

Development Management Sub Committee

Wednesday 30 August 2017

Application for Approval of Matters Specified in Conditions 17/00696/AMC

At Land 126 Metres North Of 137 Drum Street, Candlemaker's Park, Edinburgh

Residential development including detailed site layout plan showing position of buildings, roads, footpaths, parking, cycle parking, boundary treatments, landscaping, details of existing and finished levels, flood attenuation details (matters listed in conditions 1, 2, 4 and 6 of planning consent 14/01238/PPP) (as amended)

Item number	7.1
Report number	
Wards	A16 - Liberton/Gilmerton (Pre May 2017)

Summary

The principle of housing is established on the site and the proposed mix, layout, scale, design and access arrangements are acceptable and appropriate to their urban edge context. The proposal will provide an acceptable level of amenity to existing and future occupiers. Conditions one, two, four and six of planning permission in principle 14/01238/PPP can be discharged. There are no material considerations which outweigh this conclusion.

Links

[Policies and guidance for this application](#)

LDPP, LDES01, LDES03, LDES05, LDES07, LEN07, LEN09, LEN11, LEN12, LEN15, LEN16, LEN21, LEN22, LHOU03, LHOU04, LHOU06, LHOU06, LDES04, OTH, NSGD02,

Report

Application for Approval of Matters Specified in Conditions 17/00696/AMC

**At Land 126 Metres North Of 137 Drum Street,
Candlemaker's Park, Edinburgh**

Residential development including detailed site layout plan showing position of buildings, roads, footpaths, parking, cycle parking, boundary treatments, landscaping, details of existing and finished levels, flood attenuation details (matters listed in conditions 1, 2, 4 and 6 of planning consent 14/01238/PPP) (as amended)

Recommendations

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

Background

2.1 Site description

The application site is 6.3 hectares and is located north east of Drum Street and Candlemaker's Park, in the south of Edinburgh. The site was previously used for landfill works. It is currently vacant and is covered with informal grassland surrounded by woodland planting to the west, north and east. The site gradually slopes east-west, with steep banking along the north and east edges.

The western edge of the site is bounded by existing housing on Candlemaker's Park, to the north and east by The Drum Estate and to the south by Drum Street. Part of the site falls within the boundary of a site on the Inventory of Gardens and Designed Landscape in Scotland, The Drum. This designed landscape provides the setting to the William Adam, Category A Listed, Drum House, an 18th century country house and estate (ref 2805: listed 14 July 1966).

The north section of the site is adjacent to a Category C listed walled garden (ref 28056: listed 15 April 1996) and a Category C listed gardeners cottage (ref 43252: listed 15 April 1996).

The south east section of the site is adjacent to the Category B listed West Lodge, Gate Piers and Railings at The Drum (ref 43253: listed 15 April 1996).

2.2 Site History

5 December 2016 - Planning permission in principle granted for residential development and associated works (application reference 14/01238/PPP).

History of nearby sites

25 February 2015 - Proposal of Application Notice submitted for residential development on land at 146 Drum Street (application reference 15/00813/PAN).

17 June 2015 - Planning permission appeal granted, subject to conditions and completion of planning obligation (DPEA reference: PPA-230-2137) for residential-led mixed use development including primary school, commercial/ community uses, open space, access, car parking and landscaping on land 292 metres west of 10 Gilmerton Station Road (application reference 14/01649/PPP).

4 November 2016 - PPP application submitted and withdrawn for residential-led mixed-use development including primary school, commercial/ community uses, open spaces, access parking and landscaping on land 292 metres west of 10 Gilmerton Station Road (application reference 14/01648/PPP).

28 February 2017 - Planning Permission in Principle application refused and appeal dismissed (DPEA reference PPA-230-2189) for residential development and associated works on land 146m east of 143 Drum Street (application reference 15/02905/PPP).

Main report

3.1 Description Of The Proposal

The proposal is for the approval of matters relating to conditions for the development of 149 new residential units. It relates to conditions one, two, four and six of the associated consent for Planning Permission in Principle (application reference 14/01238/PPP) which are noted as follows;

- Condition one is for the approval of matters relating to detailed design, landscape, sustainability, servicing, waste management and site levels.
- Condition two requires the specification of proposed external materials for approval.
- Condition four is for the approval of archaeological matters.
- Condition six of for the approval of matters relating to the removal of invasive non-native species.

Conditions three and five relate to site investigation matters. Insufficient information has been submitted to assess these conditions at this stage and these are not included in this consent.

This proposal includes 125 houses and 24 flats. Houses will be a mix of terraced, semi-detached and detached units. All houses will be two storeys in height. The apartments will be three storeys in height, and will be located to the west of the main entrance, in the southern part of the site. Flatted properties will have one or two bedrooms. Dwelling houses will range in size from two-bed terraced properties to five-bed detached properties.

The houses and apartments' materials will be brick, primarily in a buff colour with some red brick properties distributed across the site. Roofs will be concrete tiles and restricted to a single dark grey colour. Windows, doors, fascias, soffits and rainwater goods will be dark grey in colour on all house types and the apartment buildings.

The boundary treatments are a mix of hedges, masonry walls and timber fences. Where houses and flats front onto public areas, the boundaries are treated with hedges and walls. There are no timber fences to the public realm.

Affordable housing is provided on site at a level of 25%, as secured through the Section 75 legal agreement of the Planning Permission in Principle. This will be provided in the south west of the site and will be tenure blind. The affordable housing provision will include one and two bedroom apartments and two and three bedroom houses. Eight affordable houses will be three-bed family homes (equalling 22% of the affordable provision). Affordable housing will be delivered in partnership with a registered social landlord.

Vehicular access to the site will be taken from a single point off Candlemaker's Park, to the south of the site. Pedestrian accesses are proposed on the east, south and west, with shared surface arrangements throughout the site.

A total of 267 vehicular parking spaces are provided across the site. The majority of these will be provided in private driveways and further parking will be provided in parking bays.

With regards to cycle parking, 100% provision is proposed to serve the flats, with cycle parking located adjacent to the bin stores. The houses will have private gardens and space to store a bicycle.

Pedestrian links are provided which will create connections to the wider Drum estate to the north east of the site.

Sustainable Urban Drainage is proposed across the site in accordance with the planning permission in principle and are incorporated in the form of porous paving and an end of line detention basin. Foul water will discharge to the existing 450mm combined sewer to the south of the site.

A landscape masterplan was submitted in support of the application and shows areas of wildflower planting, formal structure planting and grass areas. The total area of open space across the site is approximately 1.6 hectares, or 25% of the site area.

Scheme 1

The plans have been amended to alter the design of the parking layout along Candlemaker's Park, change the massing of the roof on the flatted blocks, add gable windows to some properties within the layout, and add a pedestrian footpath to the west of the site. The overall development footprint size of the two flatted blocks have been increased by approx 24 sq m each in order to increase unit size to ensure that individual units each meet the residential space standards set out in the Edinburgh Design Guidance.

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

- Site History Report;
- Invasive Species Progress Report 2;
- Landscape Statement;
- Drainage Assessment;
- Design and Access Statement;
- Swept path analysis; and
- Flood risk assessment and flooding self-certification documents.

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 complies with the planning permission in principle;
- b) The proposed layout, scale, mix and design are acceptable;
- c) Access, road safety and parking arrangements;
- d) the proposal will provide an acceptable level of amenity for existing and future occupiers;
- e) The proposal meets sustainability criteria;
- f) The proposal has any equalities or human rights impacts;
- g) The public comments have been taken into account; and
- h) There are any other material considerations.

a) The proposal complies with the planning permission in principle

The site is allocated for residential development (HSG 25) in the Edinburgh Local Development Plan (LDP). The principle of a residential development, of which 25% will be affordable, is established by the planning permission in principle (PPP) to which this application for approval of matters specified in conditions relates.

The site brief contained within the LDP states that any proposal for this site should address a number of transport requirements including the provision of a cycle link and should address appropriate and safe access from the site onto Drum Street. These are assessed in the transport section below.

Therefore, the principle is established.

b) Layout, density, design, heights and materials within the context of the area

(i) Context

Policy Des 1 (Design Quality and Context) requires that proposals will create or contribute towards a sense of place, drawing on positive characteristics of the surrounding area. The surrounding built environment is a mix of detached, semi-detached and flatted properties with varying materials and the proposed mix of houses and flats will complement the built form of the existing residential area.

Development on the site will be visible from the west and south, and will sit adjacent to existing housing at Candlemaker's Park and proposed housing at Gilmerton Station Road which is currently under construction. The positioning and fit of development on the site is appropriate and the layout and landscape structure will protect the more sensitive landscape edges to the west and south. The proposed housing is most dense around the southern part of the site, which is located closest to public transport linkages on Drum Street. This scale is appropriate for the site and surrounding context.

The inclusion of two three-storey apartment blocks is in keeping with the existing three storey block on Drum Street and helps to define the entrance to Candlemaker's Park. The apartment building and two semi-detached dwelling houses, positioned to the south of the site facing onto Drum Street, form an appropriate continuation of the street frontage.

However, the main characteristic of the surrounding area is the extensive existing woodland and historic setting of Drum House. The site contains elements of the western corner of the historic landscape designed for Drum House. In accordance with the requirements of the Gilmerton and South East Site Brief, a new woodland edge will be created along the north and west edges of the site. The landscape proposals will strengthen the existing landscape along these edges and will provide separation between new housing and the designed landscape of the Drum Estate. This will strengthen the existing woodland edge along the city boundary in this location, and contributes to the objectives of Policy Des 9 (Urban Edge Development).

A proposed footpath will link the existing residential area to the west at Candlemaker's Park, as required by the Gilmerton and South East Site Brief. A further footpath is provided to the north east of the site, linking into the existing network of paths within the Drum Estate, which provides further linkage opportunities and fits with the objectives of policy Des 9 (Urban Edge Development), which seeks to promote access to the countryside from new developments.

The proposals therefore comply with the requirements of Policy Des 1 and Des 9 by drawing on the positive characteristics of the existing area, strengthening the landscape features within the site and providing footpath links to the existing residential area and the Drum estate and surrounding countryside.

The proposed layout complies with LDP policies Des 4 (Impact on Setting) and Des 5 (Amenity) by providing an appropriate network of streets and open spaces which are well overlooked by residential properties. A strategy of boundary treatments has been proposed which provides good definition between public and private spaces, as required by Policy Des 5 (Amenity).

It provides a legible environment which connects new housing to the existing street network effectively, in accordance with Policy Des 7 (Layout Design).

The proposed layout is therefore acceptable.

(ii) Density, design, heights and materials

A total of 149 dwellings are proposed for the site, which fits within the LDP's proposed capacity for the site (125-175 units). This equates to a density across the site of 23.6 units per hectare.

The design of the development is appropriate in relation to its townscape impacts. Ten house types are proposed ranging from two bedroom terraced houses to five bedroom detached houses. A range of one and two bedroom apartments are proposed. The mix of flat and house types and sizes provides an appropriate range of properties which will attract a mixed range of occupiers and contribute positively to the LDP's sustainability objectives. The proposed affordable housing is a mix of flats and semi-detached houses with private gardens. Affordable housing units range in size from one-bedroom apartment to three-bedroom semi-detached houses. The unit sizes meet the standards set out in the Edinburgh Design Guidance and are acceptable.

The elevations of the flats provide an appropriate building form, with slightly protruding gable features which provide definition at the corners of the building. A mix of window sizes provides some vertical articulation and break up the elevations.

Additional gable windows have been provided in some properties located at key nodes and overlooking areas of open space which adds interest to the elevation and provides further opportunity for natural surveillance of public areas. Each of the houses has private gardens to the rear which provide them with adequate private amenity space.

The heights of the proposed units reflect heights both in terms of the existing residential development and the residential development currently under construction in the site to the west. Proposed site levels and sections have been assessed and are satisfactory.

The use of brick for both houses and flats is appropriate in this location, and will provide an appropriate fit with the adjacent residential development, which has a mix of render and brick finish. The proposed use of Rothesay Blend Wienerberger brick on the two apartment blocks and majority of dwelling houses is appropriate in colour and texture. The integration of housing groups with a red brick finish (Wienerberger Oakwood Multi) will break up the uniformity of the lighter brick houses and will help to provide legibility and definition within the streetscape. The proposed dark grey windows, fascias, soffits, rainwater goods and concrete roof tiles are appropriate.

The proposed layout, design, heights and materials are acceptable.

(iii) Landscape and Open Space

The landscape plan has an appropriate mix of species and landscaping treatments for the site, including native species of trees which are found in the Drum designed landscape, as recommended by Historic Environment Scotland (HES). The Council's Archaeologist is satisfied with the proposed landscape strategy in relation to the proposed treatment of the existing historic woodland at the north and east of the site.

Woodland rationalisation around the north and east site boundaries was approved as part of the PPP, and the further planting proposals for this area are acceptable.

A condition is recommended requiring that tree protection measures must be undertaken in proximity of the proposed gabion wall along the northern site boundary to ensure that larger trees are not adversely affected.

The proposed landscape treatment should help create a distinctive and pleasant place to live. A condition is recommended to ensure the implementation of the landscaping at appropriate stages of the development.

The communal open space is positioned centrally in the site and forms a green connection from the additional communal open space in the west of the site and the woodland path to the east of the site, which will encourage movement through the site. The SUDs area in the south west corner of the site provides additional amenity green space. The communal areas of open space are well overlooked by housing which will encourage their use and wider community interaction. The useable green space across the site exceeds the 20% of total site area required by policy Hou 3 (Private Green Space in New Development).

Communal private open space has been provided around each apartment block. Provision exceeds the 10 square metres per flat required in terms of LDP policy Hou 3 and is sufficient.

The proposed landscaping and open space are acceptable.

(iv) Phasing

The development will be phased over a four year period, with around 40 completions planned per year. The first phase of development will focus in the south of the site, and will include the affordable housing provision. The second phase will take place in the north of the site, and land in the west of the site will be the third and final development phase. This approach is acceptable.

Conclusion

The proposed density, scale, mix and design are acceptable, subject to conditions relating to lighting, tree protection and implementation of landscape strategy.

c) Access, road safety and parking arrangements

The principle of the access arrangements across the site and number of dwellings which will be served via the existing Candlemaker's Park route has been approved through the existing planning permission in principle. The site layout has been modified in part from the approved planning permission in principle. The revised road layout and parking arrangements have been reviewed by Transport and there are no objections.

A request for a lockable bollard providing emergency vehicular access from the footpath to the north east into the site has been considered and is not deemed to be necessary. Transport is satisfied that a single access into the site from Candlemaker's Park is sufficient.

The strategic impacts of the development on the wider transport network have been assessed and approved through the existing planning permission in principle. Developer contributions have been agreed in line with the adopted LDP Action Programme and are secured through a legal agreement attached to the planning permission in principle. The agreed contributions are required to upgrade the Gilmerton Crossroads and footpath links through to Candlemaker's Park. The contributions will be paid at a series of trigger points once construction has commenced.

A total of 267 parking spaces are provided within the site boundary. Parking provision comprises a mix of parking bays, off-street parking in driveways and on-street parking for visitors. The proposals for car and cycle parking are acceptable.

d) the proposal will provide an acceptable level of amenity for existing and future occupiers

Policy Des 5 (Amenity) relates to the amenity of existing and future occupiers and seeks to ensure that amenity is not adversely affected by new development. The closest existing residential properties are located at the Candlemaker's Park development, to the west of the site boundary. There is at least 30m between existing properties and the proposed housing and there will be no issues with privacy, overlooking or overshadowing.

Future Residents

Privacy

The majority of windows between the proposed properties are located a minimum of 18m apart. There is an exception at plots 74 and 87 where the distance is 17.6m. This is a minor contravention of the Council's guidance. However, the overall layout allows for reasonable space between dwellings to allow for an appropriate level of privacy to be achieved and is acceptable.

Open Space

Policy Hou 3 (Private Green Space in New Development) requires ten square metres of open space to be provided for each flat (therefore 240 sqm is required in total), and that 20% of the total site area should be green space. There are 685 sqm of amenity space associated with flats one to twelve, and 550 sqm of amenity space associated with flats 15 to 26. This exceeds the required standards and is acceptable.

The majority of rear garden grounds extend to 9m in depth. Twelve properties will have gardens which do not meet this threshold, extending to a depth of between 7.25m to 8.8m. In this instance, in order to meet the preferred density standards for the site, and given the sufficient level of provision of shared open space within the development, it is acceptable that some of the rear gardens have a slight shortfall in their recommended depth.

Sunlight and Daylight

Assessment of the indicative site layout at PPP stage indicated that 8% of the proposed units will not receive a minimum of three hours of sunlight during the spring equinox in their rear gardens. The affected properties will receive sunlight to their front gardens during this period, meaning that between 30 and 40% of total garden ground will receive sunlight. This is considered to be a marginal contravention of the Edinburgh Design Guidance.

The amendments to the layout from PPP stage do not have a significant bearing on the earlier sunlight assessment, and the assessment is considered to be acceptable in this instance.

Waste

Refuse and recycling facilities will be located within rear private garden grounds for houses and communal facilities for the apartment blocks are provided in an appropriate location within close walking distance of the front doors, and within acceptable distance for collection from the local authority. A swept path analysis has been completed and Waste Services is satisfied with the proposed waste management strategy.

Conclusion

The proposed development is acceptable in terms of its impact on the amenity of existing and future residents.

e) The proposal meets sustainability criteria

A Sustainability Statement was submitted in support of the application for Planning Permission in Principle (14/01238/PPP) for which the applicant achieved the required 80 points for essential sustainability criteria.

The dwellings will be constructed in accordance with the latest Building Regulations with increased insulation to the fabric of each dwelling and the incorporation of high performance appliances. The development is close to local amenities and the existing public transport network. Many existing landscape features are to be retained and enhanced.

The sustainability measures are acceptable.

f) The proposal has any equalities or human rights impacts

A range of living accommodation will be provided that will support different users. This site is accessible for those with mobility issues. The proposed development will give good access to public transport, green spaces and local facilities. There are no identified equalities issues.

g) The public comments have been taken into account

Material representations - objection:

- Change of character to Candlemaker's Park (assessed in 3.3(c) above);
- Location of car parking within new development (assessed in 3.3(c) above);
- Change in layout from the approved planning permission in principle plans (assessed in 3.3(b) above);
- Design of proposed housing (assessed in 3.3(b) above);
- Impact of development on wider transport network (assessed in 3.3(c) above);
- Previous use of the site for mining activities/ landfill (assessed in 3.3(h) below);
- Removal of woodland edge between site and Candlemaker's Park and Drum Street; (assessed in 3.3(b) above);
- Car parking provision (assessed in 3.3(c) above);
- On-site drainage (assessed in 3.3(h) below);
- Emergency access to site and existing adjacent housing (addressed in 3.3(c) above);
- Proposed three-storey apartment block height (assessed in 3.3(b) above);
- Impact of development on local services (assessed in 3.3(a) above);
- Density of development (assessed in 3.3(b) above);
- Drainage (assessed in 3.3(h) below);
- Lack of adequate wildlife survey (assessed in 3.3(h) below);
- Lack of site investigation information submitted (to be assessed via condition prior to commencement of development);
- Neighbourhood amenity/privacy of existing residents (assessed in 3.3(d) above);
- Visual connection between the existing and proposed development (addressed in 3.3(b) and 3.3(d) above);
- Location of affordable housing (assessed in 3.3(b) above);

- Request for a new pedestrian crossing on Drum Street (addressed in 3.3(c) above);
- Request for a lockable bollard to be provided allowing for emergency access to the site at Drum Estate West (assessed in 3.3(c) above);

Non-Material Representations:

- Alleged inaccuracies in applicant's supporting information submitted at PPP stage relating to transport assessment and cumulative impacts of development;
- The principle/ legal right of the applicants to develop the green verge along Candlemaker's Park;
- Dissatisfaction relating to consultation/ neighbour notification process (statutory consultation guidance was followed);
- 4-year development timescale and impact on amenity during construction phases (a matter for site management and Local Area Roads Manager);
- The new development should not be associated with the name "Candlemaker's";
- Council should introduce parking permits for residents in the local area;
- Request for an additional bus route linking to Bonnyrigg;
- Air pollution (addressed at PPP stage);

Gilmerton and Inch Community Council

Material points of objection;

- Revisions to site layout from the planning permission in principle consent, particularly the removal of trees/ shrubbery around edge of the site (assessed in 3.3(b) above);
- Single access point for existing homes at Candlemaker's Park and proposed development (assessed in 3.3(c) above);
- Proposed three-storey apartment block height (assessed in 3.3(b) above);
- Proposed parking layout; (assessed in 3.3(c) above);
- Concern over historic use of site for depositing building/ other waste on site; (assessed in 3.3(h) below);
- Amenity concerns for future residents of the development; (assessed in 3.3(d) above);

Non-Material Representations;

- The principle/ legal right of the applicants to develop the green verge along Candlemaker's Park - not a material planning issue.

h) There are any other material considerations

Environmental Assessment

A Report on Preliminary Site Investigations was submitted in support of the application. Environmental Assessment has noted that the applicant has not undertaken sufficient investigations at this stage to fully assess the ground conditions of the site. Accordingly, condition three of the PPP consent cannot yet be discharged.

The Coal Authority has noted that the applicant has not undertaken sufficient investigations to ascertain if a mine entrance is present on the site. Accordingly, condition five of the PPP consent also cannot be discharged at this stage.

Both conditions three and five remain outwith this consent and will require assessment prior to the commencement of development on site.

Environmental Assessment has raised no other issues pertinent to the application.

Communities and Families

The education impact of the proposed development was assessed as part of the planning permission in principle application (14/01238/PPP), and an appropriate contribution will be secured via legal agreement attached to the PPP consent.

Flooding

Flood Prevention has reviewed the proposals and has confirmed that it is satisfied with the scheme and its associated flooding self-certification report. Scottish Water has noted the intention to adopt the proposed SUDs scheme once completed, providing these are designed and built to the appropriate specification. SEPA has no objection to the proposed development. There are no other flooding issues of concern.

Archaeology

The Council's Archaeologist has assessed the archaeological and historical significance of the site, noting particular significance of the historic tree belts to the north and east. He has advised that he is satisfied with the proposed plans and Landscape Statement for the site, and that proposals will allow for historic features on site to be predominantly retained, and a management process put in place for their longer term conservation. Condition four of the PPP consent (14/01238/PPP) can therefore be satisfactorily discharged.

Habitat

An Ecological Assessment was completed at PPP stage and concluded that the proposed development would not adversely impact on protected species. The applicant's ecological consultant has undertaken a walkover of the site and confirms that there is no evidence of bats on the site. An updated survey assessing the potential presence of badgers on the site is required to be undertaken prior to commencement of development. This will be delivered by condition.

It is noted that the invasive species found on site during the PPP application process (Japanese Knotweed and Giant Hogweed) are currently being treated. Treatment will continue until 2018. Condition six of the PPP consent (14/01238/PPP) can be discharged on these grounds.

Conclusion

The principle of housing is established on the site and the proposed mix, layout, scale, design and access arrangements are acceptable and appropriate to their urban edge context. The proposal will provide an acceptable level of amenity to existing and future occupiers. Conditions one, two, four and six of Planning Permission in Principle 14/01238/PPP can be discharged. There are no material considerations which outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. No development shall commence until (1) an updated badger survey has been undertaken in relation to the site and (2) the findings of the survey including measures to mitigate any impacts of the development have been submitted to and agreed in writing by the Head of Planning and Building Standards. Any mitigation measures shall then be carried out in accordance with the agreed scheme.
2. The approved landscaping scheme shall be fully implemented within six months of the completion of the development.
3. Prior to the commencement of works on site, a plan showing the extent of tree protection measures shall be submitted to and agreed in writing by the Head of Planning and Building Standards and undertaken in proximity of the proposed gabion wall along the northern site boundary. The works shall then be carried out as agreed.

Reasons:-

1. To allow the proper consideration of the impact of the proposed development on the above noted species, in accordance with Policy Env 16 Species Protection of the adopted Edinburgh Local Development Plan.
2. In order to ensure that the approved landscaping works are properly established on site.
3. To ensure that existing larger trees in this area are not adversely affected.

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. The following conditions remain outstanding from Planning Permission in Principle 14/01238/PPP: Condition 3: Remediation of Site and Condition 5: Mine Entry Investigation.
5. All accesses must be open for use by the public in terms of the statutory definition of 'road' and shall be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, access, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification.
6. The applicant is encouraged to consider the provision of electric vehicle charging points. This could be provided by a weather proof plug point at each driveway or internally within a garage, if provided, so that occupiers can recharge an electric car at their property.
7. Any off-street residential hard standing should be porous, to comply with 'Guidance for Householders' published in December 2012.
8. For the avoidance of doubt window materials must be re-cycled UPVC, timber or aluminium.
9. The applicant is encouraged to provide details of tree-pits in both hard and soft landscape areas to control quality of implementation of new trees.

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

Following an initial round of neighbour notification, forty-eight letters of objection were received. Of these, one was neutral, and forty-seven were objections. A petition objecting to the development was also submitted, containing 109 names.

A second round of neighbour notification was carried out following the submission of amended plans and this attracted a total of 111 letters of representation. All of these letters were objections.

An assessment of these representations can be found in the main report in the Assessment section.

Background reading/external references

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

Statutory Development

Plan Provision

The site is identified as housing allocation HSG 25 in the adopted Edinburgh Local Development Plan.

The Gilmerton and South East Site Brief sets out development principles which are applicable to the site.

Date registered

20 February 2017

Drawing numbers/Scheme

01, 02A, 03, 04A-08A, 09, 10, 11A-16A, 17-19, 20A, 21, 22A,, 23, 24A ,25-26, 27A -28A, 29,

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Julie Ross, Planning Officer

E-mail:julie.ross@edinburgh.gov.uk Tel:0131 529 4468

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

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

LDP Policy Env 7 (Historic Gardens and Designed Landscapes) protects sites included in the national Inventory of Gardens and Designed Landscapes and other historic landscape features.

LDP Policy Env 9 (Development of Sites of Archaeological Significance) sets out the circumstances in which development affecting sites of known or suspected archaeological significance will be permitted.

LDP Policy Env 11 (Special Landscape Areas) establishes a presumption against development that would adversely affect Special Landscape Areas.

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

LDP Policy Env 15 (Sites of Local Importance) identifies the circumstances in which development likely to affect Sites of Local Importance will be permitted.

LDP Policy Env 16 (Species Protection) sets out species protection requirements for 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 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 Hou 6 (Affordable Housing) requires 25% affordable housing provision in residential development of twelve or more units.

LDP Policy Des 4 (Development Design - Impact on Setting) sets criteria for assessing the impact of development design against its setting.

Other Relevant policy guidance

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

Appendix 1

Application for Approval of Matters Specified in Conditions 17/00696/AMC

**At Land 126 Metres North Of 137 Drum Street,
Candlemaker's Park, Edinburgh**

Residential development including detailed site layout plan showing position of buildings, roads, footpaths, parking, cycle parking, boundary treatments, landscaping, details of existing and finished levels, flood attenuation details (matters listed in conditions 1, 2, 4 and 6 of planning consent 14/01238/PPP) (as amended)

Consultations

Transport

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

1. All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. Particular attention must be paid to ensuring that refuse collection vehicles are able to service the site. The applicant is recommended to contact the Council's waste management team to agree details. A Quality Audit, as set out in Designing Streets, to be submitted prior to the grant of Road Construction Consent. For the avoidance of doubt, the road layout is not approved at this stage;

2. The applicant will be required to:

- a. Contribute the sum of £80,000 to the Gilmerton Station Road / Drum Street Transport Contribution Zone as set out in the Developer Contributions & Infrastructure Delivery Supplementary Guidance dated March 2017 (page 41);*
- b. Contribute the sum of £2,000 each, to progress suitable traffic orders to inter alia redetermine footways / carriageways, introduce yellow lines, control disabled parking spaces as necessary for the development;*
- c. Construct or provide the following as set out in the Edinburgh Local Development Plan Action Programme dated December 2016 (Drum HSG 25 page 18):*
 - Cycle link - Gilmerton Road to Lasswade Road;*
 - Cycle link - Drum Street to SE Wedge Parkland;*
 - Upgrade bus stops and enhance peak capacity on Gilmerton Road;*

- Widen existing footway to 3.5m (shared use);
- Toucan crossing over Drum Street to access The Drum site. x2 Toucan crossing: £60k;
- New 3.5m shared use path (70m) from western boundary of The Drum site to Candlemaker's Park. May require land purchase. Path: £17,600;

3. Cycle parking for those properties without garages will be required in a secure and undercover location. The design, layout and specification to be to be satisfaction of the Chief Planning Officer;

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 residents;

5. The applicant should note:

- 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 gates must open inwards onto the property;
- d. Any hard standing outside should be porous, to comply with 'Guidance for Householders' published in February 2016;
- e. The applicant should be informed that prior to carrying out any works to an existing road, whether adopted or not, a Minor Roadworks consent must be applied for and secured;

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 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 2002 regulations or British Standard 8300:2009 as approved by the Head of Transport;

7. The developer must submit a maintenance schedule for the SUDS infrastructure for approval of the Chief Planning Officer.

Archaeology

Further to your consultation request I would like to make the following comments and recommendations concerning this application for planning permission for residential development comprising 149 new homes, including 135 houses and 24 flats.

As stated in my response to the 2014 PPP application, the site although predominantly land fill does overlie and contain elements of the western corner of the historic Landscape designed by William Adam for Drum House. Accordingly, this site was identified as occurring within an area of archaeological and historical significance and a condition (no.4) requiring the preservation of the historic tree belts (forming the Northern and Eastern boundaries) and a programme of works during ground breaking works in these areas.

Having looked over the proposed plans for the site and the Landscape Statement by Paul Hogarth, I'm content that not only these historic landscape features to be predominantly retained but a management process is to be put in place for their longer-term conservation. Similarly given the limited nature of significant ground works in these areas of archaeological interest, it is considered that the potential impacts are much reduced to an extent that it is consider unnecessary to undertake any further archaeological work.

As such through design the applicants have met the tenants of the Planning Condition (no.4) attached to the PPP consent and therefore this condition can now be discharged.

Housing and Regeneration

1. Introduction

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

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

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

2. Affordable Housing Provision

This application is for a development consisting of a 149 homes and as such the AHP will apply. There will be an AHP requirement for a minimum of 25% (37) homes of approved affordable tenures. We request that the developer enters an early dialogue with the Council:

- The tenure of the affordable housing must be agreed by the Council and;*
- The Council will identify the Registered Social Landlord(s) (RSLs) to take forward the affordable homes, and deliver a well integrated and representative mix of affordable housing on site.*

The applicant has stated that the affordable housing will account for 37 (25%) of the new homes and will be located on site in the southwest area of the development. The affordable homes are required to be tenure blind, fully compliant with latest building regulations and further informed by guidance such as Housing for Varying Needs and the relevant Housing Association Design Guides.

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

3. Summary

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

- The applicant is requested to enter into an early dialogue with the Council who will identify Registered Social Landlord(s) (RSLs) to deliver the affordable housing*
- The tenure of the affordable housing must be agreed with the Council*
- The affordable housing must include a variety of house types and sizes to reflect the provision of homes across the wider site*
- All the affordable homes must meet the Edinburgh Design Guidance and also meet the relevant Housing Association Design Guidance size and space standards*
- In the interests of delivering mixed, sustainable communities, the affordable housing policy units will be expected to be identical in appearance to the market housing units, an approach often described as "tenure blind"*
- The applicant will be required to enter into a Section 75 legal agreement to secure the affordable housing element of this proposal.*

We would be happy to assist with any queries on the affordable housing requirement for this application.

Flood Prevention

Response 1 - dated 15 March 2017

It does not appear that the applicant has completed the required Self-Certification checklist, nor submitted a signed Self Certification Certificate. The completed checklist should be submitted prior to a request for a Flood Prevention consultation.

Once the applicant has completed the checklist and submitted all the required information as noted in the self-certification guidelines then we will be glad to review the submission.

In addition we would require clarification on the following points:

- 1. Attenuation must be provided to allow 200yr + climate change discharge at the lesser rate of 1:2 year greenfield runoff rate or 4.5 l/s/ha of impermeable area. In the Drainage Assessment part_1 the discharge for Network 1 is given as 7.3 l/s/ha, with 5 l/s/ha for Network 2. This suggests that the SUDS detention basin may not be of sufficient volume for this site.*

2. In the Drainage Assessment part_1 the development area is given as both 6.4 ha and 4.95 ha. Please can the Developer clarify both the total site area, and the impermeable area.

Response 2 - dated 15 May 2017

Please find attached email to yourself dated 15th March 2017 which raises questions about the information provided to date by the developer with regards to Flood Planning.

In addition, the developer must also confirm who will adopt and maintain their SuDs basin.

Response 3 - dated 4 July 2017

Once I have received the self-certification from the Developer I will review the application. Please note that we will also need to see a copy of the letter from Scottish Water confirming that they agree in principle to adopt the SUDS basin. Please be aware that Scottish Water generally only adopt below-ground SUDS.

Response 4 - dated 26 July 2017

The Developer has provided a signed self-certification, but has not attached the required checklist to accompany it. We cannot approve the application until this has been received. They included a blank checklist in their original Drainage Assessment, so they are aware of it. I have attached a copy of the latest version for them to complete.

Response 5 - dated 26 July 2017

Thanks for forwarding on. This now addresses all of Flood Prevention's concerns and we are happy to recommend this for approval at determination.

Historic Environment Scotland

We welcome the substantial boundary structural tree planting on the north and east margins of the proposed development to provide a buffer between the proposed development and The Drum designed landscape. In a previous consultation (14/01238/PPP) we suggested gradually replacing the poplars with a planted buffer of large broadleaved tree species found elsewhere across the designed landscape. Thus, as the proposed development sits largely within the GDL, we suggest there is an opportunity to strengthen the presence of policy woodlands on the north and east margins through a balanced approach to GDL and biodiversity interests. You may wish to consider that the choice of species be informed by those that predominate in the existing policy parkland tree and woodland mix, with deciduous and evergreen species where appropriate, to provide year-round interest and screening.

Planning authorities are expected to treat our comments as a material consideration, and this advice should be taken into account in your decision making. Our view is that the proposals do not raise historic environment issues of national significance and therefore we do not object. However, our decision not to object should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on development affecting the historic environment, together with related policy guidance.

Coal Authority

As you will be aware, the application site falls within the defined Development High Risk Area; therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to development at the site. The Coal Authority's information indicates that underground coal mining has taken place at shallow depth beneath the site and that further unrecorded underground coal mining is likely to have taken place at shallow depth.

In our consultation response of 22 April 2014 to the original application for planning permission in principle for residential development at the site (14/01238/PPP), The Coal Authority raised no objection to the proposal subject to the applicant undertaking of a scheme of drilling and grouting works to stabilise shallow mine workings beneath the site, as recommended in the applicant's supporting Report on Preliminary Site Investigations. We also recommended that an unrecorded mineshaft which may be present within the application site, and which is referred to in the submitted Report, should be investigated and treated if located.

We note that planning permission in principle was subsequently granted subject to several conditions. Whilst coal mining legacy is not specifically referenced, The Coal Authority assumes that the LPA is satisfied that Condition 3 of planning permission 14/01238/PPP provides sufficient scope to secure the stabilisation of the shallow mine workings beneath the site. We also note that Condition 5 requires the undertaking of further site investigations to establish the presence or otherwise of the unrecorded mine entry which may be present within the site, although of particular concern is the failure of the condition to require any treatment of the mine entry if located.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. The Coal Authority has adopted a policy where, as a general precautionary principle, the building over or within the influencing distance of a mine entry should wherever possible be avoided. The Coal Authority would take this opportunity to make the applicant aware of our adopted policy:

www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

In light of the above policy, The Coal Authority is disappointed that the applicant has not undertaken investigations to ascertain whether a mine entry is present within the site, as the presence of such a feature has clear implications for the detailed site layout. However, in light of the anecdotal nature of the reference to the presence of the shaft within the site and the 'pre-commencement' rather than 'pre-approval of Matters Specified' wording of Condition 5, The Coal Authority wishes to raise no objection to the current application.

However, should any previously unrecorded mine entry be found on site, appropriate treatment will be required, i.e. filling and capping. The applicant should also be made aware that this may also necessitate revisions to the site layout to avoid the construction of built development over or within influencing distance of the mine entry.

The Coal Authority would welcome the opportunity to provide the LPA with comments regarding any information subsequently submitted by the applicant to address the requirements of Conditions 3 and 5 of the planning permission 14/01238/PPP.

Waste Services

Response 1 - dated 1 March 2017

Waste and cleansing services takes no stance either for or against the proposed development but as a consultee would make the following comments:

Waste and Fleet Services would expect to be the service provider for the collection of waste as this appears to be a residential development. The application form refers to "Common storage provided for all apartments. Private storage provided to all houses. Refuse to be presented at kerbside for Collection". We would require to know what quantity of bins and type you are suggesting is use. We would require to see this to ensure waste and recycling requirements have been fully considered and adequate space is provided.

It is imperative that adequate provision is made for the storage of waste off street, and that cognisance is taken of the need to provide adequate space for the storage of segregated waste streams in line with the Waste (Scotland) Regulations which require the source separation of dry recyclable materials, glass, food, etc.

Adequate provision should also be made for the effective segregation of materials within the building not just at the point of collection. Adequate access must also be provided to allow uplift of waste safely from the collection point taking into consideration the traffic flows at this busy location.

In view of these factors the developer must contact Waste Services at the earliest point for advice relating to their options so that all aspects of the waste & recycling service are considered i.e. access for vehicles, health & safety, presentation points for kerbside bins and/or boxes and size of storage areas required in residential gardens for all bins & boxes etc. We will also require a swept path analysis/vehicle tracking to show how the vehicle will manoeuvre.

Response 2 - dated 6 July 2017

I have the following comments to make.

The dead end access between 133 & 137, I consider to be too far to reverse and it would appear to run over a parking space. The turning movement into this section of road is also too tight.

It is unclear what the vehicle is running over outside plots 48/49.

I am not sure what the details is at plot 103, but there looks to be a lot of overhang once you turn the corner.

The turn outside 110/111 is too tight.

Response 3 - dated 20 July 2017

Please can the developer provide me with:

Drawings of the presentation area for the bins

Where they intend our vehicle to stop and

Pulling distances from point of presentation

What type of bins they are suggesting they use? Communal or individual?

Response 4 - dated 25 July 2017

Further to our conversation, please could you complete the attached checklist to show that you have accommodated all our requirements.

Just to confirm, you will require 2 x 1280L residual waste, 2 x 1280L mixed recycling, 1 x 240L food and 1 x 240L glass bins in each of your two bin stores. There should be a distinct path direct from the bin store to the roadway, of less than 12m.

Residents should be notified that they are required to pull their bins to the presentation points as discussed. Can I check that there is sufficient space for all 12 bins at the presentation point, that it doesn't infringe on the properties 133 or 137, nor impact on pedestrian access - I am not sure if this area has hard standing?

Response 5 - dated 2 August 2017

Yes, we are happy with the plans with the clarifications that have been provided. We would ask that the team keep in contact with our team to ensure any adjustments do not impact on our services. We will issue a letter of agreement - is it ok to wait till next week for this?

Response 6 - dated 8 August 2017

NEW DEVELOPMENT: The Drum

This letter is confirmation that agreement on the waste strategy, details below, and requirements for this development have been reached and that the following conditions will apply.

Please also ensure that a copy of this letter is provided to the builder/developer, site manager and the property management company.

Waste strategy for new developments

The City of Edinburgh actively promotes the provision of recycling facilities in all new developments and throughout the city. The Waste (Scotland) Regulations 2012 make mandatory the provision of specific household waste recycling services and our own waste strategy supports this. Recycling collections are integral to the overall waste collection system, so it is necessary to incorporate recycling facilities within your development.

Provision and collection of waste containers

For flatted developments we normally require that communal wheeled containers are used for household waste and recycling. This would consist of containers for residual waste, mixed recycling, glass and food.

Information showing the dimensions of the communal containers has already been provided for your information in the architect instructions.

For your particular development at The Drum development, we would require the following:

*2 x 1280 litre Residual
2 x 1280 litre Mixed Recycling
2 x 360 litre Glass
2x 240 litre FW*

The developer must advise residents of the bin presentation points prior to collections being made. We cannot change presentation.

It will be the builder/developer's responsibility to provide the residual and recycling containers in line with our requirements, as outlined in the architect instructions. We can assist with this and will recover the costs of doing so. We require twelve weeks notice for bin orders, in order to arrange for the ordering, manufacture and delivery of bins. These should be submitted as a purchase order to the officer responsible for your development.

Responsibility for the bin storage areas will lie with the builder / developer until handed over to the property management company.

Property management

On completion of the building or individual block and when handover from the builder/developer has taken place the following requirement will apply:

Property management company responsibility includes:

- o Ensure that all material, residual or recyclable, are deposited within the communal bins prior to collection*
- o Removal of excess waste where residents do not use the containers provided*
- o Removal of any dumped items e.g. furniture, carpets, white goods etc*
- o General cleaning of the bin storage areas*
- o Ongoing provision and maintenance of associated infrastructure, e.g. bin lifts, bin stores etc*

The City of Edinburgh Council responsibility includes:

- o Provide initial guidance documentation for residents in using the recycling facilities*
- o Servicing of residual and recycling waste containers as scheduled*

It is appreciated that new occupiers may initially have quantities of cardboard and other recyclable material generated from new appliances. We request that householders flatten cardboard boxes and deposit them in the mixed recycling bins provided. Large cardboard boxes should be flattened and placed alongside the containers for collection. Excess waste can be taken to the local Community Recycling Centre, which are open 7 days a week. More information about these is on our website.

Information on the Council's special uplift service for the removal of bulky household items may be obtained by contacting 0131 529 3030.

I trust the above information is of assistance, however if I can be of further help, please don't hesitate to contact me.

SEPA

We have no objection to this planning application. Please note the advice provided below.

Foul drainage

Foul drainage from the site should be discharged to the public sewerage network. We note that capacity at Edinburgh Sewage Treatment Works has been confirmed in Appendix B of Drainage Assessment Part 1. We confirm that it is the responsibility of Scottish Water to ensure that the additional flow arising from this development will not cause or contribute to the premature operation of consented storm overflows.

Surface Water Drainage

The discharge of surface water to the water environment should be in accordance with the principles of the SUDS (Sustainable Drainage Systems) Manual (recently updated to version C753) published by CIRIA. We note that the Single Index Approach Output has been provided by the applicant by way of Appendix C in Part 2 of the Drainage Assessment which confirms the appropriate level of SUDS for the site.

Surface water drainage from the construction phase should also be dealt with by SUDS. Such drainage should be in accordance with C648 and C649, both published by CIRIA. It should be noted that oil interceptors are not considered SUDS in their own right but are beneficial as part of the treatment train.

SNH

No consultation response has been provided.

Children and Families

The education impact of the proposed development was assessed as part of the planning permission in principle application (14/01238/PPP). The legal agreement attached to the planning permission will secure a contribution towards the delivery of relevant education actions set out in the Council's Action Programme which is sufficient to mitigate the impact of the proposed development.

Environmental Assessment

Response 1 - dated 3 April 2017

I've been allocated this case in Environmental Protection to discharge condition 3 of planning consent granted for application 14/01238/PPP. I know you previously emailed Andy wondering if what had been submitted by the agent so far was sufficient: you are correct - it's not enough. Part 1 of the 'Site History' document on the portal makes mention of (and summarises) an intrusive investigation carried out by the Mason Evans Partnership in 2013. Until this document has been made available on the portal I can't get on with assessing whether or not the condition can be discharged.

Response 2 - dated 5 April 2017

After I emailed yesterday I was able to speak to my colleague, Chris Gray. Chris was able to confirm that he responded to the 2013 Mason Evans report previously, to Laura Marshall (nee Loudon), when it was submitted as part of application 14/01238/PPP. I attach Chris's response letter for your information as given no further site information/updated report has been provided for 17/00696/AMC, it still applies. Perhaps the agent is planning a further AMC application to address condition 3 as you predict?

Can you request this document from the agent and make it available on the portal please?

Police Service

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.

Scottish Water

No consultation response has been received

Gilmerton and Inch Community Council

Material Alteration to Design Plans for the New Estate

The Site Plan prepared by ema architects for the residential development proposed by Taylor Wimpey is substantially different to the original plan prepared for exhibition three years ago and which was the basis, on assurances given, for comment at that time.

The new plan is so materially different and so much more disadvantageous in terms of green space and road safety on the access road that the original comments are no longer relevant and the plans need to be reconsidered.

Encroachment of Development onto Grass Areas Maintained by CRA

The original plan (see attached) in the main observed the integrity of the grass spaces and verges on both sides of the access road from the Drum Street entrance onwards to the first right hand corner.

The original plan situated the development and associated car parking, apart from that part of the development on the Drum Street frontage, within a shelter belt of grass areas and shrubbery to provide an element of seclusion. This had the effect of reducing the visual impact of the new development from the main Drum Street road and the access road to the existing Candlemaker's estate.

The new plans ride roughshod over the more sympathetic approach of the original plans (the only ones we had the opportunity of commenting upon at the time of the original application).

The grass areas and verges and the woodland frontage and amenity for the current Candlemaker's estate should be retained.

Car Parking Spaces on both Sides of the Access Road

The introduction of a rank of sixteen car parking spaces on the right hand side (the north side) of the access road coming in not only encroaches on the grass verge maintained by Candlemaker's Residents Association for a period in excess of 20 years and has an adverse visual impact but is a clear road safety hazard for vehicles exiting the current estate situated as it is just beyond a blind corner. Vehicles parked in these bays are likely to park bonnet first and to exit by reversing onto the road, compounding the danger. The car parking of the south side of the access road serving presumably the flats etc. on the Drum Street frontage again encroaches on land maintained by Candlemaker's Residents Association since at least 1994 and, again will complicate the road safety issues on that road.

Car parking for the development should be contained within the development and not transferred to an access road which will only be to the inconvenience of, and which is only used by, those residing or visiting our longstanding estate.

Rather than transfer the new development's car parking difficulties to locations outwith the perimeter of the development, the solution should be contained within the confines of the new development

The Actual Site Plans

The introduction of a three storey block of flats next to the "Arrival Square" has a clearly adverse visual impact and occupies what was primarily green space on the original plan. Again it would appear to incorporate the verge maintained by CRA.

It has been noted that the affordable complex of housing has been located on the access road and around the first right hand corner at the closest possible point next to the current estate and it is unclear the extent to which the current tree planting and shrubbery will be maintained. The integrity of the grass areas owned by CRA and the associated pavements must be respected.

The orientation of the houses and spaces within the actual development is significantly different to the original proposals but I have no objections to the actual design within the inside of the development as long as it has no adverse effects on the green spaces and boundaries within the existing estate or with visual aspects.

The design of the houses should however be sympathetic and in keeping with the existing Candlemaker's estate house styles and design especially at the perimeters adjoining the current Candlemaker's Park access road.

Drainage and other Environmental Issues

I merely wish to put on the record by drawing to your attention that not only is drainage in the field extremely poor but that the field was used as a landfill site for builders materials and the like with an element of fly-tipping over the years. My understanding from a number of long term residents is that Cala Housing had an option to buy this field in the 1980's but at that time it was determined that the site was unsuitable for house building for a number of reasons.

A perusal of council records might be beneficial in this regard.

Selection of a Name for the New Development

In view of the above issues, current residents in the Candlemaker's estate wish another name, not with a Candlemaker's prefix, selected for the new development to avoid any confusion amongst press or public in the event of any future difficulties arising.

The Height and Location of the Flats

Drum Street is primarily flanked by two storey flats. There is one three storey building next to the development but the ground floor of that is utilised for car parking for the residents therein. Either a two storey flat or a similar arrangement for the proposed Drum Street flat in this development might mitigate some of the car parking problems and the unsatisfactory solutions proposed on the Candlemaker's Park access road.

The new proposal for a three storey flat on the access road next to the "Entrance Square" is totally unsuitable both terms of location and in terms of visual amenity and should be restricted to two floors. Its position is such that it will impact on existing residents rather than being placed within the new development itself.

The height, location and design of the two "gateway" flats should be reconsidered.

Traffic Management and Access to Public Transport

This new development will more than double the number of vehicles attempting to access Drum Street, especially into town in the mornings and it would appear that there are no plans on how this is to be achieved. At the moment there are difficulties in turning right out of the estate at peak times and this is going to be compounded with no solutions being offered to mitigate the situation. The backup of cars on the access road is likely to be significant.

It is almost certain that traffic management features will need to be introduced at the Drum Street entrance such a yellow box junction and/or traffic lights which might only be operational during rush hours.

The argument why Drum Street is unsuitable for any increases in traffic has been made time and time again and I won't rehearse these points again. I will however point that cars use this road all the way to the roundabout out of town for parking at no cost during the working day and that there are no controls on that.

The Council wish to encourage public transport. How do residents access the bus stop going into town with the current and increasing levels of traffic? Currently to cross the road at that point, there have been a number of near accidents between vehicles and those on foot.

A pedestrian crossing may be the only solution.

Emergency Access

Any major accident or build-up of traffic including site vehicles at or within this junction may result in access being unavailable.

A lockable bollarded access, perhaps off the Drum Estate West Drive on the footpath track proposed in the development plans, improved to provide a single track tarmacked surface for vehicles and only available for that purpose in such circumstances is the best solution.

Length of Time for Completion of Development

It is noticed that it is proposed that this development will be carried out in phases over a number of years. This is obviously to assist cash flow at the inconvenience of the current residents who will suffer building work for years.

This is unacceptable and terms should be imposed by the Planning Authority to ensure that the development is completed to a shorter timescale.

Nota Bene: The Legal Position

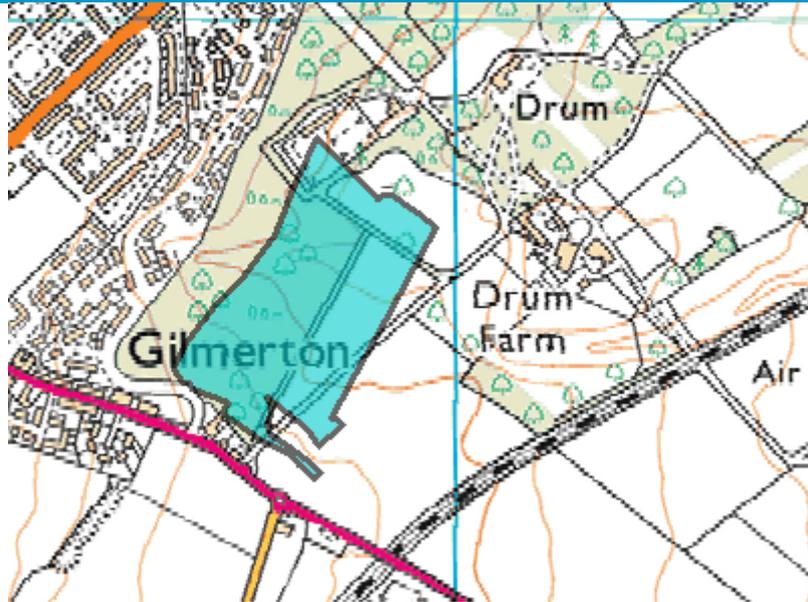
Please note that in addition to the lands within the body of the Candlemaker's estate, we as an Association maintain as a requirement and a right within our Deed of Conditions the grass areas and verges and associated plantings on the access road "in all time coming" and have done so as an Association at considerable cost after the local authorities were given the opportunity but declined to accept responsibility for such maintenance in 1994. This responsibility and right extends from the bus stop grassed area going out of town on one side and from and including the bushes on the Abbey Lodge side all the way on both sides to the first right hand corner at the top of the access road within the estate.

We have done so openly, peaceably and without interruption for a period in excess of 20 years and wish to reserve our rights arising from that for further discussion.

We note that, unlike the original plan, the developers have attempted to incorporate these areas within the red line boundary of their new site plan and we wish to hereby give notice that this is unacceptable in terms of the aforementioned Deed of Conditions.

I would conclude by saying that the revised plans are so different to the original proposals that we did not have as an Association a proper opportunity to comment and a planning decision was not reached on accurate facts. I look forward to further consideration and consultation.

Location Plan



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