

Development Management Sub Committee

Wednesday 21 June 2017

**Application for Planning Permission 16/04677/FUL
At 27 - 30 Crewe Road Gardens, Edinburgh, EH5 2NN
Residential development comprising up to 26 dwellings with
associated car parking, access, open space, drainage
infrastructure and other associated development. (As
Amended).**

Item number	4.1
Report number	
Wards	B04 - Forth

Summary

The proposal is acceptable in principle. The proposal complies with the development plan. The layout, scale, form and design is compatible with the surrounding area, and reflects site constraints. The proposal will achieve a satisfactory residential environment for future occupiers and will not have an adverse impact on the amenity of neighbouring properties. There are no material considerations which outweigh this conclusion.

As the application site is within Council Ownership, a memorandum of understanding will be pursued to ensure the required contributions. The planning permission will be withheld until this is secured.

Links

[Policies and guidance for this application](#)

LDES01, LDES02, LDES03, LDES04, LDES05, LDES06, LDES07, LDES08, LEN16, LEN18, LEN20, LEN22, LHOU01, LHOU02, LHOU03, LHOU04, LHOU06, LTRA02, LTRA03, LTRA04, LTRA08, NSGD02, NSP,

Report

Application for Planning Permission 16/04677/FUL At 27 - 30 Crewe Road Gardens, Edinburgh, EH5 2NN Residential development comprising up to 26 dwellings with associated car parking, access, open space, drainage infrastructure and other associated development. (As Amended).

Recommendations

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

Background

2.1 Site description

The site is 0.41 hectare in area. It is part previously developed land, which was a Council depot with single storey sheds and part open space with existing bushes and trees to the rear. There is an existing badger sett on the north-west section of the site and two nearby. The site is triangular in shape and slopes down 1 metre from the south to north. Existing vehicle access is from Crewe Road Gardens to the south of the site.

The site is bounded to the north-east by two storey flatted dwellings which front onto Crewe Road North and Crewe Road West. The north boundary is adjacent to trees and bushes adjoining West Granton Access Road. The western boundary adjoins a steep embankment and an existing concrete retaining wall, with significant 5 metre level change down to West Granton Access Road and its adjacent cycle path, with trees and bushes at the north-western end of the site. The southern boundary fronts Crewe Road Gardens and the existing pedestrian link to Crewe Road North.

The area has a mixture of uses, with predominantly residential developments to the north-east and south. To the south, there is a two and three storey flatted development opposite the site access and a large single storey church building with associated car parking and open space, alongside the pedestrian link.

The site is currently in Council ownership.

2.2 Site History

There is no relevant site history.

Main report

3.1 Description Of The Proposal

The proposal is for a development of 26 flats, all for social rent. The accommodation will comprise eight one-bedroom flats, 15 two-bedroom flats, and three three-bedroom flats. Three of the ground floor flats will provide wheelchair accessible accommodation. The ground floor units will have private gardens.

The units will be provided within two flatted blocks creating an 'L' shaped block with two entrances and fronting onto Crewe Road Gardens. The flatted block is a simple modern development, four storeys high with pitched roofs.

The walls will be predominantly light grey facing brick with dark grey around the windows and the roof tiles will be dark grey concrete. The windows and doors will be aluminium-clad and dark grey in colour. Photo voltaic panels would be attached to the roof of the flatted block on the south elevation. The west elevation bedroom and stair windows on the upper floors, overlooking the street, have been increased in size.

Access will be via a new vehicle access onto Crewe Road Gardens which will provide 10 car parking spaces - including one disabled space. End on car parking spaces will be provided along the front of the flatted block with space for seven cars, including two disabled spaces. There are two internal communal areas for cycle, refuse store and the east stair block will also contain a pram store. Internal cycle parking is provided for 21 bikes and there is an additional external Sheffield stand at the entrance to the west flatted block.

There will be a residents' garden area to the north and east of the proposed development. The ground floor units will each have private garden space.

In addition, a community garden is proposed on the open space to the rear of the application site, consisting of woodland, recreation area and growing area. The badger sett is located in the proposed woodland area, and separated from the publicly accessible garden by a 1.8m high steel fence. The community garden would be accessed from the parking area adjacent to the flats and separated by fencing from the residents' garden.

The proposal includes land safeguarded for a new cycle path along the north eastern boundary and separated from the community garden by a 1.5m high timber fence. It would be separated from the residents' garden by a 1.8m high timber fence.

Boundary treatments include the retaining walls, fences and native hedges.

Scheme 1

The previous scheme did not incorporate the cycle path through the site. In addition, photo-voltaics have been added to the roof on the south elevation of the flatted block.

Supporting Information

The following information has been submitted in support of the application:

- Planning Statement;
- Design Statement;
- Daylight and Sunlight Study;
- Sustainability Report;
- Ecology Report;
- Noise Report; and
- Arboricultural Report;

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.

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 proposal is acceptable in principle;
- (b) the proposal is of an appropriate layout, scale, form and design and does not detract from the character and appearance of the area;
- (c) the proposal will have any impact on amenity for existing and future residents;
- (d) the proposal will have any impact on species protection or invasive species;
- (e) the proposal will have an adverse impact on traffic or road safety;
- (f) the proposal has any impact on infrastructure;
- (g) the proposal addresses issues of sustainability;
- (h) any impacts on equalities or human rights are acceptable; and

(i) representations raise issues to be addressed.

(a) Principle

The application site is located within the Urban Area in the Edinburgh Local Development Plan (LDP). Policy Hou 1 of the LDP permits housing development on sites within the Urban Area, subject to the proposal being compatible with other relevant policies.

The LDP Housing Land Study (June 2014) indicates that this site has a high probability of being developed for housing in the short term and could accommodate 22 residential units with an approximate density of 110 dwellings per hectare. Therefore residential development on this site will contribute towards meeting the Council's windfall housing assumptions. The proposed development will improve the area by introducing housing on a previously developed infill site and contributes towards meeting housing need.

Part of the site (0.16 hectare) is designated as Open Space in the LDP where policy Env 18 Open Space Protection applies. This is the land to the rear of the existing depot which is currently not accessible and includes trees, scrubland and grass. Policy Env 18 sets out criteria for supporting proposals involving the loss of open space including: no significant impact on quality or character of the local environment; limited amenity or leisure value; no impact on the wider network or biodiversity value; and local benefit including improvement to open space or development for a wider community benefit.

There is no flatted development proposed on the land currently designated as open space. Instead, the proposals involve creating a community garden on part of the existing open space and keeping the existing woodland scrub to the north. The community garden would consist of a new woodland edge to enhance biodiversity, as well as an informal area for recreational use and a productive garden including communal planting areas or small allotments. Some of the existing open space (0.03 hectare) would be incorporated into the residents' garden as well as creating a pedestrian link to the community garden from the parking area.

In terms of LDP policy Env 18, there is minimal loss of open space - to the residents' garden area for the flats and access arrangements, and this is outweighed by the wider community benefit. The proposal is for 100% affordable housing and local residents in the wider community would benefit from the access to this public open space. The community garden proposal enhances this space in both amenity and leisure terms, as well as the preservation of its biodiversity value, through maintenance of the woodland scrub area.

A suitable legal agreement is required to secure the provision of affordable housing and the community garden. The proposal is acceptable in principle.

(b) Layout, Scale, Form and Design

The layout responds positively to the site constraints, maximising the built development on the previously developed land and creating a side car parking area with access to the community garden at the rear. The built development creates an 'L' shaped block at the end of the street, with both entrances accessed from the front, creating a positive relationship to the street. The flats' living/dining room windows and kitchen windows look onto the street. The proposed four storey height is not out of keeping with the surrounding area.

The residential density equates to 130 units/ha (excluding the existing public open space and based on the 0.2 hectares development land, as identified in the LDP Housing Land Study 2014). This is high density which is commensurate with that projected for the site in the LDP Housing Land Study 2014 and the nearby residential areas. The proposed density is appropriate in this location, as it provides an efficient use of the site and supports the regeneration of previously developed land. Six of the flats are one bedroom single aspect units - a total of 23%, well below the Edinburgh Design guideline of maximum 50%.

The design of the building is contemporary, giving an ordered and clutter free appearance, using a limited palette of materials and incorporating a set pattern of fenestration and simple features. The proposed elevation treatments will be light grey facing brick with sections of dark grey around the windows and dark grey concrete roof tiles. Overall the proposal demonstrates a clear design concept, using modest contemporary elements, appropriate in this context.

The existing trees to the north of the site will be retained and a community garden created on the previous semi-natural green space which will enhance its biodiversity value as well as providing a recreation and growing space for the wider community. Further community engagement with the locality will evolve the detailed design for the community garden.

A condition is required for the submission of a Bird Hazard Management Plan, its implementation and for details of the SUDS to be provided.

Overall, the proposed development is acceptable in terms of its layout, scale, form and design.

(c) Amenity

Future Occupiers

The floor area of the flats range from 54 square metres to 82 square metres and all unit sizes comply with the minimum floor areas set out in the Edinburgh Design Guidance. The guidance specifies that for developments of this scale, 20% of the units should be designed for families, have a floor area above 91 square metres and direct access to private gardens. While none of the units comply with the 91 square metre recommendation, there are three, three-bedroom units and all other units comply with the general minimum floor space requirements set out in the guidance. In addition, the five ground floor properties will each have private garden space and 560 square metres of residents' garden space are provided for the upper floors, substantially above the requirement for at least 10 square metres per flat (i.e. 260 square metres) set out in policy Hou 3 Private Green Space in Housing Development.

The aspiration to provide larger family units requires to be balanced against the constrained nature of the site, and the desire to provide a higher density development in an appropriate area. The benefits of providing additional affordable housing, making best use of the previously developed land, providing general residents' garden space, as well as a community garden for the wider community, justify a relaxation from the guidance in this instance.

The internal layout of each unit, has been designed to maximise daylighting and sunlight opportunities, with large double windows to the living/dining rooms facing south. The single aspect dwellings have habitable rooms facing south or east. A Daylight and Sunlight Study has been submitted in support of the application which found that reasonable levels of daylight are provided for habitable rooms on the southern and eastern elevations. Due to the proximity of the West Granton Access Road, the flats on the western end of the block will require upgraded acoustic glazing which can be ensured by condition.

The sunlight to new gardens and spaces complies with the Edinburgh Design Guidance that half the residents' garden area achieves sunlight for 3 hours during the equinox. The private gardens are provided on two sides for the ground floor properties and receive adequate levels of sunlight.

Overall, the proposal will provide adequate amenity to future occupiers.

Existing residents

The daylight and sunlight study found that reasonable levels of daylight are maintained to the neighbouring flats, with the exception of a minor impact on daylight levels to an existing ground floor room in the eastern property. A Vertical Sky Component (VSC) assessment was also undertaken. This method resulted in a VSC of 31.25% which is above the requirement of 27% or 0.8 of its former value. Therefore, the development will not result in an unacceptable loss of daylight to this neighbouring property.

The sunlight study included shadow diagrams, which showed that there would be no significant detrimental overshadowing of neighbouring gardens as a result of this development.

In terms of privacy, the flats to the east are a minimum of 21.2 metres from the proposal. Whilst the proposal does contain habitable rooms on this elevation, the buildings are offset with only one bedroom window on each level, directly opposite the existing flats. Therefore it is considered that reasonable levels of privacy and overlooking are maintained.

The creation of a public accessible community garden, in the previous inaccessible public open space, does provide a wider community benefit. It provides a convenient space for everyday enjoyment of the outdoors as well as a haven for wildlife and opportunity for community growing and would have gated access. The proposed use would complement the provision of the residents' garden, and is a suitable use for this space.

Both new outdoor gardens would be separated from the safeguarded cycle path by a 1.8 m fence and would be 3.5 metres from the boundary with the neighbouring residential properties to the north east, reducing the levels of overlooking and allowing privacy to be maintained. The resultant noise from people using these gardens, would not cause a significant detriment in residential amenity to nearby residents.

The safeguarded cycle path link is separated from the residential properties by the existing boundary wall and would not result in overlooking or loss of privacy for these residents. Issues such as noise, disturbance, petty vandalism and anti-social behaviour can be dealt with through more appropriate statutory legislation. Therefore with the use of appropriate conditions and other statutory controls, any nuisance or disturbance from the proposed development can be adequately addressed.

Overall, there will be no unreasonable loss of daylight, overshadowing or loss of privacy to any neighbouring properties.

(d) Species protection and invasive species

LDP Policy Env 16 Species Protection requires the assessment of the proposals on the impact on species protected under UK law, including badgers. The Ecology Report details the location of a badger sett on site and the requirements for its destruction. An artificial sett in the woodland area has already been constructed. The destruction of the sett and any works near the other two setts will need to take place under a derogation licence from SNH, issued once planning consent has been given. The badger protection plan included in the Ecology Report, forms the basis of a derogation licence, and applies to both the residents garden and the community garden construction areas throughout the development period. Scottish Natural Heritage has been consulted and supports the Ecological Assessment report, including the badger management plan. A condition is required, since the proposed works would cause disturbance to the setts, requiring that copies of the derogation licence for works which will impact on badgers, are submitted to the planning authority, prior to any works taking place. The Edinburgh and Lothians Badger Group has also asked that the proposed fence separating the woodland area from the community garden is built first in order to safeguard the badgers during construction, which can be secured by condition. The proposal accords with LDP policy Env 16 Species Protection.

Breeding birds have been identified on site. It is an offence to disturb a nesting bird or damage a nest therefore an informative relating to this matter is to be added.

There is Japanese Knotweed at the north east corner of the site which is close to the artificial badger sett. The report identifies excavation as the preferred method for its removal. However, this will need to be done under a derogation licence from SNH, and outside of the badger closed season, December to June. This can be secured by condition.

(e) Traffic or road safety

There are no issues in terms of traffic or road safety. The safeguarded cycle path link, as shown on the amended plans, is an important link in connectivity terms. Once fully completed, it would allow pedestrians and cyclists access onto the West Granton Access Road and Quiet Route 13, which run parallel at a lower level to the site, providing high quality links to the north and west of Edinburgh as well as to the City centre. However the accesses to this route currently, are of poor quality, indirect and difficult to use. There is no step-free access within 700 metre of the proposed development, and gaining this access involves using very busy roads, including the Crewe Toll roundabout. The safeguarding of this link path, from Crewe Road West to West Granton Access Road, would provide a major improvement for access to the route, that would be a significant benefit local residents, including those in the proposed development. The use of cycleways for vehicles, other than bikes, would be antisocial behaviour, to be addressed outside of planning.

The site falls within the North Edinburgh Transport Contribution Zone as set out in the Council's LDP Action Programme and Supplementary Guidance on Developer Contributions and Infrastructure Delivery. The transport infrastructure requirements associated with the proposed development, would require a contribution of £34,993 to the North Edinburgh Transport Contribution Zone which can be secured through a Memorandum of Understanding. The Memorandum of Understanding will also be required for the cycle link land, the progression of traffic orders as necessary, including: the redetermination of footways and carriageways; a stopping up order; to progress suitable waiting and loading restrictions as necessary; and the enforcement of disabled car parking spaces.

The 17 car parking spaces include three disabled car parking spaces and visitor car parking spaces. Two motorcycle spaces are provided. Parking provision meets the current Council car parking standards. The Council's cycle standards propose two spaces per flat. However, the applicant proposes to provide secure internal cycle storage space for 21 cycles, with an additional Sheffield cycle stand outside the western entrance, which is acceptable.

Informatives are also attached regarding the provision of new resident's welcome packs and car parking design, layout and management.

(f) Infrastructure

Affordable Housing

The development is for affordable housing with 100% to be social rented. Notwithstanding this, the Memorandum of Understanding would ensure that at least 25% of the dwellings are affordable, to ensure that affordable housing is provided in accordance with the Council's policy and guidance.

Archaeology

There are no known archaeological implications regarding the proposed development.

Education

This site falls within the sub area CB-1 of the Craighroyston Education Contribution Zone as defined in the Developer Contributions and Infrastructure Delivery Supplementary Guidance. Appropriate primary school education infrastructure actions to mitigate the cumulative impact of the development are required. The required contribution is £39,024 (index linked from Quarter 1 2015 to date of payment) plus land contribution is £342. Therefore the total to be secured through the Memorandum of Understanding for educational purposes is £39,366 (subject to indexation).

Environmental Protection

A condition is required to assess the potential land contamination in relation to the previous use of the site as a Council depot. This is necessary to ensure that the site is made suitable for the proposed new use.

Flooding

The proposal does not raise any flooding concerns. The proposed development includes porous paving on the private off-street parking and the proposed parking bays along the street. The surface water attenuation is provided by an underground storage tank.

(g) Sustainability

The applicant has submitted a sustainability statement in support of the application. The proposal complies with the requirements of Part A of the Edinburgh Standards for Sustainable Buildings. The proposal meets this requirement through the addition of photovoltaics to the roof planes of the flat block.

(h) Equalities and Rights

This application was assessed in terms of equalities and human rights. The wheelchair accessible flats will have level access and accessible car parking spaces are proposed. There are no expected equalities or human rights issues.

(i) Public comments

Material Representations - Objection

- Road Safety issues - the cycle path link would compromise childrens' safety, allow increased anti social behaviour with uses of mopeds or motorbikes on public paths and would pose a risk to families nearby detrimental to residents safety - addressed in section 3(d).
- Community garden access not secure and increased noise for nearby residents - addressed in section 3(c).
- Existing trees block sunlight to my garden - addressed in section 3(b).

- alternative public park more suitable location for a community garden - addressed in section 3(c).
- detrimental to the enjoyment of my property - addressed in section 3(c).

Community Council

No representations have been received.

Conclusion

The proposal is acceptable in principle. The proposal complies with the development plan. The layout, scale, form and design is compatible with the surrounding area, and reflects site constraints. The proposal will achieve a satisfactory residential environment for future occupiers and will not have an adverse impact on the amenity of neighbouring properties. There are no material considerations which outweigh this conclusion.

As the application site is within Council Ownership, a memorandum of understanding will be pursued to ensure the required contributions, the provision of affordable housing, transfer of cycle path land and the provision of the community garden. The planning permission will be withheld until this is secured.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. 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.
2. The approved landscaping scheme shall be fully implemented within six months of the completion of the development.
3. i) Prior to the commencement of construction works on site:
 - a) A site survey (including intrusive investigation where necessary) must be carried out to establish, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and
 - b) Where necessary, a detailed schedule of any required remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Planning Authority.
- ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.

4. Development shall not commence until details of the Sustainable Urban Drainage (SUDS) have been submitted to and approved in writing by the Planning Authority. Details must comply with Advice Note 6 Potential Bird Hazards from Sustainable Urban Drainage Schemes - SUDS. The submitted Plan shall include details of attenuation times, profiles and dimensions of water bodies, and details of marginal planting. No subsequent alterations to the approved SUDS scheme are to take place unless first submitted to and approved in writing by the Planning Authority. The scheme shall be implemented as approved.

5. Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Planning Authority. The submitted plan shall include details of:
 - monitoring of any standing water within the site temporary or permanent;
 - sustainable urban drainage schemes (SUDS);
 - management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and 'loafing' birds. The management plan shall comply with Advice Note 8 'Potential Bird Hazards from Building Design' attached;
 - reinstatement of grass areas;
 Maintenance of planted and landscaped areas, particularly in terms of height and species of plants that are allowed to grow;
 - which waste materials can be brought onto the site/ what if any exceptions e.g. green waste;
 - monitoring of waste imports (although this may be covered by the site licence);
 - physical arrangements for the collection (including litter bins) and storage of putrescible waste, arrangements for and frequency of the removal of putrescible waste; and
 - signs deterring people from feeding the birds.

6. Prior to occupation of the proposed development, the following noise protection measures, as defined in the RMP 'Noise Impact Assessment' Ref R-7567-GH-TWF dated 9 September 2016, shall be carried out in full, including:
 - Glazing units with a minimum insulation value of 6/16/6.8 millimetres double glazing shall be installed for the external doors and windows of the rooms highlighted in red on drawing number (PL) 011 dated 10/18/2016;
 - The facades overlooking the West Granton access road shall be fitted with attenuated passive ventilation units with a minimum acoustic rating Dn,e,w 41 dB;
 - Glazing units with a minimum insulation value of 4/12/4 millimetres double glazing shall be installed for the external doors and windows of the rooms highlighted in blue on drawing number (PL) 011 dated 10/18/2016; and
 - The remaining facades overlooking the Crewe Road Gardens, Crewe Road West and North shall be fitted with attenuated passive ventilation units with a minimum acoustic rating Dn,e,w 39 dB.

7. The approved 1.8 metre high steel palisade fence between the woodland area and the community garden, as shown on Drawing Number 9B, shall be erected before the commencement of any other works on site and shall remain in perpetuity.

8. Should any works fall within a 30 metre radius of a badger sett then further survey work will be required to determine the status of the sett and the requirement of a license from Scottish Natural Heritage. A copy of the survey and any licence, should be submitted to the Planning Authority prior to the commencement of construction activity subject to any licensing requirements.
9. Prior to the commencement of development, an invasive non-native species protocol shall be submitted to and approved by the local planning authority, detailing the containment, control and removal of Japanese Knotweed (*Fallopia japonica*) on site. The measures shall be carried out strictly in accordance with the approved scheme and supported by a derogation licence form SNH. A copy of the license should be submitted to the planning authority.

Reasons:-

1. In order to enable the planning authority to consider this/these matter/s in detail.
2. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
3. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.
4. To avoid endangering the safe movement of aircraft and the operation of Edinburgh Airport through the attraction of birds and an increase in the bird hazard risk of the application site.
5. In the interests of aircraft safety.
6. In order to provide adequate levels of amenity and noise for the future residents.
7. To safeguard the protected species on site during the construction phase and occupation of the proposed development.
8. In the interests of safeguarding biodiversity.
9. In order to enable the appropriate environmental mitigation measures to be implemented.

Informatives

It should be noted that:

1. **MEMORANDUM OF UNDERSTANDING:** A memorandum of understanding is required to ensure that a minimum of 25% affordable housing is provided and relevant contributions to Communities and Families and Planning and Transport will be paid by the applicant and/or City of Edinburgh Council's 21st Century Homes initiative in lieu of a legal agreement between both parties. The memorandum of understanding will also cover the transfer of the safeguarded cycle path land to Planning and Transport and the provision of the design and delivery of the community garden, within one year of occupation of the proposed development. The decision notice will not be issued until the memorandum of understanding is secured.
2. The works 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. 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.
5. The development is close to the aerodrome and the approach to the runway. We draw attention to the need to carefully design lighting proposals. This is further explained in Advice Note 2, 'Lighting near Aerodromes.'
6. Clearance of vegetation from the proposed construction area has the potential to disturb nesting birds; therefore clearance should be carried out outside the bird nesting season March - August (inclusive). Should it be necessary to clear ground during the bird nesting season the land should be surveyed by a suitably qualified ecologist and declared clear of nesting birds before vegetation clearance starts.
7. All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed but will include the revised footway and on-street parking. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. Particular attention must be paid to ensuring that refuse collection vehicles are able to service the site and that bin stores are conveniently located for collection. The applicant is recommended to contact the Council's waste management team to agree details.

8. 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.
9. The applicant must be informed that any proposed on-street car parking spaces cannot be allocated to individual properties, nor can they be the subject of sale or rent. The spaces will form part of the road and as such will be available to all road users. Private enforcement is illegal and only the Council as roads authority has the legal right to control on-street spaces, whether the road has been adopted or not. The developer is expected to make this clear to prospective residents.
10. Any off-street parking space should comply with the Council's Guidance for Householders (see http://www.edinburgh.gov.uk/download/downloads/id/704/guidance_for_householders) including:
 - a. Access to any car parking area is to be by dropped kerb (i.e. not bell mouth);
 - b. A length of 2 metres nearest the road should be paved in a solid material to prevent deleterious material (e.g. loose chippings) being carried on to the road;
 - c. Any gate or doors must open inwards onto the property;
 - d. Any hard standing outside should be porous, to comply with 'Guidance for Householders' published in December 2012;
11. 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 Council if he wishes any off-street 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. This does not require to be included in any legal or similar agreement and is at the choice of the applicant.
12. Environmental Protection also advised the applicant that any energy centres must comply with the Clean Air Act 1993 and that Environmental Protection will not support the use of biomass.
13. Electric vehicle (rapid) chargers shall be installed throughout the development site serving every tenth parking space.

Financial impact

4.1 The financial impact has been assessed as follows:

A memorandum of understanding will be provided prior to the issue of a decision notice. This will ensure obligations in terms of transport, education and affordable housing are met. Therefore no funding gap would result from the proposed development.

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 flats will have level access and accessible car parking spaces are proposed. There are no expected equalities or human rights issues.

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

The application meets the requirements of the Edinburgh's Standards for Sustainable Buildings.

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

Scheme 1 was advertised on 13 October 2016 and Scheme 2 - the amended application was advertised on 22 March 2017. Two letters of representation were received both objecting. These included comments from the Edinburgh Tenants Federation. 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

Date registered 29 September 2016

Drawing numbers/Scheme 01, 02, 03C, 04B, 05C, 06C, 07B, 08B, 09B, 11,

Scheme 1

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Catriona Reece-Heal, Senior Planning Officer
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Links - Policies

Relevant Policies:

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

LDP Policy Env 18 (Open Space Protection) sets criteria for assessing the loss of open space.

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

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

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.

Appendix 1

**Application for Planning Permission 16/04677/FUL
At 27 - 30 Crewe Road Gardens, Edinburgh, EH5 2NN
Residential development comprising up to 26 dwellings with
associated car parking, access, open space, drainage
infrastructure and other associated development. (As
Amended).**

Consultations

Archaeology additional response 17 May 2017

No new archaeological issues.

Archaeology 11 October 2016

Further to your consultation request, I would like to make the following comments and recommendations concerning this application for proposed residential development comprising up to 26 dwellings with associated parking, access, open space, drainage infrastructure and other associated development.

The 1st edition OS map shows the site as forming a small triangle of land sandwiched between two Caledonian Railway Lines which merge at its apex to run into Granton Harbour to the north. Given its location and development history, it is considered unlikely that significant remains will have survived in situ across this site. Accordingly it has been concluded that there are no known archaeological implications in regards to this application.

Waste Management Service additional response 24 May 2017

Thank you for the updated drawings. I can confirm the Waste Strategy is approved.

Waste Management Service 11 October 2016

As this relates to the construction of 26 flats on Crew Road Gardens, I would expect this service to be responsible for the provision of waste management services to this property.

The requirements from our point of view relate to:

Compliance with Waste Strategy

The provision of a full recycling service is mandatory in Scotland, so that developers must make provision for the full range of bins (either individual Containers for each property, or communal bins for multiple properties). These must be stored off street at all times, except on the day of collection (in the case of individual bins).

Given the area and the waste management arrangements for neighbouring properties, I would have assumed that the waste collection will be by communal bins, so that the residents are not responsible for presenting the waste on the street on the correct collection days, and removing the containers afterwards. Assuming that this is the case, the waste collection teams will require safe and efficient access to these, and therefore cognisance must be taken of my comments below in relation to operational viability.

The bins provided for communal waste collections would be for: landfill waste, mixed recycling for paper and packaging, glass, and food.

Key points are:

-each bin store must accept the full range of materials in bins, segregated as outlined above. It is not acceptable to have some types of bin and others in a different collection point, as recycling is a fully integrated part of the service;

- the maximum size of a food bin is 500 litres; and that of a glass bin is 660 litres, which are both smaller than other types of waste- due to weight issues; -provision must be made for the storage and disposal of bulky wastes such as furniture produced by the residents, and indeed access to those by our collection teams.

Operational Viability

Developers need to ensure that services are accessible so that our collection crews can provide the service in a safe and efficient manner, taking account of turning circles, length and width of vehicles, distance bins must be pulled, surfaces, slopes and so on. Obviously sufficient capacity must also be provided to allow successful collection of each segregated waste stream.

One point I did note was that there appears to be one bin store in block 1 for the 2 blocks? Can you please clarify this please? We would recommend that a bin store is installed for each block for ease and convenience to dispose of waste and recycling.

The architect should therefore speak to us as soon as possible to tie up these loose ends.

Communities and Families additional response 22 May 2017

The Council has assessed the impact of the growth set out in the LDP through an Education Appraisal (Updated March 2017), taking account of school roll projections. To do this, an assumption has been made as to the amount of new housing development which will come forward ('housing output'). This takes account of new housing sites allocated in the LDP and other land within the urban area.

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

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

Assessment and Contribution Requirements

Assessment based on:

18 Flats (8 one bedroom flats excluded)

Although the development is not a scale where it would be expected to have an impact on secondary schools, it is expected to generate at least one additional primary school pupil.

This site falls within Sub-Area CB-1 of the 'Craigroyston Broughton 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 potential new housing sites within the Urban Area, such as the application site. Appropriate primary school education infrastructure actions to mitigate the cumulative impact of development are identified. The required contribution will therefore be based on the proportion of the established 'per house' and 'per flat' rates that are attributable to primary school actions for the appropriate part of the Zone.

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

Total infrastructure contribution required: £39,024

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

Total land contribution required: £342

Note - no indexation to be applied to land contribution.

COMMUNITIES AND FAMILIES 16 November 2016

Location 27 - 30 Crewe Road Gardens

Proposal: Residential development comprising up to 26 dwellings

Application number: 16/04677/FUL

Case Officer: Catriona Reece-Heal

Applicant: Robertson Partnership Homes.

Assessment date: 16.11.16

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 requirement is set out in guidance on Developer Contributions and Affordable Housing (December 2015).

This site falls within the Granton Waterfront part of the 'Granton and North Central Education Contribution Zone'. New housing developments within this part of the Zone, which will have a net impact on education infrastructure, are required to contribute to the following actions:

CONTRIBUTION ZONE ACTIONS

Granton & North Central

Action Cost at Q1 2015

New 14 class primary school (Granton area only) is £11,328,584

Remaining land purchase cost for new primary school (0.2998 ha) (Granton area only) £525,000

Total servicing and remediation for new primary school (£100 per sq m) (Granton area only) £1,170,000

2 class RC Primary extension (Zone wide) £705,308

Increase secondary school capacity to accommodate 231 extra pupils (Broughton HS, Craigmoyston HS, St Augustine's RC) (Zone wide) £7,414,083

A standard pro-rata contribution towards the costs of delivering these actions has been established.

The proposed development comprises 26 flats; however eight only have one bedroom and are excluded from the assessment below.

Although the development is not a scale where it would be expected to have an impact on secondary schools, it is expected to generate at least one additional primary school pupil.

It is therefore appropriate to apply the standard non-denominational primary school contribution rate for this Zone (as set out in the table below) in order that the impact of proposed development can be mitigated. The rate is based on a contribution towards 'Education infrastructure, land remediation and servicing' and 'Land purchase'.

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

Assessment based on:

18 flats

(6 one bed flats excluded from assessment)

Education Infrastructure, land remediation and servicing

Contribution per unit Flats £2,094.73

Houses £9,077.19

Total required contribution £37,705

Note: To be index linked based on the increase in the BCIS All-in Tender Price Index from Q1 2015 to the date of payment

Land purchase
Contribution per unit Flats £87.99
 Houses £381.28
Total required contribution= £1,584

Note: No indexation is to be applied to land purchase contribution.

Edinburgh Airport additional response 16 May 2017

If it is just the addition of a cycle path, Edinburgh Airport's response remains the same.

Edinburgh Airport 23 November 2016

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

Submission of a Bird Hazard Management Plan

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

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

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

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

Submission of SUDS Details

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

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

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

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

We would also make the following observations:

Lighting

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

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

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

Environmental Protection

The applicant proposes developing 26 residential dwellings consisting of two joint 4-storey flatted blocks and 17 car parking spaces.

Crewe Road Gardens is located in Pilton, a mainly residential area. The area itself sits between Crewe Road North to the east, Ferry Road further to the south the West Granton Access Road sits immediately on the western boundary at a lower level than the site itself. The site is well located for access to public transport provision.

The applicant has submitted a supporting noise impact assessment that has recommended that mitigation measure will be required. Environmental Protection will recommend a condition is attached to ensure these measures are carried out.

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 recommends that the applicant incorporates electric vehicle charging points into the proposed car parking area. There is currently grant funding available from the Energy Saving Trust for this type of installation. If the applicant proposes installing a centralised energy plant they must ensure that they are compliant with the Clean Air Act. Environmental Protection shall recommend an informative is included for these issues.

Therefore, Environmental Protection offers no objections subject to the following conditions;

Conditions

Site in General

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.

2. The following noise protection measures to the proposed development, as defined in the RMP 'Noise Impact Assessment' Ref R-7567-GH-TWF dated 9 September 2016

- Glazing units with a minimum insulation value of 6/16/6.8 double glazing shall be installed for the external doors and windows of the rooms highlighted in drawing number (PL) 011 dated 10/18/2016.

- *The facades overlooking the West Granton access road shall be fitted with attenuated passive ventilation units with a minimum acoustic rating $D_{n,e,w}$ 41 dB.*
- *Glazing units with a minimum insulation value of 4/12/4 double glazing shall be installed for the external doors and windows of the rooms highlighted in drawing number (PL) 011 dated 10/18/2016.*
- *The remaining facades overlooking the Crewe Road Gardens, Crewe Road West and North shall be fitted with attenuated passive ventilation units with a minimum acoustic rating $D_{n,e,w}$ 39 dB.*

shall be carried out in full and completed prior to the development being occupied.

Informative

Environmental Protection also advised the applicant that any energy centres must comply with the Clean Air Act 1993 and that Environmental Protection will not support the use of biomass.

Electric vehicle (rapid) chargers shall be installed throughout the development site serving every tenth parking space.

Flood Prevention additional response 22 May 2017

Provided there are no changes to the drainage and the cycle path does not have a detrimental effect, the Flood Prevention position remains the same.

Flood Prevention 13 December 2016

Flood Prevention has reviewed this application and we have no further comments to make.

Transport 15 May 2017

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

1. *The applicant will be required to:*
 - a. *Contribute the sum of £34,993 to North Edinburgh Transport Contribution Zone as set out in the Council's Developer Contributions & Delivery Infrastructure Delivery 2016. However, as the proposed development is providing land for a cycle link, it is considered that this contribution should be discounted in part of full;*
 - b. *Contribute the sum of £2,000 to progress a suitable order to redetermine sections of footway and carriageway as necessary for the development;*
 - c. *Contribute the sum of £2,000 to progress a suitable order to introduce waiting and loading restrictions as necessary; and*
 - d. *Contribute the sum of £2,000 to progress a suitable order to control on-street disabled parking spaces;*

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

3. 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;

4. The applicant must be informed that any proposed on-street car parking spaces cannot be allocated to individual properties, nor can they be the subject of sale or rent. The spaces will form part of the road and as such will be available to all road users. Private enforcement is illegal and only the Council as roads authority has the legal right to control on-street spaces, whether the road has been adopted or not. The developer is expected to make this clear to prospective resident.

5. Any off-street parking space should comply with the Council's Guidance for Householders (see http://www.edinburgh.gov.uk/download/downloads/id/704/guidance_for_householders) including:

- a. Access to any car parking area is to be by dropped kerb (i.e. not bell mouth);
- b. A length of 2 metres nearest the road should be paved in a solid material to prevent deleterious material (e.g. loose chippings) being carried on to the road;
- c. Any gate or doors must open inwards onto the property;
- d. Any hard standing outside should be porous, to comply with 'Guidance for Householders' published in December 2012;

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 Council if he wishes any off-street 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. This does not require to be included in any legal or similar agreement and is at the choice of the applicant;

7. The developer must submit a maintenance schedule for the SUDS infrastructure for approval.

Note:

The proposed 17 parking spaces meet the current Council parking standards.

Scottish Natural Heritage additional response 15 May 2017

We commented initially on the badger management plan, and supported its conclusions. As the ecological surveys were carried out last year we advise that pre-construction surveys should be undertaken, and to ensure that these must cover the area of the cycle path, however we do not have any further comments we wish to make in relation to this amendment.

Scottish Natural Heritage 27 October 2016

The supporting Ecological Assessment report, including badger management plan, is thorough and we support its conclusions. If the development is carried out in line with the contents of this report then the applicant should be able to obtain the relevant protected species licence.

We highlight that badger breeding season runs from December to June (inclusive). During these months it is not likely that the applicant will be granted a license to exclude and destroy the existing sett. This is because the badgers are likely to be breeding within the sett. So please be aware that these operations will have to take place either before 01 December 2016, or after 30 June 2017.

The Coal Authority 11 October 2016

The Coal Authority Response: Material Consideration

I can confirm that the above planning application has been sent to us incorrectly for consultation.

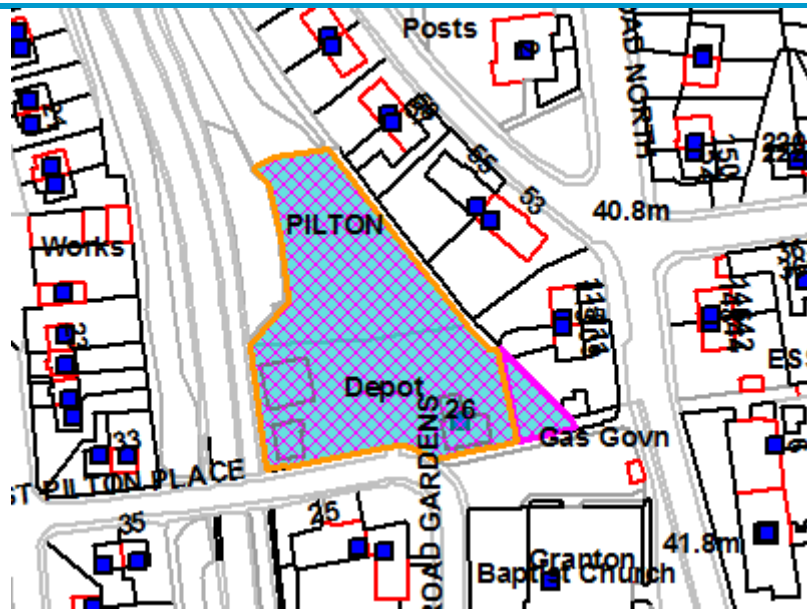
The application site does not fall with the defined Development High Risk Area and is located instead within the defined Development Low Risk Area. This means that there is no requirement under the risk-based approach that has been agreed with the LPA for a Coal Mining Risk Assessment to be submitted or for The Coal Authority to be consulted.

In accordance with the agreed approach to assessing coal mining risks as part of the development management process, if this proposal is granted planning permission, it will be necessary to include The Coal Authority's Standing Advice within the Decision Notice as an informative note to the applicant in the interests of public health and safety.

Badger Group 22 May 2017

I note that JDC have been involved in the badger mitigation plan from the application's inception and the resulting design leaves me with nothing to add except that the proposed fence running east-west across the site to protect the badger setts should be constructed before any site work begins. This is to prevent any intrusion during the construction phase.

Location Plan



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