

Development Management Sub Committee

Wednesday 19 April 2017

Application for Approval of Matters Specified in Conditions 16/04409/AMC

**At Granton Harbour, West Harbour Road, Edinburgh
Proposed new Marina office with associated retail and cafe
space. New community boat yard with associated dry stack
(as amended)**

| | |
|---------------|-------------|
| Item number | 4.24 |
| Report number | |
| Wards | A04 - Forth |

Summary

The proposed development will contribute to the wider regeneration of Granton Waterfront by bringing forward retail, office and leisure development on a vacant urban site. The proposal is acceptable in terms of scale, layout, design and materials. There would be no adverse effect on the amenity of other developments in the area (both existing and proposed). The setting of listed buildings within the vicinity of the site will be protected. The area will be served by suitable cycle and pedestrian links and an acceptable level of car parking and cycle parking is provided. There will be no risk from flooding at the site as a result of the proposed development.

Links

[Policies and guidance for this application](#)

LDPP, LDEL01, LDEL03, LDES01, LDES02, LDES06, LDES05, LDES07, LDES08, LDES09, LEN14, LEN16, LEN20, LEN21, LEN22, LTRA02, LTRA03, LTRA09, OTH, NSDCAH, NSESBB, NSGD02, NSP, NSGESS,

Report

Application for Approval of Matters Specified in Conditions 16/04409/AMC

At Granton Harbour, West Harbour Road, Edinburgh Proposed new Marina office with associated retail and cafe space. New community boat yard with associated dry stack (as amended)

Recommendations

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

Background

2.1 Site description

The site lies to the north of Granton Harbour and comprises plots 8A and 8B of the Granton Masterplan. It has an area of 9300 square metres. To the north/north east the site is bound by, and includes part of Granton Harbour. A small section of Hesperus Broadway to the northwest is included within the site.

The site is relatively level and currently undeveloped; there has been recent import of infill material onto the site.

The plots directly surrounding the site are currently vacant. A residential flatted block is built to the south west at plot 28, together with a canal feature to the west.

Directly to the east of the site, the harbour is edged by a concrete quay wall with railings.

There are no listed buildings within the site. There are a number in the vicinity of the site including the Western Breakwater/ Esparto Wharf which was constructed between 1842 and 1863 and is category B listed (item number: 30219, listed on 28 November 1989).

Middle Pier to the east of the site is a category A listed structure (item number: 30216, listed on 28 November 1989). The pier contains a stone warehouse (formerly a gunpowder store) that is listed category B (item number: 30217 listed on 28 November 1989), and Harbour Light, also listed category B (item number: 30218, listed on 28 November 1989).

2.2 Site History

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

14 March 2009 - Approval of reserved matters to discharge the following reserved matters as attached to outline permission 01/00802/OUT (under condition 2): siting and height of development; design and configuration of public and open spaces; access, road layouts; footpaths and cycle routes; existing and finished ground levels in relation to ordnance datum. This was the first approved Master Plan for Granton Harbour and allocated retail on plot 8A and housing on plot 8B. A promenade was to be provided adjacent to the site fronting the harbour (application number 06/03636/REM).

31 January 2014 - Application approved for matters specified in condition 2 as attached to outline permission 01/00802/OUT: covering siting and height of development; design and configuration of public and open space; access, road layouts; footpaths and cycle routes. This related to a revised Master Plan for Granton Harbour which allocated a retail unit on plot 8A and housing on plot 8B. A 4m wide foot/cycleway was approved along the north and east boundaries of the site adjacent to the harbour (application number 13/04320/AMC).

17 August 2016 - Application approved for matters specified in condition 2 as attached to outline permission 01/00802/OUT: covering siting and height of development; design and configuration of public and open spaces, access, road layouts, footpaths and cycle routes. This was approved subject to a number of conditions and informatives. These included conditions 1 and 2 which indicated that the reserved matters applied for are not approved in respect of plots 12, 14, 15, 15A, 16 and 17 and S1 and S2. An informative sets out the Council's expectations in relation to the provision of affordable housing as detailed applications come forward on a plot by plot basis. This was a revised version of a Master Plan for the whole of Granton Harbour. The plan replaced housing on plot 8B with a community boatyard, allocated a retail, leisure, commercial building on plot 8A and relocated the foot/cycleway to the west of the site along Hesperus Broadway (application number 14/05305/AMC).

2 February 2017 - Application was approved for matters specified in condition 2 of outline application 01/00802/OUT covering siting and height of development, design and configuration of public and open spaces, access, road layouts, footpaths and cycle routes with the exception of plots 12, 14, 15, 15A, 16 and 17, and plots S1 and S2, and plot 8C and plot 35. This is a further revised version of the Masterplan for Granton Harbour, with the community boatyard allocated on plot 8B, an oval shaped retail, leisure, commercial building on plot 8B and a foot/cycleway provided to the west of the site along Hesperus Broadway (16/05618/AMC).

Main report

3.1 Description Of The Proposal

The application is to discharge reserved matters for plots 8A and 8B which are attached to the outline planning permission (application number 01/00802/OUT). The proposal is for a new marina office, and a new community boat yard with dry stack area, landscaping and car parking.

Part of the application proposal involves building up areas of land to the east by the infilling of 1235 sqm of infill material. This will be retained by a new quay wall which will be constructed of precast concrete block with rock revetment.

Fuel tanks, pontoon access ramps, and pontoon dock are proposed in the east of the site.

The marina building will be located in the north east area of the site. It will be of a contemporary, oval design. The building has two floors; on the ground floor is a shop of 198 sqm, a cafe of 160 sqm, together with kitchen and other ancillary rooms. The upper level will have two offices (one for marina use) with a total office floorspace of 135 sqm, storeroom and other ancillary rooms. The upper level will have an external terrace around the entire building.

A dry stack storage structure for boats is proposed in the south east part of the site. This will be open and will consist of three levels.

A car park is proposed to the west of the marina building which has 22 spaces. This is accessed off Hesperus Broadway. A further four roadside parking bays are proposed to the north of the building. Cycle parking is proposed to the north east of the marina building with three cycle racks.

A 1.8m high metal chain link fence is proposed around the site.

A landscape plan has been submitted which shows an area of planting around the car park with some tree planting. Tree planting is also proposed along the frontage to Hesperus Broadway to the west, and Hesperus Walk and Hesperus Place to the south. Benches are proposed to the north of the marina building.

Materials:

Marina building: Glazing to be Kawneer curtain walling with charcoal mullions; vertical cedar wood cladding to walls, and Tecu Zinn (tinned copper with grey finish) or similar. The roof will be a single ply flat roof.

Dry stack store will have a galvanised steel frame.

Surface materials will comprise monoblock to car park, large paving slabs around the marina building and concrete block paving to the boatyard.

Supporting Statement

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

- An outline SUDS and Drainage Design Statement;
- A Flood Risk Assessment;
- Details of Stormtech System Approved treatment Technology;
- A Noise Impact Assessment;
- A Sustainability Statement;
- GH Soil Mechanics report;
- An Environmental Report; and
- Details of options for remedial measures to the former fish quay from Fairhursts.

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

Scheme 1

The proposed dry stack boat store was clad to its walls and roof, and there was no landscaping proposed around the car park, or along the proposed new quay wall.

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 development is acceptable;
- b) The proposal is acceptable in terms of impact on listed buildings;

- c) The siting, design, layout and materials are acceptable;
- d) Residential amenity issues are addressed;
- e) Transport issues are addressed;
- f) Flood risk and drainage are to an acceptable level;
- g) The proposal meets sustainability criteria;
- h) There are any equalities or human rights impacts;
- i) Other material planning considerations have been addressed; and
- j) Matters raised in representations have been addressed.

a) Principle of development

The site is located within the Granton Harbour Area at Granton Waterfront, as identified in the adopted Edinburgh Local Development Plan (LDP). It is covered by Proposal EW2c for a housing led mixed use development across Granton Harbour.

The application accords with LDP policy Del 3 as the proposals will contribute towards the creation of new urban quarters at Granton Waterfront. Policy Del 3 supports proposals which meet a number of requirements including the provision of a series of mixed use sustainable neighbourhoods that connect with the Waterfront and proposals for a mix of house types, sizes and affordability.

The outline planning permission for Granton Harbour (01/00802/OUT) supports mixed use development including restaurant/cafes, general business and leisure facilities. It allows up to a total gross floorspace of commercial/business uses of 23,190 sqm, the gross floor area of public amenity and leisure uses not exceeding 7,650 sqm and the gross floor area of each retail unit not exceeding 250 sqm. This current application for a new community boatyard, marina office, cafe and retail use accords with the outline permission. The most recent approved masterplan allocated plot 8A for retail, leisure and commercial use, and a community boatyard on plot 8B. The approval of this revised masterplan is a material consideration in the determination of this planning application; the proposed uses for this current planning application accord with this latter approved masterplan.

The principle of the development is acceptable and accords with the LDP and the most recently approved masterplan.

b) Setting of Listed Buildings

The site does not contain any listed structures. The proposals will not harm the setting of listed structures which are located in the surrounding area of the site. Historic Environment Scotland has no objections to the proposals.

c) The proposed siting, design, layout and materials are acceptable

The development principles for Granton Harbour are set out in Table 11 of the LDP. As part of these principles, proposals will be expected to complete the approved street layout and perimeter block urban form, complete the relevant section of the Waterside Edinburgh Promenade, provide for retained and improved mooring facilities and boat storage, and include tourism and waterfront-related leisure and entertainment uses.

LDP policies Des1, Des4 and Des7 and the Edinburgh Design Guidance set out the design and layout criteria against which this application is assessed.

The latest masterplan 16/05618/AMC approved a two storey oval shaped building on plot 8A and a four storey boat storage structure on plot 8B. This masterplan approval is a material consideration in the determination of this application proposal.

The position and design of the proposed marina building will create a sense of place, its modern and contemporary design, together with its setting adjacent to the water would make a positive contribution to the area. Its position, form and height will provide a focal point in the area.

The provision of the mooring facilities and boat storage area again would create a sense of place focused on adjacent water activities. The revised drawings show the proposed dry storage building as open and with three levels, which would be 'lightweight' in visual appearance and allow views across the site. The building is commensurate with a marine environment. It is set back from Hesperus Broadway by 5.1 metres from the back edge of the pavement line, and on the Hesperus Walk elevation the building is 1.8 metres from the boundary. There will be sufficient distance visually between the dry store and any future residential development on the adjacent plots S1, and 8C.

The applicant has confirmed that the submitted drawings show existing site levels before the recent importing of infill material onto the site. They confirm the proposed new site levels shown on the submitted drawings accurately reflect how the site will be developed.

The Edinburgh Design Guidance indicates that materials should normally harmonise with materials used on surrounding buildings. It also advises that where alternative materials are used, these should either harmonise with or provide striking contrast. The materials proposed are acceptable and harmonise with those within the area of the site.

LDP policies Del 3 and Des7 require safe and convenient access and movement for pedestrians and cyclists; this includes an east-west path that will form part of the city-wide coastal promenade. The drawings show a pedestrian/ cycle route running to the west of the site in a north/ south direction along Hesperus Broadway; this route was located in this position in the most recent masterplan approval 16/05618/AMC, but the consent was conditioned to ensure the details of the proposed route could be the subject of further consideration and approval. A cycle/pedestrian route is not shown within the application site boundary, but a route is allocated outwith the site along Hesperus Broadway. Although not located on the eastern boundary of the site adjacent to the harbour, its location is acceptable and would enable foot/cycle connections to other areas throughout the masterplan and beyond. Its position would prevent potential conflict with users of the boatyard.

In terms of car parking and landscape proposals, the revised drawings include increased planting and softening of the development, and the provision of reed beds on the proposed quay wall which will provide an attractive landscaped edge to the development.

The proposals comply with LDP policies Des1, Des 4 and Des7, the design principles set out in LDP table 11, and the recent AMC planning masterplan approval. They also accord, on the whole, with the Edinburgh Design Guidance.

In terms of layout, design and materials the proposals are acceptable.

d) Residential amenity

The outline planning permission to which this proposal relates included a condition requiring a noise assessment and noise protection measures based on an open windows scenario to be submitted to protect future/existing residential development. A noise assessment has been submitted with the application. It predicts that noise from the proposed Marina will meet the required noise criteria at the nearest noise sensitive receiver with the windows open during the daytime.

The revised masterplan approvals 14/05305/AMC and 16/05618/AMC show a boatyard on plot 8B and commercial/ leisure uses on plot 8A; the use of these plots for boat storage and marina offices/ café etc are therefore in accordance with these latest approved masterplans.

Environmental Protection has no objections to the proposals in terms of noise; conditions relating to plant noise, music and vocals, floodlighting and ventilation which were attached to the original outline planning permission to which this application relates and will apply to this AMC application.

In terms of daylighting and overshadowing, the applicants have supplied information which clarifies that there will be no loss of daylight to occupiers of the future building opposite the site on Hesperus Broadway. There will be no adverse overshadowing to neighbouring property; the dry stack structure is open. There is sufficient separation between this site and the undeveloped site to the south to ensure that no adverse loss of daylighting or overshadowing to future developed residential property would occur.

The effect of the proposal on the amenity of nearby existing and proposed residential properties is acceptable.

e) Transport

The outline planning permission 01/00829/OUT reserved car parking for further approval; this application seeks approval of car and cycle parking for both plots 8A and 8B. The latest masterplan approval included the provision of the marina for approximately 300 berths and the supporting boat storage yard and ancillary buildings which are proposed as part of this AMC application. A total of 26 car parking spaces are proposed at the site.

The amount of car parking proposed would be above the maximum amount set out in the current car parking standards for retail, leisure and office use by an additional six spaces above the maximum. However, the use would be likely to attract a higher number of cars to the site, given the nature of the proposed use, to access boats stored at the site. This amount of car parking would not include car parking to current standards for the proposed marina, which is not part of this planning application. The level of proposed car and cycle parking is acceptable in this instance. The proposed vehicular access to the development is acceptable.

Condition 6 of the revised masterplan 14/05305/AMC requires details of a suitable Waterfront cycle/ pedestrian route to be submitted to an approved and implemented to complete the Waterside Edinburgh Promenade. The submitted drawings show a cycle/ pedestrian route outwith the site to the west along Hesperus Broadway. This provision will contribute to the provision of a suitable cycle and footpath network.

f) Flood risk and drainage

Table 11 of the LDP includes in its Design Principles for the Granton Harbour area provision of a strategic flood risk assessment.

Conditions on the outline planning permission 01/00802/OUT and subsequent masterplan AMC approvals require a revised flood risk assessment and surface water management plan to be submitted to and approved to inform the detailed planning applications on individual plots. The applicant has submitted in support of their application a Flood Risk Assessment (FRA) and Surface Water Management Plan.

Parts of the site lie within the 0.5% annual probability (1 in 200-year) flood extent and may therefore be at medium to high risk of coastal flooding. As noted within the FRA, the predicted 1 in 200-year still water level in this area is 3.98mAOD (+/- 0.3m) as calculated using the Coastal Flood Boundary Methodology.

SEPA state that 'a marina development is non-residential and as such we have no objection to the proposals provided it is designed in accordance with the FRA and the finished floor levels are a minimum of 4.85m AOD' and SEPA would support higher finished floor levels if required by CEC Flood Prevention.

A condition is recommended which requires details of the hydraulic modelling outputs to demonstrate that the site drainage network adequately collects and conveys storm water to the point of discharge.

In terms of potential flood risk, drainage and surface water management, the proposed development is acceptable.

g) Sustainability

The applicant has submitted a sustainability statement in support of the application. The proposed development meets the essential requirements.

| 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 statement also indicates a further 35 points to be made in relation to the provision of desirable requirements. These includes measures such as the use of sustainable timber, provision of electric charging points for vehicles, and use of low and zero carbon technologies.

h) Equalities and Human Rights Impacts

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

i) Other material planning considerations

Land contamination

Environmental Protection has confirmed that the historic maps available show the previous land use of the site to be of a relatively limited consequence when considering the potential for sources of significant ground contamination to exist. They are satisfied that the proposed layout would not lead to the creation of new potential risks from any presence of contaminants in the ground, given that the application proposes a full encapsulation of the site ground with hard standing or concrete.

The applicant has confirmed that infill material proposed will be clean and inert and that it is material previously removed from the site itself. They state that they intend to utilise most of the stockpiled soil to re-grade the low areas on the northern side of the site where it was previously excavated from and be used for future infill during formation of revetments and sea walls during redevelopment of the Marina area.

Ecology/Natural Heritage

The site is located near to the Firth of Forth Special Protection Area (SPA), Ramsar and Site of Scientific Special Interest. These sensitive ecological areas are protected from development by LDP policies Env 13 Sites of European Importance and Env 14 Sites of Special Scientific Interest.

Special Protection Areas are protected under the Conservation (Natural Habitats) Regulations 1994, as amended (the "Habitat Regulations"). The legislation requires an appropriate assessment to be undertaken by the Council (as competent authority) where the effects of development are likely to have a significant effect on the qualifying interest of the site.

The Firth of Forth SPA is designated for a variety of wintering and passage bird species. This designation includes the area to the east of Granton Harbour.

An appropriate assessment was carried out as part of the original Outline application, with conditions attached to the consent relating to timing of dredging works, storage of materials, the requirement to submit an Ecological Watching Brief etc. These conditions will still apply, should the current development be approved.

The changes proposed in this application are not expected to have any additional impact on ecological interests or the natural environment.

An area of the site is within the Mean High Water Springs and the Mean Low Water Springs. Marine Scotland act as the authority responsible for the integrated management of such areas and the applicant is likely to require a Marine Scotland Licence. The applicants have confirmed they will consult with Marine Scotland on this matter.

In summary, there are no overriding ecological or natural heritage concerns as a result of the current masterplan application.

Structural matters relating to the new quay wall

Building Standards has confirmed that a Geo-environmental Phase I & II reports would be required for the Building warrant application for this site as it is part of the Granton Harbour infill.

Economic Development

The site is currently disused and does not presently support any economic activity. Economic Development estimate that the proposal could be expected to directly support between 35 and 42 full-time equivalent jobs and between £0.65 million and £0.79 million of gross value added per annum (2014 prices). They anticipate that the community boatyard could support further economic activity but there is insufficient data for this to be quantified.

j) Matters raised in representations

Scheme 1

Eight representations to the application were received.

Material representations – Objections

- Dry stack siting; too close to houses, too high, too large, design poor/industrial and will reduce amenity of area; this is addressed in assessment 3.3c) and 3.3d);
- Dry stack building will result in loss of light and overshadowing; this is addressed in section 3.3d);
- The site of the boatyard was originally to be two and three storey houses; this is addressed in 3.3a);
- Notification received from the developers assured residents that the proposed dry stack structure would be a maximum of 2/3 storey high structure; the proposal is considerably larger in height and length in front of residential properties and along a proposed walkway; this is assessed in 3.3d);
- Few trees proposed; this is addressed in 3.3c);
- Dry stack separates residential properties from harbour; assessed in 3.3c) and
- Access to the area is narrow and will cause difficulties as will service many proposed uses eg hotel; this is addressed in 3/3e).

Loss of view is a non material planning consideration.

Scheme 2

Eight letters of objection were received.

Material representations –

- Similar objections to those listed above; and
- Earth moving has taken place recently raising the ground level of the site; this is addressed in 3.3h);
- Public realm should be as in masterplan for Granton; cycle route along harbour originally proposed will now not be provided due to this development; assessed in 3.3e) and
- Parking issues; addressed in 3.3e).

Issues raised about financial aspects of funding etc are not material planning considerations.

Conclusion

The proposed development will contribute to the wider regeneration of Granton Waterfront by bringing forward retail, office and leisure development on a vacant urban site. The proposal is acceptable in terms of scale, layout, design, landscaping and materials. There would be no adverse effect on the amenity of other developments in the area (both existing and proposed). The setting of listed buildings within the vicinity of the site will be protected. The area will be served by suitable cycle and pedestrian links and an acceptable level of car parking and cycle parking is provided. There will be no risk of flooding at the site as a result of the proposed development.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. i) Prior to the commencement of construction works on site:
 - a) A site survey (including intrusive investigation where necessary) must be carried out to establish, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and
 - b) Where necessary, a detailed schedule of any required remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Planning Authority.
- ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.
2. The approved landscaping scheme shall be fully implemented within six months of the completion of the development.
3. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Planning Authority before work is commenced on site; Note: samples of the materials may be required.
4. Prior to development commencing details of hydraulic modelling outputs which demonstrate that the site drainage network adequately collects and conveys storm water to its point of discharge with no risk of flooding to the development shall be submitted to and approved by the Council, as Planning Authority. (Tide-locking based upon joint probability scenarios should be considered within this assessment.)

Reasons:-

1. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.
2. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
3. In order to enable the planning authority to consider this/these matter/s in detail.
4. To ensure the site is not at risk from flooding.

Informatives

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of two years from the date of this consent or from the date of subsequent approval of matters specified in conditions, or three years from the date of planning permission in principle, whichever is the later.
2. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
3. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.
4. All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent.
5. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges, and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, signs, markings, structures, layout, car and cycle parking location, design and specification. Particular attention must be paid to ensuring that refuse collection vehicles are able to service the site. The applicant is recommended to contact the Council's waste management team to agree details. For the avoidance of doubt, the road layout (including footways) is not approved at this stage.

6. 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;
7. The applicant should note that the development does not require to be served by a 'road' at this stage, as defined by the Roads (Scotland) Act 1984. However, further development to the north and west of the marina may require road access in the future.
8. A contribution of £2,000 will be required to progress a suitable order under Section 207 of the Town and Country Planning (Scotland) Act 1997 to stop up sections of verge as necessary.
9. Electric vehicle charging points should be installed in accordance with Transport Scotland's Switched On Scotland: A Roadmap to Widespread Adoption of Plug-in Vehicles (2013).

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

Electric vehicle Charging outlet(s) should be of the following standard, 70 or 50kW (100 Amp) DC with 43kW (64 Amp) AC unit. DC charge delivered via both JEVS G105 and 62196-3 sockets, the AC supply by a 62196-2 socket. Must have the ability to be de-rated to supply 25kW to any two of the three outlets simultaneously.

10. The development shall be carried out in accordance with the measures identified in the approved Sustainability Statement Form. The applicant should submit a Self Declaration Form to the Head of Planning and Building Standards on completion and prior to occupation unless otherwise agreed.
11. The incorporation of swift nesting sites/swift bricks into the scheme is recommended. Further details on swift bricks can be found at www.edinburgh.gov.uk/biodiversity
12. Electric vehicle charging outlets should be considered for this development including dedicated parking spaces with charging facilities and ducting and infrastructure to allow electric vehicles to be readily accommodated in the future.

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

The application has been assessed and has no impact in terms of equalities or human rights.

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

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

The application was advertised on 23 September 2016 and 2 December 2016. Eight letters were received to both Scheme 1 and Scheme 2

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 Local Development Plan identifies the site as being within the Edinburgh Waterfront. Granton Harbour development principles are set out in EW 2c. This part of the Waterfront regeneration area is allocated for housing led mixed use development. A safeguarded cycle/ footpath is shown along the Edinburgh Promenade.

Date registered

13 September 2016

Drawing numbers/Scheme

1-3,4a,5-9,10a,11a,12,13a,14-16,17a,18,

Scheme 2

David R. Leslie

Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Karen Robertson, Senior Planning Officer
E-mail:karen.robertson@edinburgh.gov.uk Tel:0131 529 3990

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

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

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

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

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

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

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

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

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

LDP Policy Env 14 (Sites of National Importance) identifies the circumstances in which development likely to affect Sites of National Importance will be permitted.

LDP Policy Env 16 (Species Protection) sets out species protection requirements for new development.

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

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

LDP Policy 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 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 9 (Cycle and Footpath Network) prevents development which would prevent implementation of, prejudice or obstruct the current or potential cycle and footpath network.

Other Relevant policy guidance

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

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

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

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

Non-statutory guidelines 'The Edinburgh Standards for Streets' sets out principles and guidance whose aim is to achieve a coherent and enhanced public realm.

Appendix 1

Application for Approval of Matters Specified in Conditions 16/04409/AMC

At Granton Harbour, West Harbour Road, Edinburgh Proposed new Marina office with associated retail and cafe space. New community boat yard with associated dry stack (as amended)

Consultations

Economic Development response – dated 21 September 2016

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

Commentary on existing uses

The land in question is currently cleared brownfield land along with an element of the foreshore. The land is presently undeveloped and therefore does not currently support any economic activity.

Commentary on proposed uses

Class 1 – Shops

The development as proposed would deliver 198m² of class 1 space in the form of a shop for visitors to the marina. Based on average employment densities, this space could be expected to directly support approximately 10 to 13 full-time equivalent (FTE) jobs. Based on the average GVA per worker for employees in the retail trade sector in Edinburgh of £25,032 per annum, this could be expected to add approximately £0.25 million to £0.33 million of GVA (2014 prices) to the economy of Edinburgh per annum.

Class 3 – Food and drink

The development as proposed would deliver 189m² of class 3 space in the form of a café for visitors to the marina and associated kitchen and storage facilities. Based on average employment densities, this space could be expected to directly support approximately 9 to 13 full-time equivalent (FTE) jobs. Based on the average GVA per worker for employees in the food and beverage service sector in Edinburgh of £18,972 per annum, this could be expected to add approximately £0.19 million to £0.25 million of GVA (2014 prices) to the economy of Edinburgh per annum.

Class 4 – Business

The development as proposed would deliver 189m² of class 4 space in the form of offices for the administration of the marina and associated storage facilities. Based on average employment densities, this space could be expected to directly support approximately 16 full-time equivalent (FTE) jobs. Based on the average GVA per worker for employees in the arts, entertainment and recreation sector in Edinburgh of £13,334 per annum, this could be expected to add approximately £0.21 million of GVA (2014 prices) to the economy of Edinburgh per annum.

Class 6 – Storage or distribution

The development as proposed would deliver 820m² of class 6 space in the form of a “dry stack” storage building for the storage of boats. Based on the design of the building, it is assumed that it will not directly support any economic activity.

Class 11 – Assembly and leisure

The development as proposed would deliver a community boatyard comprising open storage facilities along with a pontoon dock and fuel tanks. It is assumed that the boatyard will primarily be used by the owners of vessels to store and maintain their vessels and that therefore the boatyard will not directly support new jobs. However, it is recognised that the users of the boatyard are likely to purchase goods and services from vendors in Edinburgh, albeit the scale of this is challenging to quantify. Additionally, it is recognised that the boatyard may be used by visitors from outwith Edinburgh who will also purchase goods and services during their time in Edinburgh. Again, however, this is challenging to quantify.

SUMMARY RESPONSE TO CONSULTATION

The land in question does not presently support any economic activity. It is estimated that the development as proposed could be expected to directly support between 35 and 42 full-time equivalent jobs and between £0.65 million and £0.79 million of gross value added per annum (2014 prices). It is anticipated that the community boatyard could support further economic activity but there is insufficient data for this to be quantified.

Police Scotland response – dated 23 September 2016

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

Archaeology response – dated 28 September 2016

Further to your consultation request I would like to make the following comments and recommendations concerning this application for a proposed new marina office with associated retail and cafe space and a new community boat yard with associated dry stack.

The application site lies at the centre of the historic harbour at Granton founded in the 19th century. As such the site is considered to be of archaeological significance both in terms of maritime heritage but potential also regarding submerged early prehistoric landscapes. However as the development will be primarily confined to modern made ground and the affects of modern harbour dredging, it is considered that this application will no significant archaeological impact.

Accordingly it has been concluded that there are no known archaeological implications regarding this application.

Scottish Natural Heritage response – dated 3 October 2016

Thank you for your consultation on the above application. This application is taking forward the details for the new marina office and community boat yard within the approved Granton masterplan/development.

Position

In our view, it is unlikely that the proposal will have any significant effects on any qualifying interests of the Firth of Forth SPA, either directly or indirectly. An appropriate assessment is therefore not required.

Appraisal

The proposal lies close to the Firth of Forth Special Protection Area (SPA) classified for its wintering bird populations. Therefore the requirements of the Conservation (Natural Habitats, &c.) Regulations 1994 as amended; (the “Habitats Regulations”) apply. Consequently, the council is required to consider the effect of the proposal on the SPA before it can be consented (commonly known as Habitats Regulations Appraisal (HRA)). See <http://www.snh.gov.uk/docs/A423286.pdf> for a summary of the legislative requirements.

The original Granton masterplan application underwent appropriate assessment. We have since provided comment on revisions to the masterplan together with any updated HRA advice. This proposal forms part of the approved masterplan and focuses on the land adjacent to the new marina. It is not therefore anticipated that there will be any new likely significant effects raised by this proposal.

SEPA response – dated 3 October 2016

We have no objection to this planning application, but please note the advice provided below.

1. Flood Risk

1.1 We have no objection to the proposed development on flood risk grounds. Notwithstanding this we expect the City of Edinburgh Council to undertake its responsibilities as the Flood Prevention Authority.

1.2 The Flood Risk Assessment (FRA) provided covers a larger area of the Granton Harbour development although the comments within this response are for plots 8A and 8B only, which relate to the proposed marina office with retail and café space and new boat yard.

1.3 Review of the SEPA Flood Map indicates that the site, or parts thereof, lies within the 0.5% annual probability (1 in 200-year) flood extent and may therefore be at medium to high risk of coastal flooding. As noted within the FRA, the predicted 1 in 200-year still water level in this area is 3.98mAOD (+/- 0.3m) as calculated using the Coastal Flood Boundary Methodology. This does not take account of the potential impacts of climate change, wave action, funnelling and local bathymetry.

1.4 The FRA recommends that finished floor levels of the marina are set at a minimum level of 4.85mAOD to provide a 600mm freeboard above the predicted 1 in 200-year flood level, including an allowance for the uncertainty within the methodology. Whilst we often require a higher freeboard allowance for coastal sites, it is noted that this is a marina development and is non-residential and as such we have no objection to the proposals provided it is designed in accordance with the FRA and the finished floor levels are a minimum of 4.85mAOD. It should be noted that the City of Edinburgh Council has previously recommended minimum site levels of 5.5mAOD and finished floor levels of 6.0mAOD for developments in adjacent areas, and we would support raising finished floor levels in accordance with these previous recommendations.

1.5 While we have no objection to this application, we recommend that flood resilient and resistant construction is considered within the design. We also support the recommendations within the FRA to set the marina back from the frontage by at least 2m and vehicular and pedestrian access routes by 36m and 18m respectively to ensure they are protected from wave action. The site owners and operators should sign up to the SEPA Flood Warning for Granton and Leith and have an evacuation plan in place for coastal flooding events.

Caveats & Additional Information for Applicant

1.6 The SEPA Flood Maps have been produced following a consistent, nationally-applied methodology for catchment areas equal to or greater than 3km² using a Digital Terrain Model (DTM) to define river corridors and low-lying coastal land. The maps are indicative and designed to be used as a strategic tool to assess flood risk at the community level and to support planning policy and flood risk management in Scotland. For further information please visit <http://www.sepa.org.uk/environment/water/flooding/flood-maps/>

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

1.8 The advice contained in this letter is supplied to you by SEPA in terms of Section 72 (1) of the Flood Risk Management (Scotland) Act 2009 on the basis of information held by SEPA as at the date hereof. It is intended as advice solely to the City of Edinburgh Council as Planning Authority in terms of the said Section 72 (1). Our briefing note “Flood Risk Management (Scotland) Act 2009: Flood risk advice to planning authorities” outlines the transitional changes to the basis of our advice in line with the phases of this legislation.

2. Surface Water Drainage

2.1 If surface water is to drain directly to coastal waters there is no strict requirement for Sustainable Urban Drainage Systems (SUDS) but we would welcome any treatment before discharge to the Forth. We cannot accept, however, that the proprietary system which is being proposed is a SUDS equivalent.

Regulatory advice for the applicant

3. Regulatory requirements

Details of regulatory requirements and good practice advice for the applicant can be found on the Regulations section of our website.

Historic Environment Scotland response – dated 3 October 2016

We have no comments to make on the proposals.

Our decision not to provide comments and not to object should not be taken as our support for the proposals. You are the primary decision maker and assess proposals against local and national historic environment policy and guidance.

This response applies to the application currently proposed, an amended scheme may require another consultation with us.

(SCHEME 2)

Historic Environment Scotland response – dated 7 December 2016

We have no comments to make on the proposals.

Our decision not to provide comments and not to object should not be taken as our support for the proposals. You are the primary decision maker and assess proposals against local and national historic environment policy and guidance.

This response applies to the application currently proposed, an amended scheme may require another consultation with us.

Waste Services response – dated 9 December 2016

The Waste and Cleansing Service provides a household waste collection service only. We do not offer commercial waste collections -except to our own buildings- and for those elements it is the responsibility of building management or tenants to ensure they have services in place and comply with all pertinent legislation.

Can I however, please draw your attention to the legislation with regard to commercial waste in Scotland which requires the producers of commercial waste to sort their waste for a recycling, with a requirement to separate specific materials including food, glass, paper, card, metals and plastics, both within the building and the point at which waste collection takes place.

I would further highlight that the collectors of the commercial waste are likely to have similar operational, access and safety requirements to the Council.

Roads Authority Issues – dated 20 January 2017

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

1. 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;
2. 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. Current Council parking standards expects 1 space per berth for marinas in this area. The development proposes 30 spaces for the marina;
- b. The applicant should note that the development does not require to be served by a 'road' at this stage, as defined by the Roads (Scotland) Act 1984. However, further development to the north and west of the marina may require road access in the future.

Environmental Assessment response – dated 28 February 2017

Environmental Protection has commented on similar applications/schemes for the development of this site.

As the current application is an AMC application relating to the outline planning permission, there is already consent for an acceptable quantum of development on the site. This specific proposal is for a new marina office with associated retail and cafe space with new community boat yard with associated dry stack.

Environmental Protection understands that plot-specific issues will be addressed through detailed development processes (assuming the Masterplan delivers no major shift in the content or context of the outline approval, including development phasing). This proposal follows what has been agreed in the masterplan. No detailed plans or existing sensitive receptors are located in close proximity to the application site.

Again this AMC (scheme 2) application does not propose a major shift from what has been previously consented. Many of our issues have been addressed in the form of conditions and legal agreements for the outline application (01/00802/OUT). However due to the period of time pasted from when the outline application was consented to this AMC Environmental Protection would like to make further comment. This latest scheme 2 does is not a big cause concern but we must stress that the applicant keeps proposed parking numbers down.

Noise

Environmental Protection had raised issues with the some of the proposed uses in the master-plan site including requesting details of how noise will be controlled on the proposed marina, the applicant has confirmed that a noise management plan for occupants once the surrounding development AMC applications are approved and there are developments to assess the noise against. An acoustician has been appointed to the design team to produce a noise management plan for this site and any forthcoming AMC's across the entire consented outline application site. The applicants have removed the cladding which was previously proposed for the boat shed building to address other planning concerns. This would have acted as an effective acoustic barrier containing noise from the boats.

The applicant has submitted a supporting noise impact assessment. It has predicted that noise from the proposed Marina will meet the required noise criteria at the nearest noise sensitive receiver with the windows open during the daytime.

Land contamination

Environmental Protection has received information regarding the outline consent for Granton Harbour (01/00802/OUT). The applicant has submitted an updated Ground Investigation Report which is currently being assessed by Environmental Protection. Until this has been completed Environmental Protection recommends that a condition is attached to ensure that contaminated land is fully addressed.

Air Quality

It is highlighted in Edinburgh's Local Transport Strategy 2014-2019 that the Council seeks to support increased use of low emission vehicles and support the extension of the network of Electric Vehicle (EV) charging points.

The City of Edinburgh Parking Standards for Development Management also now encourages the use of EVs. It states that the Council is likely to introduce a requirement for EV charging infrastructure which depends on how charging technology evolves this includes:

Dedicated parking spaces with charging facilities.

Ducting and infrastructure to allow electric vehicles to be readily accommodated in the future.

Developers should now consider the potential for EV charging as they develop their proposals. Based on currently available technology Environmental Protection recommends that at least two Electric vehicle charging outlet should be of the following standard:

70 or 50kW (100 Amp) DC with 43kW (64 Amp) AC unit. DC charge delivered via both JEVS G105 and 62196-3 sockets, the AC supply by a 62196-2 socket. Must have the ability to be de-rated to supply 25kW to any two of the three outlets simultaneously.

Grants are also available for the installation of EV charge points for workplaces more information can be found at;

<http://www.energysavingtrust.org.uk/scotland/Organisations/Transport/Electric-vehicles/Electric-Vehicle-Charge-Point-Funding>

When detailed plans are produced EV spaces should be clearly marked on the drawings.

With regards to air quality Environmental Protection do not object to this development. However, we encourage the developer to work with this department to produce a Green Travel Plan which should incorporate the following measures to help mitigate traffic related air quality impacts;

1. Keep Car Parking levels to minimum.
2. Car Club facilities (electric and/or low emission vehicles).
3. Provision of electric vehicle charging facilities.
4. Public transport incentives for residents.
5. Improved cycle/pedestrian facilities and links.

Environmental Protection also advise the applicant that all energy systems must comply with the Clean Air Act 1993 and that Environmental Protection will not support the use of biomass.

General

Planning conditions were recommended in the outline application (01/00802/OUT). These issues will still be required to be addressed at the detailed planning stages for each future application. Information in the form of a noise impact assessment may be required upfront on issues such as noise as some of these conditions are now not enforceable. This will ensure that an acceptable level of amenity in relation to noise/vibration (operational, entertainment, plant and machinery), hours of operation, odour (cooking) and light pollution can be achieved.

On balance Environmental Protection offers no objection for this scheme 2 application. However if consented it must be subject to the conditions and legal agreement recommendations from 01/00802/FUL planning application being carried forward. Specifically regarding this plot the following conditions must be attached to any consent;

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

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

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

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

Local Air Quality

2. Electric vehicle Charging outlet(s) should be of the following standard:

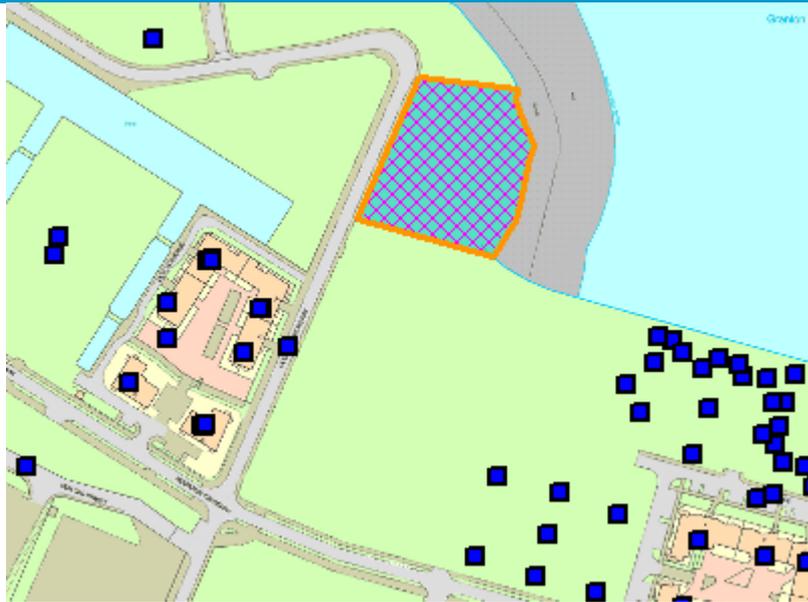
70 or 50kW (100 Amp) DC with 43kW (64 Amp) AC unit. DC charge delivered via both JEVS G105 and 62196-3 sockets, the AC supply by a 62196-2 socket. Must have the ability to be de-rated to supply 25kW to any two of the three outlets simultaneously.

Informative

3. Electric vehicle charging points should be installed in accordance with Transport Scotland's Switched On Scotland: A Roadmap to Widespread Adoption of Plug-in Vehicles (2013).

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

Location Plan



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