

# Development Management Sub Committee

Wednesday 21 June 2017

## Application for Planning Permission in Principle 16/05488/PPP

At Farmhouse A, North Milton, Milton Farm Road  
Development of worship hall, associated access, car  
parking and landscaping.

Item number	8.1
Report number	
Wards	A01 - Almond (Pre May 2017)

### Summary

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The site is within the green belt where only limited uses are permitted. The applicant has not sufficiently demonstrated that the proposal meets a national priority or an established need and no evidence has been submitted to substantiate that no other suitable sites are available. As such the proposal is not an appropriate Green Belt use and is contrary to policy Env 10 of the Edinburgh Local Development Plan.

### Outcome of previous Committee

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This application was previously considered by Committee on 19 April 2017 and was continued for a site visit.

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# Links

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[Policies and guidance for this application](#)

LDPP, LEN08, LEN10, LEN12, LEN21, LTRA02, NSG, NSGCGB, NSP,

# Report

## **Application for Planning Permission in Principle 16/05488/PPP**

### **At Farmhouse A, North Milton, Milton Farm Road Development of worship hall, associated access, car parking and landscaping.**

#### **Recommendations**

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1.1 It is recommended that this application be Refused for the reasons below.

#### **Background**

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##### **2.1 Site description**

The site is a piece of land measuring 0.63 hectares located on the corner of the B800 which runs north-south between South Queensferry and Kirkliston and an unclassified road. The site is bounded on the north and west with mature trees and hedging, a stone wall and post and rail fence to the south and east boundary.

A number of derelict buildings lie within the site with the current use being for the storage of cars and caravans with some of the site being used as an informal scrap yard.

Access to the site is via two points on the B800 on the western boundary of the site and one from the north eastern boundary onto the unclassified road.

The site is surrounded by agricultural fields with Milton Cottage, a residential dwelling, lying to the north east of the site.

##### **2.2 Site History**

There is no relevant planning history for this site.

#### **Main report**

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

The application is for planning permission in principle for a worship hall, associated access, car parking and landscaping.

At present the congregation gather at three separate halls, two in Davidson's Mains and one at South Queensferry. The proposed new worship hall would act as a main hall for the congregation and would allow the facility at South Queensferry to return to residential use, subject to planning permission. The worship hall would operate at off peak times, primarily weekday evenings and weekends.

An indicative site layout and hall plan has been submitted. This shows the new hall will be located within the north of the site with a gross footprint of 438 square metres.

Thirty two car parking spaces will be provided on site. The existing access on the north eastern boundary of the site will be upgraded to allow access onto the unclassified road.

A number of existing trees will have to be removed to accommodate the worship hall and new landscaping is proposed as part of the proposal.

### Supporting Statement

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

- Planning Statement;
- Design and Access Statement;
- Tree Survey;
- Transport Statement;
- Stage 1 Road Safety Audit;
- Ecological Survey;
- Drainage Strategy Plan; and
- S1 Sustainability form.

### **3.2 Determining Issues**

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

Do the proposals comply with the development plan?

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

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

### **3.3 Assessment**

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

- a) the principle of the proposed development is acceptable;
- b) the landscape impacts and design are acceptable;
- c) the proposal is acceptable in terms of road safety;
- d) there are any other material considerations that justify approval or refusal;

- e) any impacts on equalities or human rights are acceptable; and
- f) comments raised have been addressed.

a) Principle

The site is within the Edinburgh Green Belt as identified in the Edinburgh Local Development Plan (LDP).

Policy ENV 10 of the LDP states that development will only be permitted where one of the following criteria is met:

- a) Purpose of agriculture, woodland and forestry, horticulture or countryside recreation;
- b) Change of use of an existing building, providing the building is of architectural merit;
- c) Development relating to an existing use or building; and
- d) Replacement of an existing building with a new building in the same use.

a) states that development in the green belt will not be permitted unless necessary for the purposes of agriculture, woodland and forestry, horticulture or for countryside recreation, or where a countryside location is essential and provided any buildings, structures or hard standings are of a scale and quality of design appropriate to use.

The glossary within the LDP includes a definition for countryside recreation; "Passive or active outdoor recreational pursuits or land uses". The proposal for a worship hall does not fall within the definition of countryside recreation as defined in the LDP.

Scottish Planning Policy (2014) paragraph 52 states that where a proposal would not normally be consistent with green belt policy, it may still be considered appropriate either as a national priority or to meet an established need if no other suitable site is available. The applicant has stated in the supporting planning statement that since 2002 an "exhaustive search process" has been undertaken. When the search commenced in 2002 over 50 potential sites across Edinburgh and its surrounding area have been considered during this time but no evidence has been submitted with the application to substantiate this.

b) This relates to the change of use of an existing building. This criterion is not applicable as the proposal is for a new building.

c) Is for development relating to an existing use of building such as an extension to a site or building, ancillary development or intensification of the use. As the proposal is for a new building this criterion is not applicable.

d) This is for the replacement of an existing building with a new building in the same use. This criterion is not applicable as there is no existing buildings on the application site.

The proposed worship hall does not fall within the definition of countryside recreation as defined in the LDP and is not a use that is compatible within the green belt. There is not sufficient information within the application to indicate otherwise. Landscape quality and design is assessed further in part b.

#### b) Landscape and Design

The character of the wider landscape is agricultural land. The site as a whole has a number of trees and shrubs bordering all sides. A tree survey was submitted as part of the application and within the application site identified a total of 50 trees. These trees to the north of the site are the largest and dominant species within the woodland group, with Sycamore being the dominant species. These trees along with the younger growth collectively form cohesive woodland which is a prominent landscape feature adjacent to the B800.

LDP policy Env 12 (Trees) will not permit development likely to have a damaging impact on a tree protected by a Tree Preservation Order or on any other tree or woodland worthy of retention unless necessary for good arboricultural reasons.

The applicant has indicated that new tree and hedging planting will be introduced to the site to compensate for the losses. As this application is for planning permission in principle there are no details of the trees that require to be removed to accommodate the proposed building or details of the new planting.

The layout and design has been provided for indicative purposes only.

The impact of the proposed development on the local landscape has not and cannot be fully assessed at this time.

Should planning permission in principle be granted, the assessment of details in respect to the loss of trees and protection during construction will be reserved matters and fully assessed at the detailed application stage.

#### c) Road Safety

A Transport Statement and Stage 1 Road Safety Audit has been submitted with the application.

The existing access junction on the north eastern boundary of the site will be improved to allow access onto the unclassified road. No vehicular access is proposed directly from the B800.

Thirty-two car parking spaces are proposed with the indicative layout showing these to be positioned to the south of the building.

There is an existing public transport corridor serving Kirkliston and Queensferry from the B800 with buses operating until around 8pm in the evening. There are no bus stops in the immediate vicinity of the site with the nearest stop located approximately 397 metres away at the entrance junction to Dundas Parks Golf Club. The application site is accessible by a single footpath along the B800. The location of the site is not in a sustainable location and will result in an increase in car-based travel.

The Roads Authority has no objections to the proposal. If committee are minded to grant the application a condition to provide a link from the development to connect to the existing footway/cycleway on the B800 will be required and an informative to provide secure undercover cycle parking.

d) Other Material Issues

**Protected Species**

An Ecological Assessment was undertaken and submitted. There was no evidence of bats roosting locally and no features identified that could provide potential roost sites. As this is for planning permission in principle if the buildings to the south are to be impacted in any way then a full survey for bats and breeding birds will be required. No badger setts or any evidence of badger activity was found in the survey area.

**Archaeology**

No objections have been raised to the application. If the Committee is minded to grant the application a condition should be added relating to a written scheme of investigation being submitted.

**Flooding**

There are no flood issues with the proposal.

e) Equalities and Human Rights

The application has been assessed for any potential impacts on equalities and human rights. No issues have been identified. An Equality and Human Rights Assessment is available to view on the Planning and Building Standards Online Service.

f) Public comments

The letters of support;

- Ideal location for new community facility;
- Main public transport route;
- current hall is inadequate; and
- turn an eyesore into something which enhances the area.

**Queensferry and District Community Council**

- a continuous footway should be created on the east side of the B800; and
- It is not clear where the proposed bus stops will be created.

## Conclusion

In conclusion, the site is within the green belt where only limited uses are permitted. The applicant has not sufficiently demonstrated that the proposal meets a national priority or an established need and that no other suitable sites are available. As such the proposal is not an appropriate Green Belt use and is contrary to policy Env 10 of the Edinburgh Local Development Plan.

It is recommended that this application be Refused for the reasons below.

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

#### **Reasons:-**

1. The proposal is contrary to Policy Env 10 of the Edinburgh Local Development Plan as the site is not an appropriate green belt use and it has not been demonstrated that there is an established need or other suitable sites.

## **Financial impact**

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

There are no financial implications to the Council.

## **Risk, Policy, compliance and governance impact**

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

## **Equalities impact**

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### **6.1 The equalities impact has been assessed as follows:**

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

## **Sustainability impact**

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### **7.1 The sustainability impact has been assessed as follows:**

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

## **Consultation and engagement**

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### **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 the 25 November 2016. A total of 12 letters of support has been received, these include comments from the Queensferry and District Community Council.

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

### **Background reading/external references**

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

**Statutory Development****Plan Provision**

Edinburgh Local Development Plan - The site lies within the green Belt.

**Date registered**

8 November 2016

**Drawing numbers/Scheme**

01-02,

Scheme 1

**David R. Leslie**

Chief Planning Officer

PLACE

The City of Edinburgh Council

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**Links - Policies**

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

LDP Policy Env 8 (Protection of Important Remains) establishes a presumption against development that would adversely affect the site or setting of a Scheduled Ancient Monument or archaeological remains of national importance.

LDP Policy Env 10 (Development in the Green Belt and Countryside) identifies the types of development that will be permitted in the Green Belt and Countryside.

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

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

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.

## **Relevant Non-Statutory Guidelines**

**Non-statutory guidelines** DEVELOPMENT IN THE COUNTRYSIDE AND GREEN BELT, provide guidance on development in the Green Belt and Countryside in support of relevant local plan policies.

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

# Appendix 1

## **Application for Planning Permission in Principle 16/05488/PPP**

### **At Farmhouse A, North Milton, Milton Farm Road Development of worship hall, associated access, car parking and landscaping.**

#### **Consultations**

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##### Archaeology

*Further to your consultation request I would like to make the following comments and recommendations concerning this application in principal for the development of a worship hall, associated access, car-parking and landscaping.*

*The site occupies the northern half of the historic farm of Milton. The current layout of the farm reflects its early 19th century layout as depicted on the 1852 1st edition OS map. However the farm's origins are much older. As the name suggest the site is on or close to the site of the historic mill for Dundas Estate and is first recorded in 1557, though as Dundas Estate is recorded as early as the 12th century a medieval date for occupation on this site is considered possible.*

*The development occurs within an area of archaeological significance. Accordingly this application must be considered therefore under terms the Historic Environment Scotland Heritage Statement (HESPS) 2016, Scottish Planning Policy (SPP), PAN 02/2011 and also Rural West Edinburgh Local Plan Policy E30 and adopted Edinburgh Local development Plan (2016) Policy ENV9. The aim should be to preserve archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.*

*The proposals will require significant ground breaking works (e.g. construction of the proposed new house, car-parking, associated landscaping) which have the potential for disturbing significant archaeological remains relating to the development of Milton Farm possibly dating back to the medieval period.*

*Given the potential for significant archaeological resources occurring on the site, it is essential that an archaeological mitigation strategy is undertaken prior to submission of any further detailed (FUL/AMC) applications and development. In essence this strategy will require the undertaking of phased programme of archaeological investigation, the first phase of which will be the undertaking of archaeological evaluation (min 10%). The results from this initial phase of work will allow for the production of appropriate more detailed mitigation strategies to be drawn up to ensure the appropriate protection and/or excavation, recording and analysis of any surviving archaeological remains.*

*It is therefore recommended that the following revised condition be attached to this application to ensure that the above programme of archaeological works is undertaken.*

*'No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, analysis & reporting, publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.'*

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

#### Flood Prevention - response 29/12/16

*The applicant still needs to provide the self-certification checklist and declaration for this Worship Hall development. They also need to submit overland flow path drawings as per below- topo surveys are not enough.*

*Please identify existing and proposed surface water flow paths on drawings. This can be achieved by taking the existing site survey and over-marking arrows to denote falls and then completing the same with the post-development arrangement. This should include runoff from outwith the site, from unpaved areas within the site, and from paved areas in events which exceed the capacity of the drainage system.*

*The purpose of these drawings is twofold. Firstly to understand if there is any significant re-direction of surface flows to surrounding land and secondly to identify if surface water will flow towards property entrances.*

*updated response - 14/02/17*

*This addresses now addresses all of Flood Prevention's comments.*

#### Roads Authority

*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) Provide a footway link from the development to connect to the existing footway/cycleway on the B800. The design and layout to be a reserved matter.*

*Reason; to ensure a safe means of access for pedestrians and cyclists to the hall.*

*b) Provide 5 secure and undercover cycle parking spaces for the use of visitors and staff.*

*Reason; to comply with CEC Parking Standards*

2) The applicant should ensure that the access road and associated accesses are large enough, and of a shape, to accommodate any vehicles which are likely to use it, in particular refuse collection and emergency service vehicles. The applicant should provide a swept-path diagram to demonstrate that a vehicle can enter and exit the development in a forward gear, in the interests of road safety;

3) 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;

4) Parking numbers to be reserved matter.

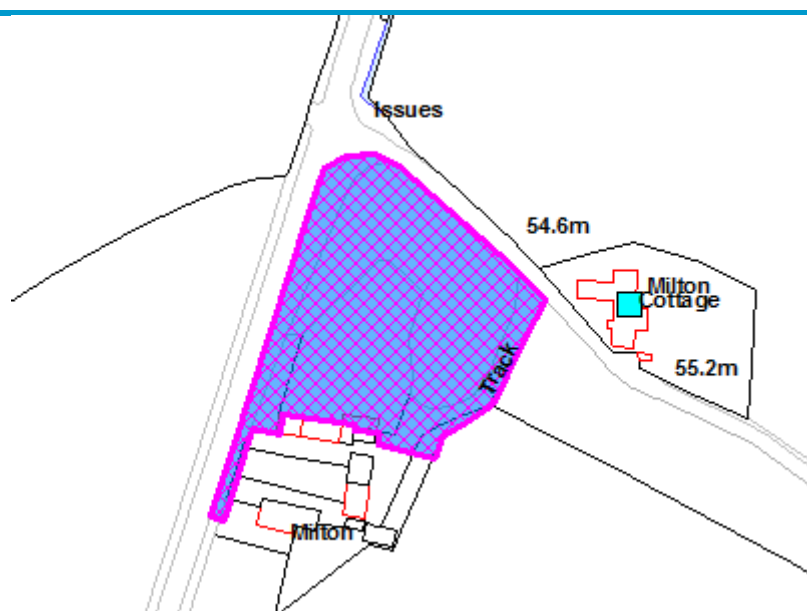
Note:

Current Council parking standards;

The proposed Worship Hall is in Zone 6 of the Councils parking standards. A Church Hall requires 1 space per 20 - 40 sq.m PFA which for this development would equate to between 9 and 18 spaces. The applicant is proposing 32 spaces which will require further justification and discussion with CEC.

## Location Plan

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**END**