

Development Management Sub Committee

Wednesday 19 April 2017

**Application for Planning Permission 16/06264/FUL
At 13 Warriston Road, Edinburgh, EH7 4HL
Development of new residential flats including associated
parking, infrastructure and landscaping.**

Item number	4.23
Report number	
Wards	A12 - Leith Walk

Summary

The proposal complies with the Development Plan and the Council's Non-statutory guidance. The principle of housing on a brownfield site is acceptable. There is no adverse impact on the special interest of the adjacent listed building and the design is of an appropriate standard. The proposal will achieve a satisfactory residential environment for future occupiers and result in no unreasonable loss of amenity to neighbouring properties. The level of parking proposed is acceptable as the site is accessible and is near to public transport and local amenities. The proposal is acceptable in all other respects subject to a suitable legal agreement and conditions. There are no material considerations which outweigh this conclusion.

Links

<u>Policies and guidance for this application</u>	LDEL01, LDES01, LDES02, LDES03, LDES04, LDES05, LDES06, LDES07, LDES08, LEN03, LEN09, LEN12, LEN22, LHOU01, LHOU02, LHOU03, LHOU04, LHOU06, LTRA02, LTRA03, LTRA04, NSGD02,
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Report

Application for Planning Permission 16/06264/FUL At 13 Warriston Road, Edinburgh, EH7 4HL Development of new residential flats including associated parking, infrastructure and landscaping.

Recommendations

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

Background

2.1 Site description

The site is located on Warriston Road, north of the city centre and west of Canonmills. The site is approximately 0.75 hectares of previously developed land. It comprises of a former (now closed) B&Q retail store and associated car park, delivery areas and service areas. It is bound by Warriston Road to the north of the site and Powderhall Road to the south. Current access to the site is from Powderhall Road.

The Water of Leith, designated a Local Nature Conservation Site, is located to the north of the site. The site is adjacent to existing three and five storey residential development to the west and east. The surrounding uses are predominantly residential. To the west is the Category C Listed former Printworks (ref: LB45962, date of listing: 3/10/1999) which has been converted into apartments and an office development. A small scale business park, Logie Mill, is located to the south of the site. Powderhall residential development is located to the east. There are a few existing trees located within the site boundary and a tree belt along the eastern boundary. The site lies within Key View N4c from Warriston Path towards Calton Hill. The site lies close to the Inverleith Conservation Area.

2.2 Site History

There is no recent planning history for the site relevant to this application. Two applications in 1997 and 1999 relating to the B&Q site refer to minor alterations to the external envelope and erection of a sprinkler tank.

Main report

3.1 Description Of The Proposal

The proposal is for 180 residential units arranged in four blocks around a central courtyard. The associated development also includes undercroft car parking, access, open space, drainage infrastructure and landscaping. In total, the accommodation schedule comprises:

- one bed apartments: 27

- two bed apartments: 123
- three bed apartments: 30

Twenty-five percent of the residential units are to be affordable. The development proposes 101 car parking spaces (including six accessible spaces), 219 secure covered cycle spaces, the creation of new open space and enhanced landscaping and the creation of a shared pedestrian/cycle link between Warriston Road and Powderhall Road. Vehicular access into the undercroft car park is taken from Warriston Road. Waste and recycling areas are also integral to the blocks.

The proposal is for four urban blocks positioned around a central communal green space accessed from the west, south and east. This includes a colony block along the western edge. Each of the three main flatted blocks are sub-divided into two blocks each (A and B; C and D; and E and F). The flatted blocks range between four and seven storeys, dropping in height from the east to the west. Blocks A and B are five and six storeys and provide a new frontage along Warriston Road. Blocks C and D are six and five storeys and are positioned along the eastern edge opposite the existing Powderhall Brae development. Blocks E and F, located along the southern boundary fronting onto Powderhall Road, are six storeys with additional fully glazed seventh storey penthouse apartments. Four storey colony flats (12 units) are proposed along the western edge of the site fronting a four metre wide landscaped pedestrian/cycle path. This links Powderhall Road through the development to Warriston Road and beyond to the Water of Leith Walkway.

The design of the blocks is consistent in style with a contemporary appearance. The materials proposed are self-coloured blonde brick for Blocks A-F. For the colonies, a red multi brick has been selected taking reference from the colour tones of the adjacent C-listed building along Warriston Road. The top floor penthouse apartments are expressed using glass enclosed by transparent and opaque glass panels. Window frames are timber with aluminium facing in dark grey finish.

Of the total number of flats proposed, 40 will benefit from access to either a 3 metre deep private garden or roof terrace. All other units have access to balconies. Communal open space is provided in the centre and to the east of the site. A planting plan has been submitted showing the replacement trees and shrubs. Site boundary treatments include hedges, tall grass planting and groundcover planting. A mixture of hedges, border planting and walltop planting separate the private front gardens of the ground floor flats.

Supporting statements

The following documents have been submitted in support of the application:

- Pre-Application Consultation (PAC) Report;
- Planning Statement;
- Design and Access Statement including Supplementary Landscape Information;
- Landscape and Visual Impact Assessment;
- Sustainability and Energy Strategy;
- External Lighting Statement;
- Transport Assessment;

- Tree Survey and Constraints Plan;
- Desk Based Archaeological Assessment;
- Flood Risk, Drainage and Surface Water Management Plan;
- Ecology Appraisal; and
- Bat Survey.

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

3.2 Determining Issues

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

In considering whether to grant consent, special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. For the purposes of this issue, preserve, in relation to the building, means preserve it either in its existing state or subject only to such alterations or extensions as can be carried out without serious detriment to its character.

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 on this site;
- b) the proposals preserve or enhance the setting of the listed building;
- c) the design, scale and layout is appropriate to the site;
- d) there is an acceptable level of amenity;
- e) adequate open space and landscaping has been provided within the scheme;
- f) the housing mix is appropriate and an adequate level of affordable housing has been provided;
- g) there are any transport and parking issues;

- h) any other material considerations are addressed;
- i) any impacts on equalities or human rights are acceptable; and
- j) comments raised have been addressed.

a) Principle

The application site is located within the Urban Area in the Edinburgh Local Development Plan (LDP). LDP Policy Hou 1 Housing Development states that housing development will be permitted on suitable sites within the Urban Area, provided proposals are compatible with other policies in the Plan. The proposed development of 180 units will contribute towards meeting Edinburgh's housing need on a brownfield site. The area already has a good mix of uses, including commercial use to the south. There is no policy requirement to provide new retail or commercial use at ground floor level.

The proposal is acceptable in principle.

b) Impact on the listed building

The proposal accords with LDP Policy Env 3 Listed Buildings - Setting. The C-listed former Printworks building is located immediately west of the site fronting onto Warriston Road. The height of the development lowers westwards towards the listed building. Four storey colony housing is proposed along the western edge of the site. For the colonies a red multi brick is proposed, taking reference from the colour tones of the adjacent listed building. The proposal will not affect the setting of the listed building.

c) Design, scale and layout

LDP Policies Des 1 - Des 8 set a requirement for proposals to be based on an overall design concept which draws on the positive characteristics of the surrounding area with the need for a high quality of design which is appropriate in terms of height, scale and form, layout, and materials.

Height:

The proposal accords with LDP Policy Des 4 Development Design - Impact on Setting. Concern has been expressed by objectors about the height of the six storey eastern block fronting Powderhall Brae. The building heights are between four and six storeys, including a seventh storey glazed penthouse apartment on part of the southern block. These heights are appropriate to this context, taking reference from the adjacent neighbouring properties, including eaves and ridge lines. The height lowers westwards towards the C-listed former Printworks on Warriston Road, with the inclusion of four storey colony housing along the western part of the site.

The height, siting and design of the development have been guided by views within the wider landscape. Views from Calton Hill to Warriston Cemetery have been considered as part of the development. The site also lies within Key View N4c which looks south from Warriston Path to Calton Hill. The Key View has been protected by stepping back the proposed development along the eastern edge.

Overall, the development responds well to the area, providing variation and interest without being visually dominant.

Layout:

The proposal accords with LDP Policy Des 7 Layout Design. The proposed layout is an appropriate response to the site, providing an arrangement of urban blocks around a new central landscaped courtyard with private and communal green space. A well-defined, active street frontage is provided to Powderhall Road and Warriston Road. The layout creates a high quality edge to Warriston Road and the Water of Leith walkway through the orientation of new buildings. Parking is proposed undercroft in a secure basement area accessed only from Warriston Road. The vehicular access is incorporated in a way which does not detract from the street scene along Warriston Road. Undercroft parking avoids large swathes of parking areas within the proposed layout.

Buildings along the eastern edge of the site have been set back relative to the boundary with Powderhall Brae to respect the key view to Calton Hill. Likewise, maximum building setback is also provided from the listed Printworks building immediately to the west of the site. This is achieved by the provision of a linear landscaped pedestrian/cycle route along the western edge of the site between Warriston Road and Powderhall Road. This not only enhances permeability through the site, but connects to the wider cycle network. These routes are overlooked by the proposed and existing developments, providing passive surveillance. The layout of the proposal is acceptable and in accordance with policy.

Design and materials:

The area contains a mixture of buildings, including commercial buildings of various styles and ages, up to six storey residential buildings and a three storey red sandstone listed former Printworks. The design and form is simple, creating a unified and consistent architectural approach across the site. A limited palette of materials is used alongside ordered fenestration and flat roofs. These provide a modern and ordered appearance, with a strong visual identity. The colonies retain a similar design concept by using similar materials, but with a red colour to reflect the tones of the adjacent listed building. They also have more pitched roofs to provide for a more traditional style. The tall narrow windows are consistent with the contemporary design and provide good levels of daylight to the properties.

The use of brick as the predominant material is supported in this location. The proposals reference the industrial heritage of the area. The use of brick is preferable to render, which, when not adequately specified, can stain and discolour. The dark grey windows add a subtle smartness to the overall design of the elevations. A condition is recommended for material samples to be provided.

Density:

The size of the site is 0.75ha and the proposal is for 180 dwellings. This constitutes a density of 240 dwellings per hectare, which is relatively high. This exceeds the density of many modern developments such as Westfield (172 dwellings per hectare) as illustrated in the Edinburgh Design Guidance. However, it is similar to more historic tenemental developments like Gorgie (288 dwellings per hectare).

High density development helps Edinburgh be a compact and vibrant city. The density is considered appropriate to the immediate site conditions and to the neighbourhood. It meets the Council's expectations in relation to issues of open space, impact on landscape character, unit mix, daylight, sunlight, privacy, outlook, house type, car parking requirements, waste management and the design and site layout of the development itself. This indicates that the proposed density is appropriate. The 2014 Housing Land Study assumed 66 units on this site at 93 dwellings per hectare. However, this also assumed overground car parking at a rate dictated in the Council's Parking Standards, and was only meant to serve as a guide. The density is appropriate in this location, as it provides an efficient use of the site and supports the regeneration of previously developed land.

In summary, the design, scale and layout of the proposal are acceptable. It represents a considered response to the constraints of the site, whilst providing a high density scheme in an area well connected to the Water of Leith walkway and beyond.

d) Amenity

Noise:

Potential noise levels from the roof terraces was raised as an issue by objectors. A noise impact assessment was not required as part of the application. Issues such as general street noise, disturbance and anti-social behaviour can be dealt with through more appropriate statutory legislation. Therefore, with the use of other statutory controls, any potential nuisance or disturbance from the proposed development can be adequately addressed.

Ground conditions:

Ground conditions relating to potential contaminants in, on or under the soil as affecting the site will require investigation and evaluation in line with current technical guidance such that the site is (or can be made) suitable for its intended new use. A standard condition has been recommended to deal with any remediation requirements.

Privacy, outlook and daylighting:

Criterion a) of LDP policy Des 5 Development Design - Amenity, requires that the amenity of occupiers will not be materially harmed by the effects on privacy, daylight, sunlight or immediate outlook. There are existing residential developments to the east and west of the site which are potentially impacted on by the proposals. These are approximately 25 metres away. This distance provides adequate privacy in this context. Internally within the site, the northern elevation of Blocks E and F is approximately 30-40 metres from the windows on the southern elevation of Blocks A and B. The distance between Blocks C and D and the proposed colony houses is approximately 40 metres. The proposed buildings are positioned away from existing residential properties and will have no impact on privacy.

In terms of the impact of the development on sunlight or daylight afforded to existing properties, the Edinburgh Design Guidance states that new buildings should be spaced out so that reasonable levels of daylight to existing buildings are maintained. In this instance the distance between the existing houses and the proposed buildings is at least 18metres.

The "25 degree" method indicates the potential for slight loss of daylight to the neighbouring buildings to the east and west of the site. To ascertain whether there is a significant loss of daylight or not, a vertical sky component (VSC) assessment is required. A VSC diagram measuring the amount of daylighting on the neighbouring residential properties of the former Printworks and Powderhall Brae have been provided. The VSC is above the Edinburgh Design Guidance requirement of 27% or 0.8 of its former value. Therefore, there will be no significant loss of daylight to the former Printworks, office building on Powderhall Road and Powderhall Brae. This makes it acceptable in terms of the daylight protection requirements of the Edinburgh Design Guidance.

In terms of future occupiers, there is sufficient distance between the properties to allow for adequate levels of sunlight and daylight. The proposed levels of daylight have been assessed following the BRE Guide "Site Layout Planning for Daylight and Sunlight". The assessment showed that there is adequate levels of daylight within the development itself.

In total 87 out of the 180 units proposed are single aspect, which represents 48%. This is 2% below the maximum of 50% recommended in the Edinburgh Design Guidance. This is acceptable. Furthermore, generous ceiling heights of 2.6m high are proposed within all the units, providing enhanced daylight penetration. Large windows also provide a high quality outlook either into the communal greenspaces or out to the city and the Water of Leith. At the upper levels, each unit has a balcony. The application complies with the Edinburgh Design Guidance on internal amenity.

e) Open space

LDP Policy Hou 3 Private Green Space in Housing Development requires 10sqm of open space provision per flat except where private space is provided. A minimum of 20% of the total site area should be open space.

Of the total number of flats in the development, 40 will benefit from access to either a private garden or roof terrace. The roof terraces make up 569sqm. All other units will have access to balconies. Based on the 10sqm criteria above, this gives a communal green space requirement of 1,400sqm.

The proposal provides 1,998sqm of communal greenspace in the form of approximately 1,369sqm of high quality accessible communal greenspace across two areas of the site and a 629sqm landscaped pedestrian/cycle link along the western edge connecting to the wider network, including St Mark's Park and the Water of Leith walkway. The proposal meets the requirement for 10sqm for each unit, and equates to approximately 27% of the site area. The development complies with LDP Policy Hou 3, providing a good overall provision of high quality private communal and public amenity space, together with a high quality connection into the wider green network.

Landscaping details have been submitted providing information in relation to the planting and boundary treatments. The landscape layout plan sets out how the new green space will incorporate railings, hedges, benches, trees and an ornamental pond to create high quality amenity space.

Biodiversity and trees:

The site lies to the south of the Water of Leith, North Edinburgh Paths Network and Warriston Cemetery, which are all Local Nature Conservation Sites. There are no known ecological constraints upon the development. The site survey reports ecological interest of the site as being low due to the lack of notable habitats on site. Existing vegetation is limited to amenity tree and shrub planting of non-native species within the car park and perimeter of the site.

Use of extensive sedum green roofing for three of the blocks will provide measures to enhance biodiversity, particularly by replacing existing areas of hard standing and extending potential habitats for pollinators and birds that compliment the site's context of the Water of Leith, Warriston Cemetery, Allotments and St Mark's Park. Proximity to the Water of Leith would also make this a potential location for swift bricks, which the applicant is committed to include.

The site is currently comprised of hard surfacing and an existing building. A tree survey has been provided for the existing trees within the site and those external to it but in close proximity. A total of 19 trees have been recorded including a Leyland Cypress Poplar. Seven trees have been deemed unsuitable for retention in a development context and ascribed a 'U' category grading. The remaining trees and hedge have been ascribed a 'C' category. The majority of existing trees on the site will be removed, with the exception of the Leyland cypress screen to the north east of the site between Powderhall Brae and the site. This will be retained, and the applicant has shown how they intend to manage the hedge through supplemented planting. A tree planting strategy has been provided that shows the incorporation of open space and 83 new trees, including Silver birch and Fastigate Oak, as well as other shrubs and hedges.

Accordingly, there are no concerns regarding protected species within this application and although some trees are to be lost, these are of low value, with replacement planting to take place.

f) Housing mix and affordable housing

Affordable housing:

LDP Policy Hou 6 Affordable Housing states that 25% of the total amount of units proposed should be affordable.

The applicant has stated that 45 affordable units in the form of one and two bedroom flats, including veteran accommodation, will be provided to meet this requirement. Letters from LAR Housing Trust and Port of Leith Housing Association have been provided confirming that the applicant has been in discussion with them and that there is overall support for the proposed mix, type and layout. It has been designed on a tenure blind approach as per LDP Policy Hou 6.

The Strategy and Investment Service (Affordable Housing) has commented on the application. It welcomes the commitment to provide 25% affordable housing, but also notes that they requested the applicant to consider providing three-bedroom family homes as part of the affordable housing requirement to present a more representative mix. The affordable homes proposed include five larger ground floor wheelchair accessible flats for disabled armed forces veterans, which is welcomed in this location. Therefore, on balance, the provision of a mix of units for sale, one and two bed affordable units, which includes five wheelchair accessible units, creates a mixed community which is compliant with LDP Policy Hou 6.

The affordable housing is to be secured through a suitable legal agreement.

Housing mix:

LDP Policy Hou 2 Housing Mix seeks the provision of a mix of house types and sizes where practical to meet a range of housing needs, whilst having regard to the character of the surrounding area and its accessibility. The Edinburgh Design Guidance requires at least 20% of the units to be designed for families.

The proposed development contains 30 units (17%) that have three bedrooms. The inclusion of colony flats helps provide a wider mix of house types and sizes across the site to help meet a wider range of housing needs. The proposed mix comprises of 27 x one bedroom apartments, 123 x two bedroom apartments and 30 x three bedroom apartments. The mix is acceptable.

The Edinburgh Design Guidance provides advice on minimum internal floor areas for residential units. It stipulates that there should be at least 52sqm per one bedroom unit, 66sqm per two bedroom unit and 81sqm per three bedroom unit. All of the units accord with the sizes set out in the guidance.

The provision of a mix of units for sale, one and two bed affordable units plus veteran accommodation will create the mixed community which is the underlying objective of LDP Policy Hou 2. The level of affordable housing provided meets the Council's requirement and will be secured through an appropriate legal agreement.

g) Transport

Access and traffic impact:

Vehicular access to the proposed undercroft car parking is from a simple T-junction onto Warriston Road. Access by pedestrians and cyclists into and through the site is from Warriston Road and Powderhall Road.

Representations raised concern over the traffic impact. The applicant has submitted a Transport Assessment which sets out the predicted number of car trips and junction impact. The report shows that traffic associated with the proposal is projected to be less than that associated with the former retail use. Therefore, a traffic reduction is anticipated. There are no concerns regarding the anticipated number of trips generated from the proposed development. The analysis predicts that the existing junctions will continue to operate within capacity and there is no requirement for any network improvements to accommodate the development proposals.

Parking:

The development proposes undercroft car parking which complies with LDP Policy Tra 4. The proposed development will provide 101 new car parking spaces in a secure basement area to serve 180 flats - an overall provision of 56%. The development does not meet the Council's requirement under the current parking standards for this area (Zone 3). A minimum of one space per unit for private residential units, and between 0 and 0.4 spaces per affordable residential unit; giving a total of approximately 145 spaces for the 180 units is required. Parking provision within the proposed development has been raised as an issue by those making representations.

LDP Policy Tra 2 Private Car Parking allows for lower parking provision subject to consideration of a number of factors. These include the use of travel plans, the impact of existing on-street parking, accessibility to public transport and services, and if complementary measures can be put in place to make it more convenient for residents not to own a car, such as car club access and covered cycle parking.

Four car club spaces are proposed along Warriston Road. The applicant has been in discussion with Enterprise Car Club. Correspondence has been provided indicating that the car club is very interested in working with the applicant to develop the car club on this site. The provision of four car club spaces will be secured through a legal agreement.

The Transport Assessment considers census information in the area. Two datazones cover the site. It notes that 22.56% and 17.85% of the population within these datazones travel to work by car, and 34.60% and 35.83% of people walk. Additionally, the census also notes that approximately 46% and 56% of households have no car or van. This indicates that the site is within a low car ownership area.

Planning Advice Note 75 Planning for Transport (PAN 75) sets out that, for accessibility to public transport, the recommended guidelines are less than 400 metres to bus services. The site is within 360 metres to Broughton Road, 525 metres to Canonmills, and 800 metres to Ferry Road, where a number of bus stops are located, providing four regular Lothian Buses services and one Edinburgh Coach Line service to various parts of the city. A maximum threshold of 1,600 metres to local facilities by walking and cycling is identified as a distance which is broadly in line with observed travel behaviour. The site is approximately 450 metres to the nearest local centre at Rodney Street, 850 metres to Dundas Street Local Centre, 1,500 metres to Goldenacre Local Centre, and 1,600 metres to Leith Town Centre. The site is an accessible urban location with good access to a number of services within the government's recognised walking catchments.

A decoupled parking approach is also proposed. This involves residents renting or buying parking spaces separately from the rent or purchase of a dwelling, allowing efficient allocation of spaces. A travel plan is proposed which will consist of a residential welcome pack with information relating to local transport information and travel incentives. In total, 219 secure and covered cycle parking spaces in the basement for residents and visitors is proposed.

Air quality:

The potential impacts of the proposed development on the local road network and air quality are acceptable. The car parking is below the Council's standards. However, the site is close to bus stops and within walking distance to local services. Mitigation is proposed in the form of a travel plan, installation of electric vehicle charging points, car club spaces, which will need to be secured through a legal agreement. The proposed energy plant will be gas fuelled and is below the threshold for requirements under the Clean Air Act.

h) Other material considerations

Sustainability:

The applicant has submitted a sustainability statement in support of the application. Part A of the standards is met through the provision of high efficiency gas boilers and a Combined Heat and Power system. The proposal is a major development and has been assessed against Part B of the standards.

The points achieved against the essential criteria are set out in the table below:

Essential criteria	Available	Achieved
Section 1: Energy Needs	20	20
Section 2: Water conservation	10	10
Section 3: Surface water run off	10	10
Section 4: Recycling	10	10
Section 5: Materials	30	30
Total points	80	80

The proposal meets the essential criteria. In addition, the applicant has provided a commitment to further sustainability measures as set out in the desirable elements sections. Additional measures include the inclusion of car club spaces and electric car charging points.

Flooding:

The site is adjacent to the Water of Leith and a Flood Risk Assessment and Self Certification have been submitted. The proposals meet the Council's requirements.

Archaeology:

The site lies on the southern bank of the Water of Leith downstream from the medieval settlement Canonmills and is identified as occurring within an area of archaeological potential. A standard archaeological condition is recommended.

Education and healthcare:

The education actions required to mitigate the impact of planned and anticipated housing development, including school land safeguards, have been established on a city-wide contribution zone basis. This site falls within the sub area D-1 of the Drummond Education Contribution Zone where actions to increase capacity within the local primary schools and Drummond High School have been identified. Based on 153 flats (27 one bed flats are excluded), a contribution of £117,810 is required. This will be secured through a legal agreement and will be subject to indexation at the time of payment.

There are no identified healthcare actions for this site in the Draft Developer Contributions and Infrastructure Delivery Supplementary Guidance. The site is not located within an identified contribution zone within which new residential development is required to contribute towards the construction of new healthcare facilities. There is currently no policy requirement for the site to provide or contribute towards new healthcare facilities.

Waste management:

The proposal simplifies the waste management and recycling strategies for both the residents and the collection team. Each residential block will have its own dedicated bin store. These have been planned to the Council's waste standards and are located off each core which extends to the basement level. Refuse vehicles are proposed to stop on Warriston Road. Bins will be rolled out to this area for collection as part of the waste/refuse strategy. The details of the development wide maintenance strategy will be agreed with Waste Management.

i) Equalities and human rights

The application has been assessed in terms of equalities and human rights. The site will generally have a positive impact on the environment which is currently vacant. The application raises no concerns in relation to equalities and human rights.

j) Public comments

Material representations - objection

Principle:

- Impact on existing services - assessed in section 3.3(h).
- Other uses should be provided in the development - assessed in section 3.3(a).

Design:

- Development is too high - assessed in section 3.3(c).
- Too many units proposed - assessed in section 3.3(c).
- Inappropriate materials, particularly use of brick - assessed in section 3.3(c).
- Impact on character of the area, making particular reference to the architectural style - assessed in section 3.3(c).
- Impact on views - assessed in section 3.3(c).
- Impact on the listed building to the west of the site - assessed in section 3.3(b).

Amenity:

- Loss of natural light to neighbouring properties - assessed in section 3.3(d).
- Loss of privacy for existing neighbours - assessed in section 3.3(d).
- Inclusion of roof terraces will cause a noise nuisance - assessed in section 3.3(d).
- Limited open space provision - assessed in section 3.3(e).

Transport:

- Too many units will cause congestion - assessed in section 3.3(g).
- Insufficient car parking proposed and impact on existing car parking - assessed in section 3.3(g).
- Traffic impact on local roads and junctions - assessed in section 3.3(g).
- Traffic safety - assessed in section 3.3(g).
- Air quality concerns - assessed in section 3.3(g).

Flooding:

- Impact of construction, including the proposed undercroft car park on the flood defence at the Water of Leith - assessed in section 3.3(h).

Material representations - support

- Support the principle of development on the site - assessed in section 3.3(a).
- Welcome the removal of some of the trees bordering Powderhall Brae - assessed in section 3.3(e).
- Broadly supportive of the green enhancements and provision of connective routes - assessed in section 3.3(e).
- Supportive of underground car parking with access from Warriston Road - assessed in section 3.3(g).

Non-material representations

- Disruption caused by building works - not relevant to Planning process.
- Increased antisocial behaviour - not relevant to Planning process.
- Private views - private views are not protected.

Community Council

The New Town/Broughton Community Council have commented on the application and their comments are provided in Appendix 1 and summarised below:

- Support the principle of residential development on a brownfield site and the desire for a reasonable density of development - assessed in section 3.3(a).
- Support the mix of house types including proposed colonies - assessed in section 3.3(f).
- Consideration should be given to the possibility of incorporating other use classes at ground floor level - assessed in section 3.3(a).
- Support the layout of four main blocks around a central courtyard - assessed in section 3.3(c).
- Support the principle of a decreasing height from east to west towards the listed former Printworks - assessed in section 3.3(c).
- Concern over the height and scale of the block along the eastern edge of the site adjacent to Powderhall Brae, making particular reference to the impact on daylight and privacy of existing neighbours - assessed in section 3.3(c).
- Support the use of red brick for the colonies, but encourages further inspection and confirmation by the Planning Officer - assessed in section 3.3(c).
- Concern that the proposed number of car parking spaces will not be sufficient for the number of units - assessed in section 3.3(g).
- Support the proposal for decoupled parking and provision of disabled parking spaces within the undercroft car park - assessed in section 3.3(g).
- Suggest a condition to include car club spaces outside the site boundary - assessed in section 3.3(g).
- Support encouragement for alternative modes of transport - assessed in section 3.3(g).
- Concern over the cumulative impact on local road infrastructure and traffic - assessed in section 3.3(g).
- Concern over the cumulative impact of the development on education provision and healthcare - assessed in section 3.3(h).

Conclusion

The proposal complies with the Development Plan and the Council's Non-statutory guidance. The principle of housing on a brownfield site is acceptable. There is no adverse impact on the special interest of the adjacent listed building and the design is of an appropriate standard. The proposal will achieve a satisfactory residential environment for future occupiers and result in no unreasonable loss of amenity to neighbouring properties. The level of parking proposed is acceptable as the site is accessible and is near to public transport and local amenities. The proposal is acceptable in all other respects subject to a suitable legal agreement and conditions. There are no material considerations which 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 commencement of the construction of the superstructure or above ground works, 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 Planning Authority.
2. The approved site landscape scheme shall be implemented within six months of completion of the development, or a revised timescale as agreed by the Planning Authority.
3. The implemented landscape scheme shall thereafter be maintained by the applicants and their successors for five years in accordance with the approved landscape maintenance strategy. This shall include the replacement of any trees which fail to survive for whatever reason to ensure its establishment in accordance with the approved landscape scheme.
4. Trees and hedging identified for retention on the eastern boundary of the site shall be protected during the construction period by the erection of fencing, in accordance with clause 2 of BS 5837:2012 "Trees in relation to design, demolition and construction".
5. No demolition nor development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, historic building recording, reporting and analysis, public engagement, publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.
6. The proposed cycle parking to be to the satisfaction of the Head of Planning and Transport regarding specification, design, security and location. Cycle stand products should meet the criteria of ease of use and provide secure locking points for wheels/frame. The visitor cycle parking for the development should be located at convenient locations, near the main entrances.
7. 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 adequacy of external building materials.
2. In order to ensure that the approved landscaping works are properly established on site.
3. In order to ensure that the approved landscaping works are properly established on site.
4. In order to ensure that the approved landscaping works are properly established on site.
5. In order to safeguard the interests of archaeological heritage.
6. In order to enable the planning authority to consider this/these matter/s in detail.
7. To ensure the site is suitable for redevelopment.

Informatives

It should be noted that:

1. Legal Agreement

A legal agreement is required and must be signed before planning permission is granted for the following developer contributions:

Affordable Housing

- 25% affordable housing.

Education

- A contribution of £117,810 (to be index linked based on the increase in the BCIS All-in Tender Price Index from Quarter 1 2015 to the date of payment) towards Drummond Education Contribution Zone Actions.

Transport

- Car club provision (four spaces) of £23,500.
- A Traffic Regulation Order of £2,000 to redetermine sections of footway and carriageway as necessary for the development.
- A Traffic Regulation Order of £2,000 to introduce waiting and loading restrictions, as necessary.
- A Traffic Regulation Order of £2,000 to introduce Disabled Person Parking Places, if required.

The legal agreement should be concluded within 6 months of the date of this notice. If not concluded within that 6 month period, a report will be put to committee with a likely recommendation that the application be refused.

2. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
3. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
4. For the duration of development, between the commencement of development on the site until its completion, a notice shall be: displayed in a prominent place at or in the vicinity of the site of the development; readily visible to the public; and printed on durable material.
5. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.
6. The Roads Authority Issues response raises a number of points that the applicant should be made aware of:
 - The development is located in the extended Controlled Parking Zone. They will be eligible for one residential parking permit per property in accordance with the Transport and Environment Committee decision of 4 June 2013.
 - Access to the underground car parking area is to be by bell mouth and the works must be carried out under permit and in accordance with the specifications. Any gate or doors must open inwards onto the property.
 - 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.
7. 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.
8. Giant Hogweed (*Heracleum mantegazzianum*) has been identified on site (Bat Survey). Treatment and removal of this invasive non native species is required.
9. Two spaces shall be served by a Charging outlet (wall or ground mounted) of the following standard:

Type 2 (EN62196-2), Mode 3 (EN61851-1) compliant and be twin outlet. With the ability to supply 22kW (62 Amps) AC - Three Phase power and have the ability to be de rated to supply 11KW to each outlet when both are in use. Where this is not possible then 7KW (32 Amps) AC - Single Phase chargers that have the ability to deliver power of 7KW capacity to each outlet simultaneously.

Financial impact

4.1 The financial impact has been assessed as follows:

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

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

In accordance with the Planning etc (Scotland) Act 2006, A Proposal of Application Notice (application number 16/03296/PAN) was submitted and registered on 30 June 2016. Copies of the notice were also issued to:

- New Town and Broughton Community Council
- Stockbridge and Inverleith Community Council
- Leith Central Community Council
- Leith Neighbourhood Partnership
- Leith Walk Ward Councillors
- Inverleith Ward Councillors

Two public exhibitions were held at the Capital City Church International on Friday 29 July 2016 between 2pm and 7pm, and Saturday 30 July 2016 between 10am and 2pm. An invite to attend an earlier private viewing of the exhibition was extended to immediate neighbours of the site, Councillor and local Community Councillors from 12pm until 2pm on Friday 29 July 2016.

A second round of public exhibitions was held at McDonald Road Library on Saturday 3 December 2016 between 12pm and 4pm, and Monday 5 December 2016 between 2pm and 8pm.

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.

A Pre-Application Report on the proposal was presented to the Development Management Sub-Committee on 31 August 2016. The committee noted the key issues and additional issues to be addressed:

- Consideration of the proximity of the development to the Water of Leith.
- Mitigation of potential traffic problems by creating extra car club spaces.
- Improved links to the cycle network.

8.2 Publicity summary of representations and Community Council comments

The application was advertised on 21 December 2017 until 22 January 2017, and 83 letters of representation were received from the public; 81 objecting and 2 neither supporting nor objecting. A full assessment of the representations can be found in the main report in the Assessment section.

Background reading/external references

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

**Statutory Development
Plan Provision**

The site is within the urban area of Edinburgh Local Development Plan. The Water of Leith to the north of the site is a Local Nature Conservation Site.

Date registered

20 December 2016

Drawing numbers/Scheme

01, 02, 03, 04A, 05A, 06C, 07B, 08B, 09B, 10B, 11B, 12A, 13B, 14A, 15B, 16A, 17A, 18A, 19B, 20A, 21A, 22A, 23B, 24A, 25B, 26A, 27A, 28A, 29B, 30B, 31, 32, 34A,

Scheme 1

David R. Leslie

Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Emma Fitzgerald, Planning Officer
E-mail:emma.fitzgerald@edinburgh.gov.uk Tel:0131 529 3794

Links - Policies

Relevant Policies:

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

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

LDP Policy Env 3 (Listed Buildings - Setting) identifies the circumstances in which development within the curtilage or affecting the setting of a listed building will be permitted.

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

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 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.

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 16/06264/FUL At 13 Warriston Road, Edinburgh, EH7 4HL Development of new residential flats including associated parking, infrastructure and landscaping.

Consultations

Archaeology response - dated 4 January 2017

Further to your consultation request I would like to make the following comments and recommendations concerning this application for planning permission for the development of new residential flats including associated parking, infrastructure and landscaping.

The site lies on the southern bank of the Water of Leith downstream from the medieval settlement Canonmills. The western eastern boundary of the site coincides with the mill lade shown on Ainslie's 1804 map associated with the 18th century snuff and paper mills at Beaver Hall to the South. The land remained open through the 19th century with the 1893 OS map recording it as cricket and football fields owned by Heriots School. The mill lade remains in operation as part of the increasing industrialisation of the land to the south (Logie Green). The early-20th century saw the development of the site as a football ground Beaverbank which survived until the 1930's.

Accordingly, this site has been identified as occurring within an area of archaeological potential. This application must therefore be considered under terms the Historic Environment Scotland Policy Statement (HESPS) 2016, Scottish Planning Policy (SPP), PAN 02/2011 and also CEC Local Development Plan (2016) policies 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.

The proposed scheme will also require extensive ground breaking works relating to proposed demolitions and construction. Such works may disturb significant archaeological remains relating to the areas former industrial and footballing past. It is therefore essential that a programme of archaeological excavation is undertaken prior to/ during demolition/development in order to fully excavate, record and analysis any significant remains affected by demolition & construction.

In essence this will see a phased archaeological programme of works, the initial phase being an archaeological evaluation up to a maximum of 10% of the site post-demolition of the current buildings occupying the site (based upon the WSI produced by GUARD submitted as part of this application). The demolition of these modern commercial buildings will be limited to ground level in the first instance and until the results of the evaluation are known. The results of the evaluation will allow for the production of appropriate more detailed mitigation strategies to be drawn up to ensure the appropriate protection and/or full excavation, recording and analysis of any surviving archaeological remains affected by development.

If consent is granted, it is recommended that a programme of works be secured using the following condition as follows;

'No demolition nor development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, reporting and analysis, publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.'

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

Historic Environment Scotland response - dated 6 January 2017

We have considered the information received and do not have any comments to make on the proposals. Our decision not to provide comments should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on listed building/conservation area consent, together with related policy guidance.

Communities and Families response - dated 13 January 2017

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:

153 Flats (27 one bed flats excluded from assessment)

This site falls within Sub-Area D-1 of the 'Drummond 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 on sites within the urban area, including 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.

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

Total education infrastructure contribution required:

£117,810

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.

New Town and Broughton Community Council response - dated 18 January 2017

The New Town & Broughton Community Council attended the initial Public Consultation events in early August covering outline proposals for redevelopment of the above site in early August. We were supportive of the level of engagement extended by members of the development team with local residents - primarily those directly adjacent to the development site in the ex-Waterson Printhouse development and Powderhall Village.

We submitted extensive comments at that time and were pleased to see that many of our thoughts had been incorporated into the revised scheme as presented at the second Public Consultation in early December. We would note at this point that the developer and associated agent demonstrated an awareness of the key issues and well-developed information boards at the 2nd consultation which should have enabled local residents to fully understand what was being proposed. We were, however, slightly surprised at the accelerated timeline being proposed from the Public Consultation to the lodging of a full planning application and as such, termed the 2nd exhibition in early December a "public communication" event rather than a "public consultation" as there was clearly insufficient time in the proposed schedule to ensure that to ensure that any material feedback would result in a change to the proposed scheme.

We would also note at this stage that although the number of visitors to the 2nd consultation - despite it being available for 2 days with extended times - was perhaps disappointing. However, both the developer and the community council made efforts to ensure that the adjacent residents in Powderhall Village and the Printhouse were aware that the full planning application had been lodged and an option for the developer to discuss the application with the Powderhall Village Owners' Association (PVOA) was discussed and agreed.

Furthermore, NTBCC, through the PVOA, has encouraged local residents to submit comments on the application and forward their views to the community council to ensure that the community council represents the consensus of residents' views as far as practicable.

NTBCC are not averse to development of this brownfield site and believe that an appropriate development of the site bordering the Water of Leith can bring benefits to the immediate area and improve the vista of this section of the Water of Leith without significant detrimental impacts on local residents. We also understand that Edinburgh Council may desire a reasonable housing density of development for this brownfield site to alleviate to some degree pressure on green belt developments.

Despite NTBCC support for the principle of redevelopment of this site, we have been made aware of several significant concerns from residents bordering this development both to the east and west as well as more general concerns by the NTBCC in their submission to the initial public consultation.

Furthermore, we provided a verbal indication of the key issues as seen by the community council to the developer at the December Public Consultation based on our initial views at that time.

We now submit more detailed considerations to these aspects in the following paragraphs :

1. General View of the Proposal for Residential Development.

We agree that a residential-led development would be the most viable for the site. We are aware that some recent office developments immediately adjacent have struggled to become let, due in part to this area being seen as somewhat peripheral in terms of direct transport links. Whilst the community perhaps regrets the demise of the current DIY store from a convenience perspective, we support the redevelopment of the site. We do have some concerns due to the location of the site and other recent residential developments in the area that a further residential development may lead to the area becoming somewhat sterile due to the lack of diversity and lack of facilities in the immediate area. However, we recognise that the frontage of the site, overlooking the Water of Leith, does provide a tranquil outlook for residential units.

In support of residential development is the closeness of appreciable open space in St Mark's Park. However, we maintain our view that consideration should be given to possibility of incorporating an element of other class uses into the proposed development, perhaps at ground floor level. The site, due to the topography and the need to be cognisant of the flooding risks, does provide the potential for provision of sufficient parking on site for the residential development as well as parking for other Class uses. One option for other class uses would be facilities to enable the impact on the local infrastructure to be lessened to an extent through provision of a local health centre for example or alternatively some form of community use facility.

2. Design / Layout of the Site.

Broadly, we support the changes introduced by the development team to continue the linear building line fronting Warriston Road from the west. Despite differing views within the community on the proposed contemporary architectural style, on balance, NTBCC are supportive of the proposed "colonies" form being proposed at the western edge and the proposed material red brick palette - aiming to provide some cohesion between the new development and the existing listed Printworks (although this cohesion is not well represented in the various photomontages accompanying the application). We would encourage further inspection and confirmation by the Planning Officer of the exact materials to be used to ensure that the materials are both complementary and visually consistent with those already used in the sandstone Waterson's Printworks building and Fusion House to the rear.

We also prefer the proposed development arrangement of four main blocks around a central courtyard.

The level of pedestrian and publically-accessible permeability being proposed for the site along the western and eastern edges of the site from Warriston Road to Powderhall Road form a green link to Powderhall Road (similar to the functionality afforded by what is in place in the adjacent Bryant / Miller Homes development to the north east) is welcomed. We also acknowledge the increased spacing proposed in the final scheme between the Printworks and the new development.

The principle of a stepped development in terms of height increasing from west to east is acceptable. However, this, together with the final spacing on the eastern edge adjoining Powderhall Brae has resulted in an unacceptable impact on the amenity and privacy of the existing residents in Powderhall Brae (especially blocks 1 & 2). We have received many comments from local residents objecting to the detrimental impacts from the proposed 5 / 6 storey blocks on the eastern edge and its closeness to the existing Powderhall Brae buildings. The general view is that the blocks facing Powderhall Brae "are too high and too close. They will block natural light on the north west side of Powderhall Brae especially in the winter." Furthermore, "the planned new apartments' windows and balconies directly face resident's sitting rooms and bedrooms leaving a complete lack of privacy."

In NTBCC's view, the height, massing and spacing along this edge could result in a dark and uninviting corridor between the new development and existing residential blocks. Retention of the tree screen (as far as practicable) although generally welcomed, will further add to this.

We note that the Design & Access Statement Section 7 contains the Daylighting Study Analysis does confirm that the development does not comply with the standard 25° degree line methodology - with a detrimental impact on levels 1 and 2 (of 6) in Blocks 1 and 2 in Powderhall Brae. In this situation, the Edinburgh Design Guidance proposes more complex modelling assessments to confirm whether the "reasonable" levels of daylight to existing buildings are maintained - and thus confirm (or otherwise) that the proposed spacing is "reasonable". Given that this analysis is outside of NTBCC's expertise, we would urge the Planning Officer to confirm the conclusions expressed within the Design & Access Statement that although the surrounding residential blocks are likely to experience a slight reduction in daylight and sunlight provision, as a result of the new development, "these reductions are within the acceptable tolerances specified within the applicable guidance document."

We would further note that whilst we would generally support the retention of the existing, mostly evergreen, tree screen - its presence further complicates this assessment.

With regard to maintaining privacy of existing residents, we note that the Design & Access document (Section 7) states that "steps to maintain privacy and outlook of neighbouring buildings have been applied as far as reasonably practical (considering the closeness of building within the surrounding townscape)". We would not regard the buildings in the surrounding townscape as being close - in fact, we would maintain that the surrounding buildings are not typical of an urban / city centre townscape - but have a spacing at the higher end of the scale - thereby ensuring relatively high levels of existing privacy.

3. Impact of the Development on Neighbouring Residential Area.

A major concern voiced by many neighbouring residents (which NTBCC shares), is the proposed provision for parking within the development. In general terms, we support the

CEC policies requiring 100% parking provision to be provided within the development site. We are also aware and mindful of the increasing congestion in the area resulting from the many already-consented new developments within the area. However, we believe that at this location, the proposed 101 parking spaces (including 6 disabled spaces) will not be sufficient for the 180 units. We understand that the level of parking provision being proposed has been determined after several discussions with (and, more importantly, guidance from) the City of Edinburgh Council Transport Dept. and that the developer could provide a higher number of parking spaces within the development with relative ease.

The Transport Statement, under section 3.13, states that "the City of Edinburgh Council's (CEC) Parking Standards for Development Control document, dated December 2009, is typically used to determine the appropriate level of car parking for new developments." We are aware that CEC is currently evaluating changes to the Edinburgh Design Guidance which includes Parking Standards and whilst there may be changes to these standards in the future, currently, these standards are those that have been consulted upon and agreed and should form the basis for parking provision. NTBCC's estimation for parking provision based on this 2009 document would require approximately 185 spaces to be provided, taking into account the proposed housing mix and affordable housing element. This figure includes the additional requirement for Visitor's parking. This would result in a provision based on the number of units at over 100% whereas the proposal for 101 spaces equates to only 56%.

Whilst NTBCC could be supportive of the aspirations to encourage more sustainable travel options, the concerns of NTBCC with the approach being proposed is that firstly, if there is to be a change to Parking Standards, then that change should undergo proper consultation and scrutiny by all of the key stakeholders (including community councils and other resident's groups) and secondly, due to the location of 13 Warriston Road - being at the periphery of the Controlled Parking Zones and more importantly, being directly adjacent to Powderhall Village (with parking control being administered by an essentially private organisation, outwith the control of CEC), inadequate provision of parking at 13 Warriston Road will result in over-spill, especially of visitors to the proposed development, with little recourse by the residents of Powderhall Village.

This potential over-spill of vehicles parking at other nearby locations, especially overnight, will detrimentally impact the amenity of the neighbouring residents.

We would therefore urge further consideration is given to the inadequate level of parking provision being proposed.

We would also note that the Transport Assessment methodology that has correctly been adopted does not depend on the number of parking spaces available to determine the number, frequency and concentration of car journeys - but takes the number of units together with an expected % of car travel to determine the number of car journeys.

Consistent with our concerns regarding the provision of parking in this development, we would further propose a condition to include sufficient Enterprise car club spaces, perhaps located outside the development boundary on the under-utilised parking spaces on Warriston Road.

Finally, we do see merit and support the proposal for "decoupled parking" as laid out in this report. This may come at an increased cost to potential residents but does ensure the maximum effective utilisation of the parking spaces being provided. We also note and are supportive of the provision of Disabled spaces within the underground parking area.

4. Impact of the development on Local Infrastructure

As NTBCC had already outlined in the Public Consultation discussions with the developer, our key concern is the cumulative impact of this development and many others already consented in the immediate neighbourhood and through to McDonald Road on various aspects of infrastructure. Key amongst these would be education provision (especially primary schooling), healthcare and transport (both public transport and impact on private vehicle traffic).

(i) Education

This proposed development of 180 units of a mix of 1, 2 & 3 bed flats along with perhaps 500 - 600 units from other developments within the current Broughton Primary catchment area clearly represents a huge increase in the need for primary school places. Our frustration is that although this is the responsibility of Edinburgh Council to consult internally during the planning application determination (which has now been concluded with a request for funding provision from the developer towards education), this consultation / analysis is not carried out holistically, rather an assessment on a piecemeal basis and we are not aware of any firm plans to actually use the contributions to extend the education provision pro-actively.

We are aware of the significant lack of surplus capacity in the local primary school already, requiring what we would see as additional temporary classrooms / facilities to be built in the limited playground area. We note that the majority of the proposed units are 2 bedrooms (which we would expect to be attractive primarily to younger families and / or couples starting a family) - and therefore we are unsure whether the mix of units to be provided is optimum.

(ii) Healthcare

Again, this development will have a detrimental impact on already stretched local healthcare services. Current consultation does not assess this impact effectively, the view being that market forces will effectively manage the provision of these services. We are aware of an initiative contained within the recently-adopted Local Development Plan (LDP) to include an assessment of local healthcare provision in planning considerations but in our view, the changes outlined do not satisfactorily cover these issues at this location and are not sufficiently pro-active. From a development standpoint, as outlined above, provision of some ground-floor units with the appropriate Class usage to allow service providers to alleviate the shortage of local healthcare facilities could be considered.

(iii) Transport

Given the cumulative increase in new developments adjacent to Powderhall / Beaverhall / Logie Green Roads, we are concerned as to the cumulative impact of new developments (either already consented or in the planning process) on the volume of vehicular traffic on the surrounding roads and more importantly key junctions.

Given the road layout in the area, the existing route heading north past the Warriston Crematorium is less than adequate for all but local traffic. However, we can see from the traffic data contained in the Transport Assessment, that there is already a considerable peak vehicle flow travelling via this route.

We had requested during the Pre-Consultation process that an in-depth traffic study is carried out. We acknowledge that the developer has provided a very comprehensive and complex analysis of the impact of the development on traffic in the wider area including the Logie Green Road / Broughton Road junction and the Broughton Road / Rodney Street junction.

Whilst the community council does not, understandably, have expertise in transport assessments, we note that the application documentation contains a complex and technical assessment of the net impact on traffic flows resulting from this particular development relative to the DIY store. As we understand it, this assessment is based on a single day traffic survey carried out on Wednesday 22 June 2016 - covering both the start of day peak flows (08:00 - 09:00) and the end of day peak flows traffic flows (17:00 - 18:00). Whilst not fully understanding the significance of these data, we would question, given the continuing development within the area, whether this "base line" does in fact cover all of the expected traffic flows from developments already consented. We note that the survey date precedes the completion of the Lidl supermarket, the Fusion House development and associated residential accommodation as well as other developments under construction.

The Transport Assessment conclusion is stated as " In traffic terms the development proposal is modest. This report shows that traffic associated with the proposal is projected to be less than that associated with the extant (B&Q DIY store) use, thereby a traffic reduction is anticipated."

It further states that "It can be seen that the traffic levels during the weekday AM peak hour associated with the existing B&Q are twice the level predicted for the proposed residential development, while in the Weekday PM peak hour the existing B&Q traffic is three times the level predicted for the proposed residential development."

From a general perspective rather than a technical assessment, NTBCC are surprised by this conclusion. NTBCC is aware of many concerns being expressed by residents in this area of the clear and increasing volume of traffic along Broughton Road (with the accompanying detrimental impact on health and well-being) and also the difficulty in traffic exiting from Tesco onto Logie Green Road.

Whilst we welcome the initiatives advanced by the developer regarding encouragement of active travel and the issuance of Travel Management packs to new residents, we would question how this will be sustained in the future.

In conclusion to the concerns over the impact of traffic resulting from this development, we would urge, in line with the normal process, that the methodology and analysis contained in the Transport Assessment is reviewed by the necessary experts.

We would also further suggest that, perhaps as part of a wider analysis by City of Edinburgh Council, that a traffic assessment is undertaken in this area to confirm the cumulative impact of the various new developments in the area vs. individual

Planning application assumptions but more importantly, to retest whether the road network in this area (Logie Green Road / Powderhall Road / Beaverhall Road and the intersections with Broughton Road) is being used in the most efficient and effective way.

(iv) Other Related Transport Comments

We note the aspirations expressed concerning encouragement for alternative modes of transport (bicycle storage etc.) which we support. We also note that any extensions or changes to public transport (number, route, and frequency) would be outside of the control of the developer but any pressure that could be brought to bear by CEC on the relevant providers to reassess public transport provision in this area would be welcomed. As already stated, we are aware that one of the reasons stated by AMA for the difficulty in obtaining tenants for the Fusion House building behind the (ex) Waterson's building was lack of public transport provision (even though the office development had onsite parking for over 30 vehicles).

In conclusion, NTBCC are not averse to development of this brownfield site and understand that Edinburgh Council may desire a reasonable density of development for this site. We remain optimistic that that this development can bring benefits to the area but we believe that the proposed scope as presented is too much for the site and surrounding area to accommodate. We believe that these plans can be improved in terms of reduced scale (by decreasing the height in certain areas and / or including a more stepped-back approach at upper levels on the eastern edge) to create a more open appearance between the neighbouring developments.

Our key concerns remain the impact that this development will have cumulatively on local infrastructure and most importantly, traffic flows in the area.

Environmental Protection response - dated 27 January 2017

Environmental Protection had raised concerns with potential local air quality impacts this development may have. We requested further information from the applicant on parking and potential transport movements compared with the current use. The applicant has also provided details on the proposed energy systems serving the site.

Environmental Protection has assessed the transport information submitted and concluded that the overall change will be negligible in regards to local air quality. We have not requested any further local air quality information as the applicant has also committed to installing electric vehicle charging point. The proposed energy plant will be gas fuelled and is below the threshold for requirements under the Clean Air Act.

Land Contamination

Ground conditions relating to potential contaminants in, on or under the soil as affecting the site will require investigation and evaluation, in line with current technical guidance such that the site is (or can be made) suitable for its intended new use/s. Any remediation requirements require to be approved by the Planning & Building Standards service. The investigation, characterisation and remediation of land can normally be addressed through attachment of appropriate conditions to a planning consent (except where it is inappropriate to do so, for example where remediation of severe contamination might not be achievable).

Environmental Protection offers no objections subject to the following conditions;

1. 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.

1. Two spaces shall be served by a Charging outlet (wall or ground mounted) of the following standard:

Type 2 (EN62196-2), Mode 3 (EN61851-1) compliant and be twin outlet. With the ability to supply 22 kW (64 Amps) AC - Three Phase power and have the ability to be de rated to supply 11 kW to each outlet when both are in use. Where this is not possible then 7 kW (32 Amps) AC - Single Phase chargers that have the ability to deliver power of 7 kW capacity to each outlet simultaneously.

Roads Authority response - dated 8 February 2017

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

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

2. The applicant should be advised that as the development is located in the extended Controlled Parking Zone, they will be eligible for one residential parking permit per property in accordance with the Transport and Environment Committee decision of 4 June 2013. See http://www.edinburgh.gov.uk/download/meetings/id/39382/item_7_7 (Category D - New Build);

3. Access to the underground car parking area is to be by bell mouth and the works must be carried out under permit and in accordance with the specifications. Any gate or doors must open inwards onto the property. See Road Occupation Permits http://www.edinburgh.gov.uk/downloads/file/1263/apply_for_permission_to_create_or_alter_a_driveway_or_other_access_point;

4. 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;

5. 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.

Note:

a. The applicant should note that the proposed layby on Powderhall Road is not supported by the Council, as roads authority. It is understood that this proposal has been deleted;

b. The applicant should be aware that the verge on the north side of Powderhall Road does not form part of the 'road' and is not owned or controlled by the Council;

c. Current Council parking standards for this area (Zone 3) would expect a minimum of 1 space per unit for private residential units, and between 0 and 0.4 spaces per affordable residential units; giving a total of approximately 145 spaces for the 180 units. However, as the proposed development lies within the existing controlled parking zone and off-street parking provision is to be de-coupled, the proposed 101 spaces is considered acceptable. The developer is also considering the provision of car club spaces;

d. In accordance with the Council's LTS Travplan3 policy, the applicant should consider development of a Travel Plan, including provision of pedal cycles, public transport travel passes, a Welcome Pack, a high quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport and monitors within the property capable of displaying real time public transport information.

Affordable Housing response - dated 15 March 2017

1. Introduction

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

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

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

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

2. Affordable Housing Provision

This application is for a development consisting of a 180 homes and as such the AHP will apply. There will be an AHP requirement for a minimum of 25% (45) homes of approved affordable tenures.

Discussions have commenced with the developer in regards to:

* The tenure of the affordable housing and;

* The Registered Social Landlord(s) (RSLs) to take forward the affordable homes, and deliver a well integrated and representative mix of affordable housing on site.

Following discussions with the Council the applicant will now provide 45 (25%) affordable homes with a mix of one and two bedroom flat. The applicant was requested to consider providing three-bedroom family homes as part of the affordable housing requirement to present a more representative mix. The affordable homes proposed include five larger ground floor wheelchair accessible flats for disabled armed forces veterans, with which is welcomed by the department. The applicant has stated that if three-bedroom homes were provided, they would not be able to also provide the larger wheelchair accessible units. We believe the introduction of wheelchair accessible homes into this part of the city would be beneficial, therefore we have accepted the proposed mix of one and two bedroom affordable homes on this site, which includes five fully wheelchair accessible homes. These homes should meet "Housing for Varying Needs" standard.

The affordable homes are required to be tenure blind, fully compliant with latest building regulations and further informed by guidance such as Housing for Varying Needs and the relevant Housing Association Design Guides.

In terms of accessibility, the affordable homes are situated within close proximity (within 400 metres) of regular public transport links and are located next to local amenities in the area.

3. Summary

The applicant has made a commitment to provide 25% on site affordable housing and this is welcomed by the department. These will be secured by a Section 75 Legal Agreement. This department welcomes this approach which will assist in the delivery of a mixed sustainable community.

- * The applicant has entered into an early dialogue with the Council to identify the Registered Social Landlord (RSLs) to deliver the affordable housing
- * The tenure of the affordable housing must be agreed with the Council
- * All the affordable homes must meet the Edinburgh Design Guidance and also meet the relevant Housing Association Design Guidance size and space standards
- * In the interests of delivering mixed, sustainable communities, the affordable housing policy units will be expected to be identical in appearance to the market housing units, an approach often 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.

Urban Design Panel response

Executive Summary

The Panel welcomed the opportunity to review the proposals at this early stage of the design process and commends the design team for their presentation, design process and emerging design concept. The Panel supported the redevelopment of this site for residential use and welcomed the opportunity it could bring to place making.

Main Report

Introduction

1.1 The Chair reminded the Panel that all proposals are confidential and generally not in the public domain.

1.2 Pre application discussions have taken place for this site at Warriston Road. A Pre-Application Notice (PAN) is expected to be submitted in summer 2016.

The application will come forward as a full planning application for housing with associated open spaces and infrastructure.

The site currently contains a stand-alone B&Q retail store and associated car parking. It is bound by Warriston Road to the north of the site and Powderhall Road to the south. The site is also adjacent to three to five storey residential developments to the west and east.

The Edinburgh City Local Plan (ECLP) and Second Proposed Local Development Plan (LDP) Proposals Map identifies the site as being in the urban area, with no additional designations.

The site is identified as a low probability housing site in the LDP Housing Land Study (June 2014). This means that although the site is identified as having potential for housing development, it is occupied/private owned and no information was present at the time to suggest they were intending to move.

There is no relevant planning history for this site.

1.3 This is the first time that the proposals have been reviewed.

1.4 No declarations of interest were made by any Panel members in relation to this proposal.

1.5 This report should be read in conjunction with the pre meeting papers which provide illustrative materials of the proposals.

1.6 This report is the view of the Panel and is not attributable to any one individual. The report does not prejudice any of the organisations who are represented at the Panel forming a differing view about the proposals at a later stage.

Design Concept

2.1 The Panel thanked the design team for their comprehensive presentation and were supportive of the emerging design concept for the site which is being formed from a comprehensive analysis of the context.

2.2 The Panel acknowledged that the site lies within an area which has a mixed urban structure. This structure is a reflection, in part, of the historic land uses and therefore the Panel welcomed a design approach which has considered this history. This approach will enable the design team to establish a fuller understanding of the context, include recognition of the site's previous use in their development and provide an opportunity for place making.

Use

3.1 The Panel welcomed the proposed use and mix of units, particularly the inclusion of larger family and affordable units.

3.2 The Panel encouraged the developer to consider a community area as part of the redevelopment of the site.

Massing, height and layout

4.1 The proposal is at an early stage of the design process. The Panel made no comment on the proposed massing and height as this was still being developed by the design team. However, the Panel supported the way in which the massing and height was being analysed and tested through the use of a 3D contextual model.

4.2 The site lies within a city view cone to Calton Hill. The Panel supported the use of this view cone to inform the massing and height of proposals for the site by retaining views to Calton Hill.

4.3 The layout in principle was supported by the Panel including the set back building line to the north which is a response to the flood design level.

Public and Private Space

5.1 The Panel welcomed the extent of green space, both public and private proposed for the site. A detailed landscape/streetscape proposal will require to be developed as part of the design for the site including images which explain the public / private spaces at street level.

5.2 The demarcation, hierarchy and definition of the public and private spaces will require to be carefully designed particularly with respect to the interface with the north-south public street.

5.3 The design of the north-south public street will be a challenge. Particularly, as it is envisaged that vehicles and pedestrians will use this street. The Panel discouraged a design which provides car parking on the north-south street.

5.4 There is an opportunity to use small boundary walls as part of the landscape design to provide demarcation of the private and public space and the streetscape.

Permeability and links to the wider area

6.1 The proposed publically accessible north-south street was supported by the Panel, although its detail design will be critical to the proposal and should be welcoming, safe and attractive.

6.2 The Panel encouraged further analysis to show how the site will integrate and connect to existing networks and to local amenities for example, schools and the Water of Leith.

Vehicle Movements

7.1 The Panel expressed concern in relation to the existing road network and whether it could cope with the additional vehicular movements generated from this development. This will require to be fully considered as part of the design development in conjunction with The City of Edinburgh Council.

7.2 The Panel noted that given the location of the site and its proximity to public transport there was an opportunity to reduce car parking on site.

7.3 Notwithstanding the flood defence level across the site the design will still be able to deliver underground car parking for the development. The Panel supported this approach. However, the ventilation of these areas will require careful consideration and care should be taken not to compromise the streetscape. The Panel noted that the adjacent development was not a good example.

7.4 The proposal to provide City Car Club/Enterprise Car Club as part of the development was encouraged by the Panel. However, it was noted that these should not be located on the north - south street.

Materials

8.1 Given the context, the use of a high quality brick was supported by the Panel.

Recommendations

9.1 In developing the design, the Panel supports the following aspects and therefore advocates that these should remain in the proposals:

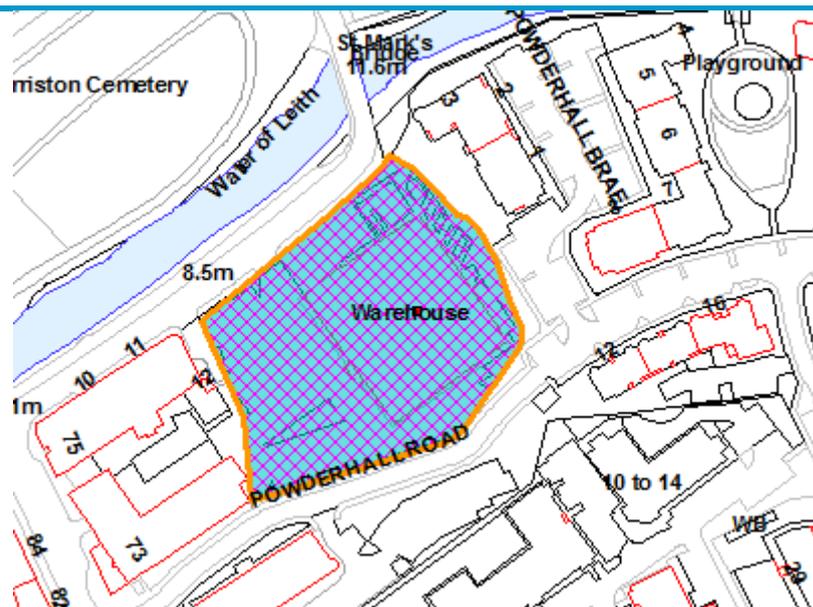
- The emerging design concept developed and supported by site analysis, view analysis and the use of 3D contextual modelling;

- The proposed use and inclusion of both affordable and family units;
- The proposed use of brick.

9.2 In developing the proposals the Panel suggests the following matters should be addressed:

- further analysis to show how the site will integrate and connect to existing networks and local amenities;
- A detailed landscape design for the public and private spaces;
- Providing a community area;
- Vehicle movements and capacity of the existing network should be considered.

Location Plan



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