of Dalmeny stretching across its northern limits between the 18th/19th wester Dalmeny Steading and Parish Kirk. The current village is dominated by the medieval Parish Kirk, the earliest Romanesque sections of which date from the early 12th century. Given the site's central location medieval occupation on this site is not to be unexpected, with excavations in 2002 by CFA Archaeology uncovering late-post medieval occupation.*

*The site is therefore regarded as occurring within an area of archaeological significance. Accordingly, this application must be considered under terms Scottish Government's Scottish Planning Policy (SPP) and Historic Environment Scotland Policy Statement (HESPS) 2016 and also CEC's Local Development Plan Policy ENV9.*

#### *Buried Archaeology*

*The proposals will require significant ground breaking works in regards to the construction of the new development including the construction of new drainage to the north (linking in with existing drains). Such works will have significant impacts upon any surviving archaeological remains associated with the development of the medieval village from its origins in the 12th century. However, it is considered that development of the site would have on the whole a moderate archaeological impact.*

*It is essential therefore that a programme of archaeological works is undertaken prior to development. In essence this will see a phased archaeological mitigation strategy. The initial phase of archaeological ground investigation will require an archaeological evaluation up to a maximum of 10% of the site prior linked to a comprehensive metal detecting survey of the field. The results of which would allow for the production of appropriate more detailed mitigation strategies to be drawn up to ensure the appropriate protection and/or excavation, recording and analysis of any surviving archaeological remains during subsequent phases of development.*

#### *Historic Boundary Wall*

*The southern boundary of the site is formed by an historic stone boundary wall. This wall although not listed in my opinion adds significantly to the character of this historic village. As such it should be retained and repaired within the final development.*

#### *Interpretation & Public Engagement*

*As stated, the site lies at the centre of the medieval village of Dalmeny and is likely to contain important remains relating to its development from the 12th century onwards. It is therefore considered important that a programme of public/community engagement (e.g. site open days, viewing points, temporary interpretation boards) is undertaken during development the scope of which will be agreed with CECAS.*

*In consented it is essential therefore that a condition be applied to any consent if granted to secure this programme of archaeological works based upon the following CEC condition;*

*'No development/demolition shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, analysis, reporting and publication, conservation & public engagement) 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.*

## **BAA**

*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:*

### *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:*

- 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*

*Edinburgh Airport Limited, incorporated in Scotland (Company number: SC096623). Registered office is at Edinburgh Airport, Edinburgh EH12 9DN.*

*VAT registration number 123 4230 62.*

*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.*

*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 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:*

- 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.*

*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/>).*

*We would also make the following observations:*

#### *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.*

## **Environmental Assessment**

*There is evidence of at least one earlier building on this site which has been removed, possibly a garage. There is a concrete plinth with water and electrical services.*

*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.*

## **Roads Authority**

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

*1. Consent should not be issued until the applicant has entered into a suitable legal agreement to:*

*a) Contribute the sum of £2,500 to promote a suitable order to extend the 20mph limit on Bankhead Road to a point 146m or thereby northwards and to promote a suitable order to introduce a 20pmh speed limit within the development. The works outwith the development site (on Bankhead Road) associated with the extension of the 20mph speed limit and identified on drawing number 301607-RD2 Rev B is to be completed on successful promotion of the relevant traffic order. The applicant should be advised that the successful progression of this Order is subject to statutory consultation and advertisement and cannot be guaranteed;*

*The speed limit works within the development to include necessary signs and markings at no cost to the Council;*

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

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

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

#### Flood Prevention

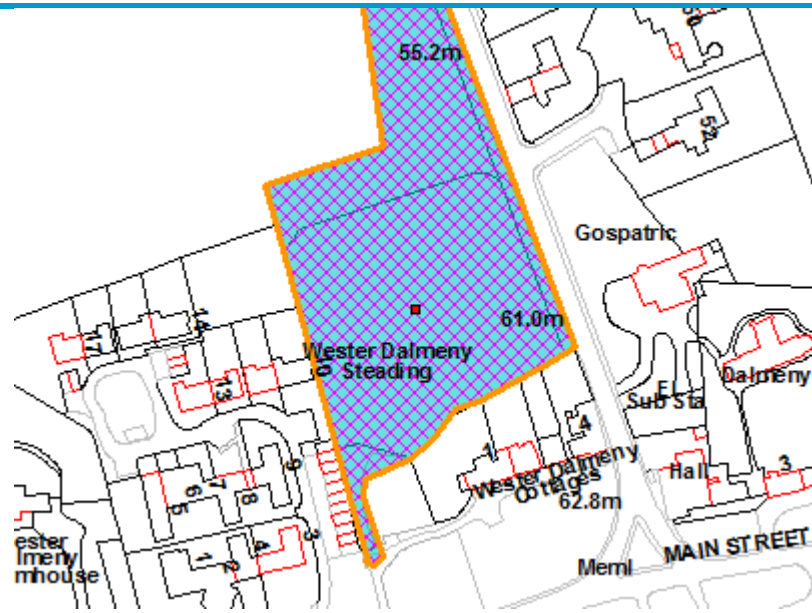
*Flood Prevention will support this application.*

*Please note:*

*Within Section 8 of the drainage report it states that the City of Edinburgh Council will be adopting and maintaining all surface water treatment measures, the applicant must ensure they have the appropriate approvals.*

# Location Plan

---



© Crown Copyright and database right 2014. All rights reserved. Ordnance Survey License number 100023420  
**END**