

10.00am, Thursday, 31 May 2018

## Report of Pre-Determination Hearing – 1 Riccarton Mains Cottages, Riccarton Mains Road, Currie (Land 320 Metres Southeast Of) – referral from the Development Management Sub-Committee

Item number	8.4
Report number	
Executive/routine	
Wards	
Council Commitments	

### Executive Summary

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To consider the recommendation of the Development Management Sub-Committee on a planning application which was the subject of a pre-determination hearing under the procedures set out on the Town and Country Planning (Development Management Procedures) (Scotland) Regulations 2008.

# Terms of Referral

## Report of Pre-Determination Hearing – 1 Riccarton Mains Cottages, Riccarton Mains Road, Currie (Land 320 Metres Southeast Of) – referral from the Development Management Sub-Committee

### 1. Terms of Referral

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- 1.1 In December 2009, the Council approved procedures for dealing with planning applications requiring to be considered by means of a pre-determination hearing.
- 1.2 On 25 April 2018, the Development Management Sub-Committee conducted a pre-determination hearing in respect of an application for planning permission in principle submitted by H & H Properties Plc for a residential development (class 9), flats (sui generis) (including affordable housing provision, university halls of residence), neighbourhood centre inc. retail (class 1), services (class 2), food and drink (class 3), non-residential (class 10) and assembly and leisure (class 11) with associated access, parking, open space, public realm and infrastructure works (inc. demolition of overhead and relaying of power lines) at land 320 metres southeast of 1 Riccarton Mains Cottages, Riccarton Mains Road, Currie.
- 1.3 The Sub-Committee received:
  - a presentation on the report by the Chief Planning Officer (Appendix 1)
  - a presentation by Dr Keith Symington and Vivien Granton - Currie Community Council
  - a presentation by Martin Hall and Michael Reid Thomas – Davidson Robertson Rural
  - a presentation by the applicant's agent in support of the proposals.

### Report by the Chief Planning Officer

- 1.4 The Chief Planning Officer provided details of the application and the planning considerations involved for planning permission in principle.
- 1.5 The site lies east of the Murray Burn and Heriot Watt University's Riccarton campus. It curves round Riccarton Mains Cottages on the north, to the south of a roundabout accessing the campus. There is agricultural land to the north east and east. To the south east is the Shotts Glasgow Central to Edinburgh railway line and

Whitelaw Crossing Cottage. The site boundaries are hedges, post and wire fences, stone walls and the east bank of the Murray Burn. There are trees along part of the site boundary, notably on the west. A narrow road, Donkey Lane, runs along the north east boundary and gives access to the east part of the site. A partially derelict section of the old Riccarton Mains Road lies within and gives access to the west part of the site. The site is within the Edinburgh Green Belt.

- 1.6 The application site, covering approximately 11.94 hectares, is undulating agricultural land, roads and woodland. Riccarton Mains Road splits the site into a smaller area on the west and a larger area on the east. Crossing the site are two sets of high voltage electricity lines on pylons and one low voltage line on wooden poles.
- 1.7 This application seeks planning permission in principle for a mixed-use development of houses, flats, university halls of residence, a neighbourhood centre including retail, services, food and drink, non-residential and assembly and leisure uses, with associated access, parking, open space, public realm and infrastructure works, including demolition and relaying of overhead power lines.
- 1.8 In preparing the Local Development Plan (LDP), the selection of greenfield housing sites for release went through a systematic and evidenced process. The Council has set out the evidence of its housing site assessment in the LDP Environmental Reports. The Second Proposed Local Development Plan - Revised Environmental Report, Volume 2, June 2014(pp 200-203) (originally under John Swan Sons plc) assessed the site and concluded that its development would not be in keeping with the character of the settlement and surrounding area as it would introduce large scale urban residential development into rolling farmland to the north of the railway line and east of Heriot Watt campus and would impact adversely on the overall open rural character of the landscape to the west of Edinburgh.
- 1.9 The site was outwith the West Edinburgh Strategic Development Area (SDA) as defined by the Strategic Development Plan (SDP). As such, its development would be inconsistent with the SDA's spatial strategy which seeks to prioritise in the first instance, the development of brownfield land and land within identified SDAs.
- 1.10 The Chief Planning Officer considered that the development of the site for residential purposes was not supported by the Edinburgh Local Development Plan (LDP) and was contrary to the provisions of LDP Policy Env 10 (Development in the Green Belt and Countryside).
- 1.11 The proposal was contrary to LDP Policy Hou 1 (Housing Development). Using the method described in the Housing Land Audit 2017 to assess unconstrained housing land with support, there is a five-year effective housing land supply in the Council's area. Even if there was a deficiency in the five year housing land supply, and considering the proposal against LDP policy Hou1 and the wide aims of the development plan, the proposal was not acceptable. It would have an adverse impact on the landscape setting of the city, would not provide suitable green belt boundaries and would not be in keeping with the character of the settlement and

local area. It has poor public transport accessibility for pedestrians and there is no guarantee that this could be improved.

- 1.12 Insufficient information had been submitted to fully assess the transport impacts of the proposal and whether the pylons could be removed and the overhead powerlines successfully redirected or buried.
- 1.13 In summary, the proposal was unacceptable in principle, in terms of sustainable location, impact on city setting and area character and setting, and in terms of sufficiency of information and is contrary to the development plan and there are no material considerations which would justify approval.
- 1.14 The Chief Planning Officer requested that the Sub-Committee recommend to the Council that the application be refused for the following reasons:
  - 1.14.1 The proposal is contrary to the provisions of Policy Env 10 (Development in the Green Belt and Countryside) of the Edinburgh Local Development Plan (LDP) as does not meet any of the criteria a) to d) for inclusion and it would detract from the landscape quality and the rural character of the area;
  - 1.14.2 The proposal is contrary to the Edinburgh Local Development Plan Policy Hou 1 (Housing Development) as it does not satisfy any of the criteria in Hou 1 Part 1 and does not satisfy Hou 1 Part 2 because it is not in keeping with the character of the local area, would undermine Green Belt objectives, has not fully demonstrated what additional infrastructure is required and that it can be provided within a relevant timeframe, and is not sustainable, to the detriment of the overall objectives of the Local Development Plan policy;
  - 1.14.3 The proposal is contrary to the provisions of the Edinburgh Local Development Plan Policy Tra 8 (Provision of Transport Infrastructure) as it has not fully demonstrated the cumulative effects of the proposal and that it can be addressed within a relevant timeframe. The proposal was contrary to Edinburgh Local Development Plan Policies Des 1 and Des 4 as the development will not have a positive impact on its setting, the wider landscape and views;
  - 1.14.4 The proposal is contrary to the provisions of the Edinburgh Local Development Plan Policy ENV 22 (Pollution and Air, Water and Soil Quality) as insufficient evidence has been submitted to demonstrate that there will be no significant cumulative adverse effects on local air quality and that noise from overhead pylons will not have a detrimental impact on future resident amenity;
  - 1.14.5 The proposal is contrary to the provisions of the Edinburgh Local Development Plan Policy Hou10 (Community Facilities) as it has not demonstrated that facilities, including healthcare, are available;
  - 1.14.6 The proposal is contrary to the provisions of Scottish Planning Policy (2014) section 80, as it would result in the non-essential and permanent loss of prime agricultural land; and

1.14.7 The proposal is inconsistent with the spatial strategy of the Strategic Development Plan as it would introduce development to greenfield land outwith the identified Strategic Development Areas.

### **Presentation by Currie Community Council**

1.15 Dr Keith Symington and Vivien Granton gave a presentation on behalf of the Currie Community Council.

1.16 Dr Keith Symington outlined the strategic context, the transport links, education and healthcare and environmental considerations associated with the proposals as follows:

#### 1.16.1 Strategic Context

- Riccarton Mains Village (RMV) was one of many applications that were not in the Local Development Plan (LDP).
- The Community Council believed that an overarching plan was essential.
- RMV is, therefore, not a sustainable development.

#### 1.16.2 Transport Links

- RMV was poorly integrated into transport infrastructure
- There was no cycleway to Currie, the consequence of this would be a reliance on cars.
- Lack of integration and transport links outweighed the benefit of development.

#### 1.16.3 Education and Healthcare

- Currie and Nether Currie primary schools were nearly at capacity.
- The four surgeries within reach were almost at capacity.
- There was no strategic integration.

#### 1.16.4 Environment

- CCC felt that the large student blocks were inappropriate.
- This development would have a negative impact on Heriot-Watt's "rural" feel.
- There is not enough evidence that the power lines could, and would, be sunk.

1.17 In conclusion, the Community Council agreed with development in a considered and careful context and the LDP provided this framework. However, RMV was not an expansion of their community, this was a new village on prime farmland in the green belt that was not in the LDP. Therefore, the Community Council agreed with the assessment that this proposal should be refused.

## **Presentation by Davidson Robertson Rural**

- 1.18 Martin Hall and Michael Reid Thomas gave a presentation on behalf of Davidson Robertson Rural.
  - 1.18.1 Martin Hall indicated that they objected to the proposed development. (Michael Reid Thomas and Davidson and Robertson had been located at Riccarton Mains since the 1970's and 1990's respectively.)
  - 1.18.2 The traffic on Riccarton Mains had increased substantially in recent years and at times was at capacity. This development would add yet further congestion unless an alternative access was used to help alleviate bottlenecks and further road junctions onto Riccarton Mains Road between Herriot Watt and Currie.
  - 1.18.3 Riccarton Mains Road had for many years been quite a dangerous road, with blind corners and an adverse camber. In addition, there was little provision for pedestrians and cyclists to travel safely, with poor connectivity to the railway station.
  - 1.18.4 On this basis they objected to the proposed development. It was their view that if consent was granted then an access to this site should be directly off the existing branches of Riccarton Mains Roundabout.

## **Presentation by Applicant - Tim Ferguson (Ferguson Planning)**

- 1.19 Tim Ferguson (Ferguson Planning) and Alex Sneddon (Transport Planning) gave a presentation on behalf of the applicant the H&H Group PLC.
- 1.20 He advised that the H&H Group were, by way of background, Property and Farmstock Brokers who operated across Scotland and the north of England.
- 1.21 The H&H Group had acquired the land as part of the overall John Swann takeover back in 2015 but soon realised on the review of their land portfolio that, due to the large overhead pylons and general low quality of the land, the overall value of the subject site for agricultural purposes was low.
- 1.22 Following press reports of a housing shortfall within the city, and in particular in the proximity of the university, park and ride and Currie Train Station, this had led to the appointment of the project team to pursue the Riccarton Mains Village proposal.
- 1.23 It should be noted that the proposal had no direct relationship with the Garden District Proposals. It was a stand-alone village concept that was being promoted by their clients.
- 1.24 The proposal was of a scale that they considered could be delivered within a reasonable time period and that could go towards the growing housing shortfall in the city.
- 1.25 Considerable time and consultation had gone into the provision of detailed supporting documentation on the overall design of Riccarton Mains Village

Masterplan. All of which came after any such review of the site during the LDP review.

- 1.26 The proposal again had been subjected to an environmental impact assessment and the design concept together with 3D images were contained within the Design and Access Statement and which had followed core placemaking principles.
- 1.27 The Master Plan for the site was generally made up of three core parts:
  - 1.27.1 Approximately 200 residential dwellings with strong “rural feel” and which would promote high-quality build materials such as stone timber natural slate.
  - 1.27.2 The focal point being a large village green together with a village centre to cater for community needs such as small shops, village hall and space for the GP practice.
  - 1.27.3 University halls of residence again formed a core part given the extreme close proximity to the Heriot Watt Campus and something encouraged by policy Hou 8 of the LDP.
- 1.28 The village was intended to have an extensive boundary woodland which doubled up as informal recreation walkways for local people. It again sought to connect in with the local cycle and footways that bordered the site and which would encourage links on foot to nearby bus and train stops.
- 1.29 It was appreciated that the lands in question were designated as green belt, it was important however, to understand whether it would significantly impact on green belt principles. The proposal was a standalone village with significant boundary woodland/landscaping to contain it and ensure it did not significantly impact on the wider landscape or encourage urban sprawl.
- 1.30 In physical terms it could be seen as a form of an extension to the significant build form that neighbored it at the Heriot Watt Campus which again should be noted was allocated outwith the greenbelt.
- 1.31 As shown in the reporter’s finding to the current SESPLAN it was clear that if and when there was a continued housing shortfall, more must be done to meet that shortfall, including allowing further housing sites to come forward on suitable greenfield land. That included looking at sites within the green belt which were considered sustainable located and which would not have significant visual or landscape impacts.
- 1.32 There continued to be both mainstream and affordable housing shortfalls within Edinburgh and there were numerous large housing sites allocated within the LDP that were slow to deliver or constrained and in overall terms, there being an inadequate five and ten year housing land supply. This then continued to push houses prices up locking many out of the housing market. For this site the applicant had committed to 25% affordable housing on site and which would equate to approximately 54 of the 214 units proposed.

- 1.33 The reporter's conclusions on the green belt when considering the current LDP, was that there was significant time lag in the delivery of sites and that brownfield sites alone were highly unlikely to enable the housing land requirement to be met. The reporter also alluded to ensuring continued compliance with SESPLAN and a continual monitoring of housing delivery and, if required, additional greenfield sites would need to be considered.
- 1.34 This had been furthered in SESPLAN2, currently at examination. Contrary to the position within the officer's report, they considered it still be a strong material consideration. SESPLAN2 placed strong emphasis on housing delivery and that it remained under constant review. Reference was made to an annual supply of some 2,662 homes per year being needed between 2018 and 30 should be provided and that a generosity margin should again be applied.
- 1.35 The subject site as shown within their transport assessment could quickly avail of various modes of transport other than the private car. Bus provision and a park and ride facility was within a 5 minute walk from the site. It had a cycle path along its boundary and which acted as a definable edge and again within easy reach was the nearby Currie Train Station.
- 1.36 The sentiments made with regard to the visual and landscape impact on the proposal had been grossly exaggerated and lacking in true appreciation of the current landscape within which the proposal was set. The site was undulating but largely low lying. It was contained within the confines of current built form – that being an existing cycle/footpath and road network together with houses located beyond the site to the north, east and west. Further to this, the development would sit well below and within the wider context of the neighbouring white Oriam Sports Centre which could be seen from a considerable distance.
- 1.37 In addition to this, the landscape right across the subject site was significantly scarred as a result of three extremely high power lines that ran right across it. A landscape impact assessment had been undertaken by independent landscape architects and had shown that the landscape in this area was not of a high quality and while there may be some localised or modest impact – on the whole there would be no significant or detrimental visual impact on the wider landscape.
- 1.38 Significant woodland boundary treatment which would have walkways intertwined would actually enhance one of the green belt principles by providing better recreational access while softening any visual impact. Again, one would note in the SNH consultation no significant concerns regarding visual impact or ecology were raised.
- 1.39 Within reason for refusal 2, there was reference to not demonstrating what additional infrastructure was required and delivery within a reasonable timescale. They presumed this was in reference to the burial of the pylons on the site. They were unclear given this was a PPP Application why such detailed information was being sought and not being conditioned as they had sought.

- 1.40 It was important to point out they provided the Case Officer and Environmental Health Officer an e-mail, showing that dialogue was ongoing with Scottish Power and that the principle of the pylon burial was indeed possible. Desktop investigations had been undertaken and options provided by Scottish Power, all of which gave comfort that the concept was technically viable. The detail of such was a private matter between the landowner and the provider.
- 1.41 To go to the next stage required extremely detailed plans and exact confirmation on position of the built form. That was for the next stage in the planning process. They had provided the Case Officer and Environmental Health Officer with correspondence from Scottish Power, and Network Rail had also provided their consultation to this application. Neither raised an issue with the concept of the burial of the pylons. This was what they sought to do and had outlined that within their proposal description and that was what they sought to be conditioned.
- 1.42 It was again worthy of note of other greenfield sites that had been granted PPP permission that had pylons running across them, for example, at Brunstane. On that occasion neither the Environmental Health nor Planning Department sought the detailed investigations that were being sought of them. Indeed, they recommended a condition be applied in relation to such matters relating to pylons.
- 1.43 Refusal Reason 3 stated: “The proposal was contrary to the provision of the LDP Policy Tra8 as it had not fully demonstrated the cumulative effects of the proposal and that it could be addressed within a relevant timeframe.” They considered this to be incorrect. An extensive amount of dialogue occurred between the applicants and the Council on 21<sup>st</sup> April 2016, when the first (of two) Transport Assessment scoping meeting was held with CEC.
- 1.44 The protracted nature of this dialogue related to the inclusion of so called “cross border/cross boundary” traffic effects within the Transport Assessment and this had been done in accordance with the Council’s requirements and using data extracted from the Council’s traffic model. Additionally, the site lay within the Calder and Hermiston transport contributions zone as laid out in current developer contribution guidance. This was acknowledged in the transport consultation response to the application and the applicants were content to discuss appropriate contribution in the same manner as many other sites across the City which also lay within transport contribution zones.
- 1.45 Refusal reason 4, an Air Quality Assessment that linked with the Transport Assessment had been undertaken. It showed the existing air quality in the study area was good and well within the statutory ECT limit values and was predicted to comply with all Scottish Air Quality Objectives. SEPA again touched upon the subject of air quality and had no objection on such grounds. Given mitigation measures could be provided, it was again assumed the matter of noise related to the overhead pylons raised by Environmental Health had been addressed previously. They were not seeking that they remained “In Situ” and thus when buried, no such noise issues would arise or indeed the need to be tested.

- 1.46 Clarity was required on the validity or reasoning for refusal 5. The Masterplan had built in a form of Neighbourhood Centre for local people. That included units that could be used for such purposes as a GP practice should the demand be there from doctors wishing to set up in the area. Again, complementary services were planned to sit alongside this, together with community space.
- 1.47 In relation to refusal number 6, they did not consider the lands in question to be prime agricultural land. The lands were undulating, some of which fell within Grade 3 and this together with the pylons running across the lands could in no way be deemed prime land. This was low level grazing land at best as a result of the aforementioned restrictions.
- 1.48 On refusal reason 7, they acknowledge that the lands were currently not designated but it equally needed to acknowledge in relation to the Strategic Development Plan that there was a need to meet the growing housing needs and where there was not, consideration of sustainable located greenfield land must be considered.
- 1.49 They considered that there was a growing housing shortfall and that housing identified in the Local Development Plan was not keeping pace with that demand – many being constrained and unable to fully deliver within the LDP timeframe. The proposal was in a sustainable location with no significant impacts. It could deliver within a reasonable time period and the appropriate flexibility to allow such sites should be applied in accordance with SDP principles.
- 1.50 In conclusion, there were some very strong material considerations that had been given very little coverage within the officer's report. This was the economic benefits of the proposal would bring, which included:
- 1.50.1 Approximately £100 million of new capital investment.
  - 1.50.2 In the region of 495 man years of construction and injecting an additional £22 million into the economy.
  - 1.50.3 The creation of jobs within the proposed local centre.
  - 1.50.4 The provision of new community facilities and an additional £2m in retail spend.
  - 1.50.5 214 new homes and halls of residence that would bolster existing services in areas such as Currie.
  - 1.50.6 They had read the detail in the officer's report and on this occasion they considered the reasoning for refusal to be lacking for the reasons outlined.
  - 1.50.7 Significant detailed and technical documentation had been provided in support of this application and this outlined the compliance with core material considerations and as to why the proposed Riccarton Mains Village should be approved.
- 1.51 They thanked the Sub-Committee for their time and requested that they overturn the recommendation by the Chief Planning Officer and grant the application.

## **Deliberation by Sub-Committee Members**

- 1.52 The representations received during the consultation period had been made available to members of the Sub-Committee for inspection.
- 1.53 All parties were questioned on their presentations by members of the Sub-Committee.
- 1.54 The Development Management Sub-Committee agreed to recommend to the Council that planning permission in principle be refused following reasons:
- 1.54.1 The proposal is contrary to the provisions of Policy Env 10 (Development in the Green Belt and Countryside) of the Edinburgh Local Development Plan (LDP) as does not meet any of the criteria a) to d) for inclusion and it would detract from the landscape quality and the rural character of the area.
- 1.54.2 The proposal is contrary to the Edinburgh Local Development Plan Policy Hou 1 (Housing Development) as it does not satisfy any of the criteria in Hou 1 Part 1 and does not satisfy Hou 1 Part 2 because it is not in keeping with the character of the local area, would undermine Green Belt objectives, has not fully demonstrated what additional infrastructure is required and that it can be provided within a relevant timeframe, and is not sustainable, to the detriment of the overall objectives of the Local Development Plan policy.
- 1.54.3 The proposal is contrary to the provisions of the Edinburgh Local Development Plan Policy Tra 8 (Provision of Transport Infrastructure) as it has not fully demonstrated the cumulative effects of the proposal and that it can be addressed within a relevant timeframe. The proposal was contrary to Edinburgh Local Development Plan Policies Des 1 and Des 4 as the development will not have a positive impact on its setting, the wider landscape and views.
- 1.54.4 The proposal is contrary to the provisions of the Edinburgh Local Development Plan Policy ENV 22 (Pollution and Air, Water and Soil Quality) as insufficient evidence has been submitted to demonstrate that there will be no significant cumulative adverse effects on local air quality and that noise from overhead pylons will not have a detrimental impact on future resident amenity.
- 1.54.5 The proposal is contrary to the provisions of the Edinburgh Local Development Plan Policy Hou10 (Community Facilities) as it has not demonstrated that facilities, including healthcare, are available.
- 1.54.6 The proposal is contrary to the provisions of Scottish Planning Policy (2014) section 80, as it would result in the non-essential and permanent loss of prime agricultural land.
- 1.54.7 The proposal is inconsistent with the spatial strategy of the Strategic Development Plan as it would introduce development to greenfield land outwith the identified Strategic Development Areas.

## 2. For Decision/Action

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- 2.1 The Council is asked to consider the recommendation of the Development Management Sub-Committee to refuse planning permission in principle for the reasons outlined in paragraph 1.54.

### Background reading/external references

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Development Management Sub-Committee 25 April 201

#### **Laurence Rockey**

Head of Strategy and Insight

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## 3. Appendices

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Appendix 1 – Report by the Chief Planning Officer

# Development Management Sub Committee

**Wednesday 25 April 2018**

## **Application for Planning Permission in Principle 16/05217/PPP**

**At Land 320 Metres Southeast Of 1 Riccarton Mains Cottages, Riccarton Mains Road, Currie  
Residential development (class 9), flats (sui generis) (including affordable housing provision, university halls of residence), neighbourhood centre inc. retail (class 1), services (class 2), food + drink (class 3), non-residential (class 10) + assembly + leisure (class 11) with associated access, parking, open space, public realm + infrastructure works (inc. demolition of overhead + relaying of power lines)**

**Item number**

**Report number**

**Wards**

A02 - Pentland Hills (Pre May 2017)

## **Summary**

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The development of the site for residential purposes is not supported by the Edinburgh Local Development Plan (LDP) and is contrary to the provisions of LDP Policy Env 10 (Development in the Green Belt and Countryside).

The site is outwith the West Edinburgh Strategic Development Area (SDA) as defined by the Strategic Development Plan (SDP). As such, its development would be inconsistent with the SDA's spatial strategy which seeks to prioritise in the first instance, the development of brownfield land and land within identified SDAs.

The proposal is contrary to LDP Policy Hou 1 (Housing Development). Using the method described in the Housing Land Audit 2017 to assess unconstrained housing land with support, there is a five-year effective housing land supply in the Council's area. Even if there was a deficiency in the five year housing land supply, and considering the proposal against LDP policy Hou1 and the wide aims of the development plan, the proposal is not acceptable. It would have an adverse impact on the landscape setting of the city, would not provide suitable green belt boundaries and would not be in keeping with the character of the settlement and local area. It has poor public transport accessibility for pedestrians and there is no guarantee that this could be improved.

Insufficient information has been submitted to fully assess the transport impacts of the proposal and whether the pylons can be removed and the overhead powerlines can be successfully redirected or buried.

In summary, the proposal is unacceptable in principle, in terms of sustainable location, impact on city setting and area character and setting, and in terms of sufficiency of information.

The proposal is contrary to the development plan and there are no material considerations which justify approval.

## Links

### [Policies and guidance for this application](#)

LDPP, LDEL01, LDES01, LDES02, LDES03, LDES04, LDES05, LDES06, LDES07, LDES08, LDES09, LDES10, LDES11, LEN03, LEN09, LEN10, LEN12, LEN13, LEN15, LEN16, LEN20, LEN21, LEN22, LHOU01, LHOU02, LHOU03, LHOU04, LHOU06, LHOU08, LHOU10, LRET01, LRET06, LRET08, LRET11, LTRA01, LTRA02, LTRA03, LTRA09, NSGSTU, LRS06, NSG, NSDCAH, NSGD02, NSGCGB, SDP, SDP06, SDP07,

# Report

## **Application for Planning Permission in Principle 16/05217/PPP**

### **At Land 320 Metres Southeast Of 1 Riccarton Mains Cottages, Riccarton Mains Road, Currie**

**Residential development (class 9), flats (sui generis) (including affordable housing provision, university halls of residence), neighbourhood centre inc. retail (class 1), services (class 2), food + drink (class 3), non-residential (class 10) + assembly + leisure (class 11) with associated access, parking, open space, public realm + infrastructure works (inc. demolition of overhead + relaying of power lines)**

## **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 application site, covering approximately 11.94 hectares, is undulating agricultural land, roads and woodland. Riccarton Mains Road splits the site into a smaller area on the west and a larger area on the east. Crossing the site are two sets of high voltage electricity lines on pylons and one low voltage line on wooden poles.

The site lies east of the Murray Burn and Heriot Watt University's Riccarton campus. It curves round Riccarton Mains Cottages on the north, to the south of a roundabout accessing the campus. There is agricultural land to the north east and east. To the south east is the Shotts Glasgow Central to Edinburgh railway line and Whitelaw Crossing Cottage.

The site boundaries are hedges, post and wire fences, stone walls and the east bank of the Murray Burn. There are trees along part of the site boundary, notably on the west.

A narrow road, Donkey Lane, runs along the north east boundary and gives access to the east part of the site. A partially derelict section of the old Riccarton Mains Road lies within and gives access to the west part of the site.

There are two scheduled ancient monuments near the site: Baberton Mains Enclosure (listing reference: SM6190) is on the north east and Currievale Fort (Canmore ID 88983) is towards the south. There are no listed buildings within the site and it is not in or immediately adjacent to a conservation area. Currie and Juniper Green conservation areas are to the south and Hermiston conservation area is to the north. There are two Category A, 18 Category B and six Category C Listed Buildings within one kilometre of the site. The Environmental Statement lists these. They include:

- Riccarton Mains, listed Category C (listing reference: LB45426, date of listing: 26.3.1998);
- Baberton Mains, listed Category B (listing reference: LB45416, date of listing: 26.3.1998); and
- Hermiston House, listed Category B (listing reference: LB27389, date of listing: 30.1.1981).

The site is within the Edinburgh Green Belt.

The Riccarton Estate Local Biodiversity Site lies to the west, and applies to woodland in the university campus.

## **2.2 Site History**

27 November 2013 - proposal of application notice submitted for planning permission in principle for residential development, horticultural visitor and education centre (the Calyx), new schools, community facilities, local retail facilities, local Class 2 and Class 3, Class 4, Class 10, Class 11, conference centre, hotel, a sports stadium/arena, sporting facilities, construction training centre, sustainable energy centre, green network, transport links, canal related uses and infrastructure (application reference 13/04911/PAN).

17 March 2016 - proposal of application notice submitted for planning permission in principle for major development of proposed Riccarton Mains Village comprising residential development Class 9, flats (Sui Generis) including affordable housing provision, University Halls of Residence, Neighbourhood centre including retail (Class 1) services (Class 2), food and drink (Class 3), non-residential (Class 10) and assembly and leisure (class 11) together with associated access, parking, open space, public realm and infrastructure works (including the demolition of overhead and relaying of power lines) (application reference 16/01691/PAN).

### Relevant nearby site

16 November 2015 - proposal of application notice submitted for planning permission in principle for residential development of around 1,500 homes with a community hub (containing various neighbourhood facilities), a hotel, non-denominational primary school and associated infrastructure including new access and roads, improved access to public transport, extended rail station car parking, flood mitigation measures, landscaping, sports pitches and green networks (application reference 15/05258/PAN).

## Main report

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### 3.1 Description Of The Proposal

This application seeks planning permission in principle for a mixed-use development of houses, flats, university halls of residence, a neighbourhood centre including retail, services, food and drink, non-residential and assembly and leisure uses, with associated access, parking, open space, public realm and infrastructure works, including demolition and relaying of overhead power lines. An indicative masterplan and accommodation schedule accompany the application. They show the following indicative development:

#### Student housing

Approximately 200 beds, in the north west of the site, in four blocks of two or four storeys.

#### Standard housing

Approximately 14 flats sitting over the community facilities and approximately 200 houses mainly in the south of the site, with between two and four bedrooms, and terraced, semi-detached or detached.

#### Community facilities

Indicative 600m<sup>2</sup> net floor area of community facility/ retail/ potential GP practice.

Subsequent applications for the approval of matters specified in condition would include details of the number of units, design and layout, scale and massing, access, landscaping, open spaces and parking.

#### Supporting Statements

The application has been accompanied by an Environmental Statement (ES) which considers:

- Ecological Assessment;
- Cultural Heritage and Archaeology;
- Landscape and Visual Impact Assessment;
- Acoustics;
- Air Quality;
- Water;
- Transportation; and
- Arboriculture.

The Transport Assessment and Air Quality Impact Assessment, part of the ES, were updated in January 2018 and the application re-advertised. In addition to the ES, the applicant has submitted the following documents in support of the application:

- Design and Access Statement;
- Further Ecological Assessment;

- Planning Statement;
- Pre-application Consultation Report;
- Preliminary Environmental Assessment; and
- Socio-economic Assessment.

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 principle of development is acceptable on this site;
- b) the design and layout are appropriate to the site;
- c) the proposal preserves or enhances the historic environment;
- d) the proposal will protect neighbour and future occupier amenity;
- e) there are any transport and parking issues;
- f) the proposal raises any flooding and drainage issues;
- g) other material considerations have been addressed;
- h) the proposal meets sustainability criteria;
- i) any impacts on equalities or human rights are acceptable; and
- j) comments raised have been addressed.

## a) Principle

Policy Hou 1 of the adopted Edinburgh Local Development Plan (LDP) relates to the location of housing development and consists of two parts. The first part gives priority to housing development in the urban area as defined in the LDP.

The application site lies in the green belt as defined in the LDP and so is not supported by part 1 of Policy Hou 1. Should there be a deficit in the maintenance of the five year housing land supply, the site may be assessed in terms of part 2 of Policy Hou 1.

The latest assessment of the housing land supply in the City of Edinburgh is the 2017 Housing Land Audit and Delivery Programme (HLADP) which was reported to Planning Committee on 12 October 2017. The supply of effective housing land and the delivery programme within the HLADP were agreed as reasonable with Homes for Scotland.

The HLADP examines both the supply of effective housing land (an input) and the expected delivery of new homes (the output). The 2017 HLADP concludes that there is more than sufficient effective housing land for the next five years, and in the longer term, to meet the housing land requirements set by the Strategic Development Plan (SDP). The delivery of new homes anticipated over the next five years, however, is still below the five year delivery target (90%).

Delivery of new homes is affected by many economic and demand factors unrelated to the supply of effective land available for development. The anticipated output programme, therefore, is not the only assessment that the Council considers to measure the adequacy of the land supply. Land supply is also considered in terms of the capacity of unconstrained land available for development. The 2017 HLADP recorded a supply of effective housing land for 23,329 units - more than sufficient for the next five years and sufficient to meet the housing land requirement for the entire LDP period (to 2026).

This approach to assessing the adequacy of the effective land supply is consistent with Scottish Planning Policy (SPP) paragraph 123: **Maintaining a 5-year Effective Land Supply**.

As there is no deficit in the maintenance of the five year land supply, LDP policy Hou 1 part 2 does not apply. However, should more weight be given to the deficit in the five year delivery programme when compared to the five year delivery target, the site should be assessed against the criteria specified in Hou 1 part 2. The application site is assessed against these criteria below.

### a) Character of settlement and local area

The character of the site, with gently rolling farmland beside a narrow lane on the east part of the site, grazing land and the steeply wooded banks of the Gogar Burn to the west, is rural. The presence of electricity pylons and Riccarton Mains Road passing through the site do not remove its essential nature. The site is part of the open, rural landscape to the west of Edinburgh.

In preparing the LDP, the selection of greenfield housing sites for release went through a systematic and evidenced process. The Council has set out the evidence of its housing site assessment in the LDP Environmental Reports. The Second Proposed Local Development Plan - Revised Environmental Report, Volume 2, June 2014(pp 200-203) (originally under John Swan Sons plc) assessed the site and concluded that its development would not be in keeping with the character of the settlement and surrounding area as it would introduce large scale urban residential development into rolling farmland to the north of the railway line and east of Heriot Watt campus and would impact adversely on the overall open rural character of the landscape to the west of Edinburgh.

To the west of the city, the settlement pattern is aligned with the landform ridge to the north of the Water of Leith and Lanark Road (A71). The local landscape comprises rolling farmland structured by the wooded framework of former country estates, such as at Riccarton, scattered farmsteads and former agricultural cottages.

The proposed built development would be visually prominent in the open landscape and would contrast with the wooded backdrop of the campus. This is counter to the established settlement pattern.

The findings of the LVIA (Landscape and Visual Impact Assessment) in the applicant's Environmental Impact Assessment are questioned. The LVIA states that the development will be 'read in conjunction with the neighbouring University'(para. 6.118). However, the University is enclosed by dense wooded boundaries and, in general, is not perceived in the wider landscape. The exception to this principle is the Oriam, a nationally important sports facility, which breaks the canopy line.

The proposal's indicative large scale, low-rise housing element is essentially suburban in character. It is out of keeping with the small group of cottages to the north of the site, the railway crossing cottage and the grander Riccarton Mains House, outbuildings and grounds. It does not reflect the character of the University campus.

Whilst the site to the west is relatively small and is not prominent in views, it is relatively narrow in plan and is constrained by woodland to the west and Riccarton Mains Road to the east. Taking into account vehicular access, this would be likely to generate a ribbon urban layout, remote from the existing settlement.

The larger site to the east is equally separated from the existing townscape of Currie, which lies some 500 metres to the south, beyond the railway, further arable land and an electricity sub-station. The larger site is more visually prominent and its development would impact adversely on views from Donkey Lane and Whitelaw Crossing Cottage, in addition to the existing rural approach to Currie along Riccarton Mains Road.

Due to the separation of the railway and intervening land uses, the site would form a new pocket of development within the Green Belt, lacking integration with the existing settlement and landscape.

The proposal would not be in keeping with the character of the settlement and the local area, contrary to LDP policy Hou 1, Part 2. a).

## b) Green Belt objectives

The Green Belt helps shape the city's growth and supports regeneration. It protects and enhances the character, landscape setting and identity of the city and provides countryside access.

The terms of SDP policy 7, criteria (a) and (b) permit housing development outside Strategic Development Areas to help maintain a 5 year effective housing land supply, but only where local character and green belt considerations are addressed satisfactorily. The impacts of the proposal on local character are assessed above.

SPP, in paragraph 50, states that 'In developing the spatial strategy, planning authorities should identify the most sustainable locations for longer-term development and, where necessary, review the boundaries of any green belt.'

Paragraph 130 of SDP provides that local planning authorities should seek to minimise the loss of land from the Green Belt whilst balancing the need to achieve sustainability objectives. Where Green Belt land is needed for strategic development, the impacts on Green Belt objectives should be minimised and the establishment of long term boundaries sought. The proposal would not satisfy the criteria in SDP policy 7 by addressing local character and green belt considerations satisfactorily. These issues were reviewed in the LDP preparation.

The Second Proposed Local Development Plan - Revised Environmental Report Volume 2, June 2014 (the Report) found that development of the site would adversely affect the landscape setting of the city.

The site forms part of a wider area of rural land to the west of the City which provides an open context for views to the city skyline and wider landscape setting of the Pentland Hills. This is evident from strategic approaches to the city from the Calder Road (A71) - as illustrated in viewpoint 1 of the Landscape and Visual Impact Assessment (LVIA); City By-pass (A720); and more locally on the approach to Currie from Riccarton Mains Road - LVIA viewpoint 2 and 3, and from the north-south path route of Donkey Lane.

The existing Green Belt boundary is clearly formed by the City Bypass to the east, the urban edge of Baberton, Juniper Green and Currie to the south and the perimeter woodland belts at Heriot-Watt University to the west.

The Report also found that the site would fail to provide a robust and defensible greenbelt boundary. Although the site is bounded by the railway to the south, the edge of the eastern site is formed by single track road and hawthorn hedge. The proposal relies on the provision of a belt of trees on its northern edge to contain the development. There is no marked change in landscape characteristics to either side of this road. It is therefore not a natural and defensible green belt boundary. A planted boundary strip of 10 - 25 metres wide is shown on the indicative masterplan. This could provide a new landscape edge along Donkey Lane. However, it could take between 10-15 years to form an effective screen in this exposed location. Stand-offs for power lines, whether buried or not, are liable to constrain landscaping. The proposed species and planting density would require to meet with aerodrome safeguarding requirements.

The proposal does not satisfy LDP policy Env 10 (Development in the Green Belt and Countryside) criteria or the Council's non-statutory guidance 'Development in the Countryside and Green Belt' and would detract from the character of the settlement and local area.

The proposal would erode the quality of the Green Belt edge and is not justified in this respect. Also, the erosion of this part of the Green Belt would reduce the quality of the landscape setting of the city.

The proposal would undermine Green Belt objectives, contrary to LDP Policies Hou 1, Part 2. b) and Env 10.

### c) Additional infrastructure

SDP Policy 9 (Infrastructure) states that Local Development Plans should provide policy guidance requiring sufficient infrastructure to be available, or its provision to be committed, before development can proceed. SDP Policy 11 (Delivering the Green Network) is also relevant. LDP Policy Del 1 (Developer Contributions and Infrastructure Delivery), Tra 8 (Provision of Transport Infrastructure), Hou3 (Private Green Space in Housing Development), Hou10 (Community Facilities) and the LDP Action Programme address these matters.

The Council's new LDP Action Programme (January 2018) identifies fair and realistic developer contributions to necessary infrastructure and is a material consideration. The Council has also approved new draft Supplementary Guidance on Developer Contributions and Infrastructure Delivery (January 2018). It is currently out for consultation and is a material consideration in the determination of applications.

### Education

Residential development is required to contribute towards the cost of delivering these education infrastructure actions to ensure that the cumulative impact of development can be mitigated. In order that the total delivery cost is shared proportionally and fairly between developments, Education Contribution Zones have been identified and 'per house' and 'per flat' contribution rates established. These are set out in the draft Supplementary Guidance. Communities and Families advises that the required contribution should be based on the total 'per house' and 'per flat' contribution figures of £2,196 per flat and £11,748 per house, index linked based on the increase in the BCIS Forecast All-in Tender Price Index from Q4 2017 to the date of payment and secured through a legal agreement.

## Transport infrastructure

Transport advises that that the application should be refused. The reasoning for this, along with other transport issues are considered in more detail on 3.3.e). However, if Committee wishes to grant the application, transport infrastructure would require investment. In addition to transport-related infrastructure within the application site, investment would be needed in the wider area as indicated in the LDP Action Programme. The Programme identifies actions at Hermiston Park and Ride, Calder and Hermiston, and Gillespie Cross Roads. Various traffic orders, signage, car club provision and pedestrian crossing facilities would be needed. It is not clear whether or not additional linkage to the Riccarton campus, as suggested by the applicant, can be delivered. It is also not demonstrated that suitable, additional bus services adjacent to and serving the site will be provided.

## Green space

The design and implementation of new green spaces and play space to meet the Council's Open Space Strategy standards, would require to be controlled by condition. It is recommended that it is delivered in line with a masterplan and approved site phasing programme in order to provide for the amenity of future occupiers. A street design/public realm framework could provide co-ordination across the development. The framework and design of green space and play space should follow the Council's planning guidance. Public seating should be provided throughout the site, to cater for a full spectrum of needs.

## Healthcare

The proposal may result in a lack of capacity at Wester Hailes medical practice. The LDP sets out only the infrastructure required to meet allocations that form part of the LDP's strategy. There are no policies or procedure in place to provide healthcare facilities for proposals contrary to the LDP or to collect developer contributions.

Policy Hou10 states that permission will only be granted where there are associated proposals to provide necessary health facilities relative to the impact and scale of development proposed. The impact of the proposal on primary health care capacity has not been assessed. Therefore it is not clear what additional healthcare infrastructure, if any, is needed. The proposal suggests a medical practice on site but does not confirm provision.

## Utilities

Scottish Water offers no objection to the proposal. Scottish Power has not responded to the standard consultation enquiry regarding utilities.

Subject to conditions and a legal agreement, the relevant additional infrastructure can be provided for education, green space and play space. The primary healthcare requirements and their implementation are not clear. Transport infrastructure requirements can be partially met but are not fully demonstrated.

It has not been demonstrated that the application satisfies LDP policy Hou 1 Part 2 c).

#### d) Effectiveness in the relevant timeframe

In this context the measures of effectiveness are set out in PAN 2/2010. The main issue is whether there is anything about the site, should it receive planning consent that would prevent residential units being completed and available for occupation within five years. In this case, there is uncertainty about:

- the method, feasibility and timescales involved in re-routing and/ or burying the electricity cables and removing the pylons. Issues include land and pylon ownership and control, both within and outwith the site; and
- whether the necessary infrastructure can realistically be provided to allow development.

There is a lack of confirmation from all relevant parties that the electricity cables can and will be buried or re-aligned, and a lack of clarity about what can and will happen to cables over the railway. In the absence of a suitable solution from the developer, the application should be refused.

However, if Committee wishes to grant planning permission in principle, a planning condition would be required, to prevent any development of the site until such time as a suitable means of diversion of the power lines has been granted.

Compliance with Hou 1, Part 2 d) remains to be demonstrated.

#### e) Contribution to sustainable development principles

Well-designed housing, including affordable housing, in the right place, has the potential to contribute towards sustainable development. Inclusion of community spaces, opportunities for physical activity and a mix of land uses suitable for a small community, can all contribute towards sustainability. However, there is substantial evidence that the proposed development is not in the right place, particularly for pedestrians.

The LDP Environmental Report found that the accessibility of the site to public transport was lacking and that no measures were available to increase accessibility for the site. Deficiencies in access to public transport detract from sustainable development. The lack of confirmed connectivity to Heriot Watt through the west of the site is also a consideration, as it would contribute to the isolation of the site.

The electricity pylons and cables currently on the site are imposing in scale, have hard lines and need set-offs from buildings and landscaping. Their presence is challenging when trying to create a good living environment. The removal of the pylons and burial of the cables is important in creating a sustainable place. There will be restrictions on development near cables, including buried cables. If undergrounded around the site, they may affect the viability of boundary landscaping and location of SUDs features. These may also have an impact on achievable housing density and site layout.

There is a risk that the development would be partly a commuter site, relying on car use, and partly a student location, not integrated into Heriot Watt, split by Riccarton Mains Road, and, potentially, fragmented by offsets for cables and/or pylons. In addition, there would be loss of prime agricultural land and part of the Green Belt. On balance, the proposal fails to satisfy sustainable development principles.

In summary, the applicant considers that there is a substantial shortfall in the housing land supply for Edinburgh and that the proposed new village is justified and desirable. Planning does not agree. In addition, Planning considers that the proposal does not satisfy either part 1 or 2 of LDP Policy Hou 1.

## **Other considerations about principle of use**

### Strategic Development Areas

The site is outwith the West Edinburgh Strategic Development Area (SDA) as defined by the Strategic Development Plan (SDP). As such, its development would be inconsistent with the SDA's spatial strategy which seeks to prioritise in the first instance, the development of brownfield land and land within identified SDAs. The emerging Strategic Development Plan (SDP2), is currently under examination by the Scottish Ministers. It is a material consideration but can be given little weight at present. It states that, where there is a shortfall in the five year effective land supply, SESplan members will consider permitting proposals for additional housing supply, subject to seven criteria. The current application does not conform to these.

### Prime agricultural land

The proposal would result in the loss of prime agricultural land (PAL) on the west part of the site. The proposal does not meet the exception criteria in SPP paragraph 80 and is not supported by SPP in this respect. While the presence of pylons and undulating topography may limit aspects of use, the prospective loss of PAL, a finite resource, has weight as a material planning consideration.

### Non-residential use

LDP policy Hou 8 (Student Accommodation) relates to the Urban Area and the application site is not within it. The LDP does not support student accommodation on this Green Belt site.

The proposal does not fall within the scope of LDP Policy Ret 7 (Entertainment and Leisure Developments - Preferred Locations). As it has not been demonstrated that the proposal satisfies LDP Policy Ret 8 (Entertainment and Leisure Developments - Other Locations), including the lack of a thorough assessment of all potential City Centre or town centre options, the proposed entertainment and leisure uses are not supported.

### Riccarton Campus (Heriot Watt University) and Business Park

This application is not coming forward from Heriot Watt itself. Heriot Watt has its own masterplan and is working within the campus and on an independent development framework. This application is not within the university campus or business park and is not supported by the masterplan.

The adjacent university campus and business park are identified as a special economic area in the LDP (Table 2 - Special Economic Areas, Policy Emp 3 (Riccarton University Campus and Business Park). Its main purpose is academic teaching and research and business uses with a functional link to the University. The Heriot Watt masterplan was approved in 2001. It projects an increase in student residences on the campus. Uses within the campus are carefully controlled and assessed against factors which include their relationship with the Green Belt.

#### Departure from development plan

The probable impact of the proposal on the development plan justifies a pre-determination hearing.

#### **b) Design and layout**

The application is for planning permission in principle and includes indicative information on design and layout only. These matters are not assessed in detail at this time. Before the start of any works on site, a site-wide landscape masterplan would be needed, in order to comply with Policy Des 8 Public Realm and Landscape Design. Landscape proposals, including SUDs design, would need to comply with Edinburgh Airport safeguarding requirements.

#### Density

The application does not seek approval for the number of units and density cannot be calculated at this time. It would be assessed in any AMC applications.

#### Layout

Layout would be assessed in any AMC applications. Considerable work would be needed to ensure that the development could achieve a good sense of place and function as the 'standalone settlement' proposed in the supporting information. The western part of the site is relatively linear in plan and it is not clear from the indicative masterplan that the two parcels of the site will be brought forward as a connected place.

Open spaces and pedestrian and cycle routes should connect with the wider site and network in a safe, direct and convenient way. The supporting information suggests additional connections to Heriot Watt. These would be dependent, at least in part, on the landowner's consent. This needs to be evidenced. There is also a tension between the applicant's proposed additional connectivity on the west of the site and SEPA's view, which discourages additional connection/s over the Murray Burn and recommends that the banks are left in their natural state.

The feasibility of cable burial and location, any stand-offs required and any other requirements may affect the achievement of planning objectives, such as appropriate site density, masterplanning, landscaping and SUDs.

The layout, density and place-making implications of the acoustic barrier fencing recommended in the Environmental Statement, to go along both sides of Riccarton Mains Road, would have to be considered in detail.

## Trees

In line with LDP Policy Env 12, the submitted tree survey indicates that some of the roadside verge planting along Riccarton Mains Road would be affected by the development. Detailed proposals for the protection of trees to be retained on site, tree removal and new planting to mitigate losses would require to be controlled by condition.

## Mix

If the principle of housing is found to be acceptable on this site, an appropriate mix of house types and sizes, as required by LDP policy Hou 2 (Housing Mix) would be considered at AMC stage.

Affordable housing is required at 25 per cent of total housing in terms of LDP policy Hou 6 (Affordable Housing). It should be on-site, tenure-blind, address the full range of housing needs, be integrated with market housing and comply with planning guidance.

### **c) Historic environment**

This site is within an area of archaeological potential. The City Archaeologist advises that no development should take place on the site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority. A condition is recommended to secure this, should Committee be minded to approve the application.

The Environmental Statement determines that the development may have a minor adverse impact upon the setting of nine listed buildings and the Baberton Mains scheduled ancient monument, with all other visual impacts assessed upon heritage assets being of lower magnitude. It concludes that there is limited scope to mitigate such effects but that maintaining the existing hedgerows and woodland, particularly along the western boundary of the application site, will ensure that they continue to provide a degree of screening. This can be secured through a planning condition.

During construction, there will be impacts on the historic environment. Mitigation measures can reduce these. The Environmental Statement concludes that the impact on the historic environment will be minor after construction. It also identifies a minor to negligible cumulative impact on the increased urbanisation of a diminishing rural landscape.

There will be an impact on the historic environment, which can be partially mitigated in the long term by landscaping.

### **d) Amenity**

#### *Daylighting, sunlight, privacy and amenity space*

With sensitive layout, design and landscaping at the AMC stage, suitable amenity for existing neighbours and prospective occupiers of the development can be achieved in terms of privacy, daylighting and sunlight and provision of open space.

### *Local views*

Passers-by and some neighbours will experience a particular change in local views. While Planning does not protect the views of individuals, sensitive landscaping could help soften the impact of the proposal on local views.

### *Noise*

The Environmental Assessment considers potential noise impacts from Riccarton Mains Road, the railway line, the National Performance Centre, the air rifle range and from the proposed development itself. It concludes that noise mitigation would be needed: acoustic grade fencing within the development sites either side of Riccarton Mains Road, to deal with road traffic noise; no amenity areas to be within a specified buffer zone; and acoustic double glazing capable of a sound reduction level of 33dB.

Environmental Protection does not support the application because it has concerns about the potential adverse impacts the proposal may have on local air quality and doubt regarding the potential to relocate the overhead power lines. It advises that the applicant has not provided sufficient information to assess the potential impacts and any required noise mitigation should the pylons and lines remain in place. It is not convinced that the application has demonstrated that the powerlines can be suitably buried or re-directed. While discussions may have taken place, the specific consent of all potential interested parties has not been evidenced. If the lines remain in place, it is likely that a buffer zone under them would be needed in respect of noise, of approximately 20 to 50 metres.

If the proposal proceeds to AMC stage, further noise impact assessment will be required. Rail noise from freight movements should be included as this has not been measured, although requested. Any future assessment should include technical details of proposed mitigation measures.

### *Odour*

The uses proposed are likely to include cooking operations. Details of siting and ventilation would need to be fully assessed at the AMC stage to protect residential amenity.

In summary, the amenity of present residents and future occupiers of the development could be acceptable, subject to condition, in respect of daylighting, sunlight, privacy and odour. Noise assessment at AMC stage can inform mitigation measures. However, there is insufficient information regarding undergrounding of powerlines and assessment of noise from electric cables to fully assess their impacts.

## **e) Transport and parking**

Objections to the application have been received in relation to transport issues. These mainly relate to pedestrian and cyclist issues, road safety and cumulative traffic impacts.

Transport Scotland was consulted and did not raise an objection. The Environmental Statement concludes that site is well located in relation to existing walking, cycling and public transport facilities and that access to local amenities, shops and schools will be acceptable.

However, while the site location provides travel choices for car drivers, the options are less favourable for pedestrians. Guidance from PAN 75, on acceptable walking distances, gives 400 metres for bus and 800 metres for rail.

The existing bus service past the site is poor in terms of frequency and operating times. Hermiston Park and Ride has better services but is over 700 metres away. Buses also run from the Riccarton Campus. The nearest bus stop is approximately 500 metres from the proposal site, on Riccarton Mains Road. The nearest train station, Curriehill, is approximately 1.9 kilometres away.

The adjacent railway crossing, while it may be acceptable for current use, relies on a light-controlled pedestrian crossing to regulate people crossing the tracks. Increased use of the crossing, by occupants of and visitors to the proposed development, is highly likely. Explicit consideration is required of the needs of users, including children and those with mobility issues. It is not clear whether or not a bridge over the railway, would be advisable or feasible.

#### *Transport Strategy and Assessment*

The Council prepared a transport appraisal to understand the impacts of the new, planned growth set out in the LDP and to identify the transport interventions needed to mitigate it. This site is not proposed within the LDP and, therefore, its transport impact on the strategic road network was not assessed cumulatively in that context.

The West Edinburgh Transport Appraisal (WETA) has been refreshed and SESplan and Transport Scotland are working on the actions necessary to address cross boundary traffic flows related to the cumulative impacts of developments in the SESplan area.

The applicant's Transport Assessment has considered some cumulative issues. However, Transport has raised queries about the modelling used.

#### *LDP Action Programme*

Where transport interventions have been identified as needed due to the cumulative impact of several developments, a transport contribution zone has been established and is shown in the LDP Action Programme. The aim is for the total cost of delivering infrastructure within zones to be shared proportionally and fairly between all developments in the zone.

Development proposals which are not accounted for in the Action Programme need to carry out their own transport assessments.

*Draft Supplementary Guidance on Developer Contributions and Infrastructure Delivery (January 2018)*

To support LDP aims, the Council has drafted supplementary guidance on developer contributions and infrastructure delivery. It has not been adopted but carries significant weight as a material consideration. If Committee is minded to approve the application, a legal agreement is recommended to secure suitable developer contributions and infrastructure delivery.

#### **f) Flooding and drainage**

SEPA prefers that the water environment is left in its natural state as far as possible. However, it does not raise an objection, subject to the application of planning conditions relating to SUDS and a buffer strip along each side of the Murray Burn of approximately six metres to protect the water environment. It notes that potential crossings of the Murray Burn will require authorisation under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended). Flooding does not raise objection to the application.

Should Committee be minded to approve this application it is recommended that surface water management, SUDS (including maintenance), flood prevention and details of appropriate protection of the Murray Burn, including crossings, should remain as reserved matters, and form part of any detailed design to be assessed fully as part of a detailed application for approval of matters specified in conditions.

#### **g) Other issues**

##### *Airport*

Edinburgh Airport does not raise objection to the proposal, subject to planning conditions relating to bird hazard management, landscaping and SUDS (Sustainable Urban Drainage Systems).

##### *Air Quality*

Environmental Protection has concerns about the potential cumulative impacts that developments, especially large proposals on the Green Belt, may have on air quality. It recommends the application is refused, in part due to the potential adverse impacts the proposal may have on local air quality. SEPA does not object to the application on air quality grounds.

##### *Economic*

The proposal would provide employment opportunities during construction, with potential limited on-site employment thereafter.

##### *Land remediation*

The applicant has submitted a preliminary environmental assessment report. Environmental Protection advises that the report indicates that the potential for significant sources of contamination on this site appears to be minimal and therefore risks in connection with development to residential are likely to be low.

### *Natural heritage*

The supporting environmental information confirms that, in relation to flora and fauna, there are no significant constraints to the development of the site as currently proposed. It details potential impacts and mitigation: hedgerows should be improved, a series of precautionary pre-construction protected species surveys are recommended for bats, otters, badgers and birds and a construction environmental management plan should be put in place.

### *Railway*

Network Rail does not raise an objection. It asks for the certain matters to be taken into account, including linkages, station amenities, drainage and safety. Network Rail does not address the issue of burial or re-direction of electricity lines near, under or over the railway line.

In summary, subject to suitable conditions and a legal agreement, the proposal is acceptable in respect of affordable housing, airport safeguarding, education, natural heritage and land remediation. Further clarification is needed about the delivery of local services, the feasibility of burial or re-direction of electricity lines in relation to the railway, and air-quality impacts.

## **h) Sustainability**

The applicant has submitted a sustainability statement in support of the application. Sustainability measures would be considered further at the detailed application stage.

## **i) Equalities and human rights**

The site is not well-served by public transport although community amenities within the site would be of assistance. Subject to appropriate planning conditions, the proposal could create an environment where public spaces can be used safely. Affordable housing would assist those who cannot access traditional housing markets and a range of housing types would support a variety of occupants. Environmental Protection's concerns about lack of clarity regarding potential impacts on local air quality and noise from pylon cables are reflected in the recommended reasons for refusal.

## **j) Comments**

This application was advertised on 11 November and 2 December 2016. Fifty eight letters of objection (and two late representations) were received, including from a cycling group, a street improvement group, Heriot Watt University, a ward councillor and an MSP. Currie Community Council, as a statutory consultee, also objected. The application was re-advertised on 23 February 2018 and six letters of objection and one letter of support were received.

### *Material Representations: Objection*

#### *Proposed use - addressed in section 3.3.a)*

- Proposed use is inappropriate;

- Permanent land loss, including agricultural;
- Brownfield sites and refurbished buildings should be prioritised;
- Loss of amenity and health value of current use;
- Concern about pylon removal feasibility;
- Green Belt - adverse impact on; contrary to LDP; consider cumulative loss in context of existing and proposed development;
- Heriot Watt - has sufficient land within campus for student residences, good transport links, landscape setting, potential coalescence of Heriot-Watt and Currie;
- Site is not connected to existing community;
- More student accommodation not needed generally, affordable housing needed, Currie has enough houses; and
- Report of Examination comments on area are not supportive.

*Landscape - addressed in section 3.3.a)*

- Significant, permanent intrusion into countryside, out of character with the area, urban sprawl, loss of 'village' feel;
- Adverse impact on area locally significant in terms of landscape setting, views and quality of place;

*Design - addressed in section 3.3.b)*

- Development too big, too dense, and of inappropriate design; and
- Proposal seems to isolate people from community rather than integrate them.

*Amenity - addressed in section 3.3.d)*

- No guaranteed access to university grounds for estate residents; and
- Potential overshadowing of existing property;

*Traffic and road safety - addressed in section 3.3.a) and e)*

General

- Transport infrastructure insufficient;
- Measures proposed by the developers to encourage non-car travel are unsatisfactory;
- Transport assessment not independent, accurate, sufficiently cumulative or projecting far enough into the future; and
- Safety concerns.

Pedestrian

- Poor public transport links, no accessible train, tram or public transport to rest of city;
- Site too far from schools and routes proposed not safe;
- Route to park and ride is not pedestrian friendly - part unlit, part dangerously narrow, blind bends, poor pedestrian/cycle facilities;

- Lighting, road widening and good pavements on both sides of road are needed for safety;
- Traffic bottle neck over rail bridge - little scope for making it cyclist and pedestrian friendly; and
- No agreement with Heriot Watt to allow access paths.

### Cycle

- Adverse impact on local cyclists;
- Need safe, direct cycle paths, avoiding hill and dangerous dog-leg rail bridge;
- Proposed new footway on the east side of Riccarton Mains Road should be a shared-use for pedestrians and cyclists;
- Potential secondary route to Heriot Watt via bridge over Murray Burn, connection to campus perimeter track - much shorter route for walkers and cyclists to Curriehill Station; and
- Reasonable cycle distance to Edinburgh Park train and tram station - but involves a hill and crossing A71.

### Road network

- Network unable to cope with additional traffic;
- Lack of parking to accommodate persons using rail/tram stations or park and ride facilities;
- Road safety;
- Inadequate/ inappropriate access;
- Lack of car parking for students will increase on-street parking, causing road issues;
- Shared surfaces are not good practice as way to slow traffic or for those with visual or hearing issues;
- Traffic lights likely to have adverse impact;
- Infrastructure should precede development; and
- Improved transport infrastructure needed, including new junction to access the A720 between Calder and Barberton, bus infrastructure upgrading and interchange at Gillespie crossroads.

### *Flooding and drainage - addressed in section 3.3.g)*

- Site floods - not suitable for proposal.

### *Education - addressed in section 3.3.h)*

- School capacity concerns; and
- Proposal does not include Currie Primary.

### *Other issues - addressed in section 3.3.g)*

- Adverse impact on wildlife and actual and potential habitats;
- Air pollution;
- Inadequate existing and proposed community facilities and infrastructure;
- Increased use of Heriot Watt facilities;

- Socio-economic Assessment conclusions unclear on population numbers; and
- Site area given is inconsistent.

*Sustainability - addressed in section 3.3.i)*

- Proposal not sustainable;
- Brownfield sites and refurbished buildings should be prioritised;
- Adverse impact on commuting for work; and
- Proposed use is less sustainable than current farming use.

*Material Representations: General comments*

- Site is part of the Murray application 13/04911/PAN, rejected because it was not in line with the LDP - each application is considered on its own merits;
- Detailed analysis of housing land supply in LDP examination - this is considered in section 3.3.a);
- Encourage use of Park and Ride at Hermiston by bike, including adequate bike parking - infrastructure and developer contributions addressed in 3.3.e);
- Path on west of Riccarton Mains Road and old road section could form basis of cycle route to Currie, crossing point near rail bridge where one-way lights controlled working could free up road space for cyclists and pedestrians, calm traffic and discourage car use - noted. Cycling issues addressed in 3.3.e)
- Inadequate or absent Applicant response to Reporter's comments - the Local Development Plan takes account of the Reporter's comments and informs Planning's assessment;
- DPEA decisions are relevant - they inform this report; and
- Lack of obvious benefit to existing village - noted. The proposal is for a new village.

Currie Community Council

*Material points of objection*

- Green Belt - addressed in section 3.3.a);
- Loss of prime quality farmland- addressed in section 3.3.a);
- Not sustainable- addressed in section 3.3.a);
- Population/Education - addressed in section 3.3.a);
- Use (student accommodation) - addressed in section 3.3.a);
- Recreation space inadequate for greater local community- addressed in- addressed in section 3.3.b);
- Transport assessment inadequate - addressed in sections 3.3.a) and 3.3.f); and
- Public transport inadequate - - addressed in sections 3.3.a) and 3.3.f).

*Non-material comments*

- Construction traffic - not a material planning consideration. The Council's local area team would help deal with impacts;
- Health risk associated with housing near pylons - apart from noise, health risk has not been raised by Environmental Protection;

- Applicant may be looking to sell on - this is a commercial matter, rather than a planning matter.
- Contrary to draft ELDP policy ENV 10a - superseded by LDP. See response about LDP ENV 10a above;
- Council is approving applications purely on grounds of profit - this is incorrect. Committee reports set out reasoning for approval/refusal;
- Brexit may reduce student demand - not a material planning consideration;
- Traffic survey metrics were promised by developer - but not delivered to person making representation - this is a matter between applicant and developer;
- Submission of applications which are contrary to the development plan should not be allowed - the law permits anyone who wishes to make a planning application to do so;
- Disruption to rail services if powerlines are moved - this is a matter for Network Rail and the applicant to resolve; and
- Anti-social behaviour from students and on roads - would be a matter for other authorities, such as Police Scotland.

## **Conclusion**

The development of the site for residential purposes is not supported by the Edinburgh Local Development Plan (LDP) and is contrary to the provisions of LDP Policy Env 10 (Development in the Green Belt and Countryside).

The site is outwith the West Edinburgh Strategic Development Area (SDA) as defined by the Strategic Development Plan (SDP). As such, its development would be inconsistent with the SDA's spatial strategy which seeks to prioritise in the first instance, the development of brownfield land and land within identified SDAs.

The proposal is contrary to LDP Policy Hou 1 (Housing Development). Using the method described in the Housing Land Audit 2017 to assess unconstrained housing land with support, there is a five-year effective housing land supply in the Council's area. Even if there was a deficiency in the five year housing land supply, and considering the proposal against LDP policy Hou1 and the wide aims of the development plan, the proposal is not acceptable. It would have an adverse impact on the landscape setting of the city, would not provide suitable green belt boundaries and would not be in keeping with the character of the settlement and local area. It has poor public transport accessibility for pedestrians and there is no guarantee that this could be improved.

Insufficient information has been submitted to fully assess the transport impacts of the proposal and whether the pylons can be removed and the overhead powerlines can be successfully redirected or buried.

In summary, the proposal is unacceptable in principle, in terms of sustainable location, impact on city setting and area character and setting, and in terms of sufficiency of information.

The proposal is contrary to the development plan and there are no material considerations which justify approval.

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

### 3.4 Conditions/reasons/informatives

#### Reason for Refusal:-

1. The proposal is contrary to the provisions of Policy Env 10 (Development in the Green Belt and Countryside) of the Edinburgh Local Development Plan (LDP) as does not meet any of the criteria a) to d) for inclusion and it would detract from the landscape quality and the rural character of the area.
2. The proposal is contrary to the Edinburgh Local Development Plan Policy Hou 1 (Housing Development) as it does not satisfy any of the criteria in Hou 1 Part 1 and does not satisfy Hou 1 Part 2 because it is not in keeping with the character of the local area, would undermine Green Belt objectives, has not fully demonstrated what additional infrastructure is required and that it can be provided within a relevant timeframe, and is not sustainable, to the detriment of the overall objectives of the Local Development Plan policy.
3. The proposal is contrary to the provisions of the Edinburgh Local Development Plan Policy Tra 8 (Provision of Transport Infrastructure) as it has not fully demonstrated the cumulative effects of the proposal and that it can be addressed within a relevant timeframe.
4. The proposal is contrary to the provisions of the Edinburgh Local Development Plan Policy ENV 22 (Pollution and Air, Water and Soil Quality) as insufficient evidence has been submitted to demonstrate that there will be no significant cumulative adverse effects on local air quality and that noise from overhead pylons will not have a detrimental impact on future resident amenity.
5. The proposal is contrary to the provisions of the Edinburgh Local Development Plan Policy Hou10 (Community Facilities) as it has not demonstrated that facilities, including healthcare, are available.
6. The proposal is contrary to the provisions of Scottish Planning Policy (2014) section 80, as it would result in the non-essential and permanent loss of prime agricultural land.
7. The proposal is inconsistent with the spatial strategy of the Strategic Development Plan as it would introduce development to greenfield land outwith the identified Strategic Development Areas.

### Financial impact

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

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

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

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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:**

Sustainability would be considered in detail at the stage of application for matters conditioned.

## **Consultation and engagement**

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### **8.1 Pre-Application Process**

Pre-application discussions took place on this application.

### **8.2 Publicity summary of representations and Community Council comments**

This application was advertised on 11 November and 2 December 2016. Fifty eight letters of objection were received, including from a cycling group, a street improvement group, Heriot Watt University, a ward councillor and an MSP. Currie Community Council, as a statutory consultee, also objected. Following re-advertisement on 23 February 2018, six letters of objection and one letter of support were received. (Three late representations were received.)

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**

### Relevant Development Plans

The current Development Plan for this site comprises the Strategic Development Plan for South East Scotland (June 2013) and the Edinburgh Local Development Plan (LDP). Supporting documents for the LDP include the LDP Environmental Report, Transport Appraisals and Education Appraisal.

### Edinburgh Local Development Plan

The application site is identified as an area of Green Belt in the LDP. Policy ENV 10 sets out the range of uses supported in the Green Belt, including (subject to various constraints) those relating to agriculture, woodland, forestry, horticulture, countryside recreation and uses where a countryside location is essential.

### Strategic Development Plan

Strategic Development Plan Policy 7 provides that sites within and outwith Strategic Development Areas may be allocated in local development plans, in order to maintain an effective 5 year housing land supply subject to a number of provisions. (The site is not within a Strategic Development Area.)

### Scottish Planning Policy (SPP)

Provides that a five year effective land supply for housing should be maintained by the Local Authority and that investment in infrastructure, required as a result of planned growth should be addressed through the Development Plan process and not left to be resolved through the development management process.

### Supplementary Guidance

The amended draft Supplementary Guidance - Developer Contributions and Infrastructure Delivery is a material consideration.

**Date registered** 4 November 2016

**Drawing numbers/Scheme** 01.,

Scheme 1

**David R. Leslie**

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Eileen McCormack, Planning Officer

E-mail:eileen.mccormack@edinburgh.gov.uk Tel:0131 529 3609

**Links - Policies**

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**Relevant Policies:**

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

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

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

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

LDP Policy Des 3 (Development Design - Incorporating and Enhancing Existing and Potential Features) supports development where it is demonstrated that existing and potential features have been incorporated into the design.

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

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

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

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

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

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

LDP Policy Des 10 (Waterside Development) sets criteria for assessing development on sites on the coastal edge or adjoining a watercourse, including the Union Canal.

LDP Policy Des 11 (Tall Buildings - Skyline and Key Views) sets out criteria for assessing proposals for tall buildings.

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

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

LDP Policy Env 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 13 (Sites of International Importance) identifies the circumstances in which development likely to affect Sites of International Importance will be permitted.

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

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

LDP Policy Env 22 (Pollution and Air, Water and Soil Quality) sets criteria for assessing the impact of development on air, water and soil quality.

LDP Policy Hou 1 (Housing Development) sets criteria for assessing the principle of housing proposals.

LDP Policy Hou 2 (Housing Mix) requires provision of a mix of house types and sizes in new housing developments to meet a range of housing needs.

LDP Policy Hou 3 (Private Green Space in Housing Development) sets out the requirements for the provision of private green space in housing development.

LDP Policy Hou 4 (Housing Density) sets out the factors to be taken into account in assessing density levels in new development.

LDP Policy Hou 6 (Affordable Housing) requires 25% affordable housing provision in residential development of twelve or more units.

LDP Policy Hou 8 (Student Accommodation) sets out the criteria for assessing purpose-built student accommodation.

LDP Policy Hou 10 (Community Facilities) requires housing developments to provide the necessary provision of health and other community facilities and protects against valuable health or community facilities.

LDP Policy Ret 1 (Town Centres First Policy) sets criteria for retail and other town centre uses following a town centre first sequential approach.

LDP Policy Ret 6 (Out-of-Centre Development) identifies the circumstances in which out-of-centre retail development will be permitted.

LDP Policy Ret 8 (Entertainment and Leisure Developments - Other Locations) sets out the circumstances in which entertainment and leisure developments will be permitted outwith the identified preferred locations.

LDP Policy Ret 11 (Food and Drink Establishments) sets criteria for assessing the change of use to a food and drink establishment.

LDP Policy Tra 1 (Location of Major Travel Generating Development) supports major development in the City Centre and sets criteria for assessing major travel generating development elsewhere.

LDP Policy Tra 2 (Private Car Parking) requires private car parking provision to comply with the parking levels set out in Council guidance, and sets criteria for assessing lower provision.

LDP Policy Tra 3 (Private Cycle Parking) requires cycle parking provision in accordance with standards set out in Council guidance.

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

**Non-statutory guidelines** Student Housing Guidance interprets local plan policy, supporting student housing proposals in accessible locations provided that they will not result in an excessive concentration.

LDP Policy RS 6 (Water and Drainage) sets a presumption against development where the water supply and sewerage is inadequate.

## **Relevant Non-Statutory Guidelines**

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

**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, parking, streets and landscape, in Edinburgh.

**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.

## **Relevant Policies of the Strategic Development Plan**

SDP06 (Housing Land Flexibility) Policy 6 requires that a 5 year effective housing land supply is maintained. It allows the granting of planning permission for the earlier development of sites which are allocated for a later period in the LDP to maintain the land supply.

Policy 7 requires that a 5 year housing land supply is maintained. Sites within or outwith Strategic Development Areas may be allocated in LDPs or granted consent subject to the development; being in accord with the character of the settlement or area, not undermining green belt objectives and any additional infrastructure required is either committed or to be funded by the developer.

# Appendix 1

## **Application for Planning Permission in Principle 16/05217/PPP**

**At Land 320 Metres Southeast Of 1 Riccarton Mains Cottages, Riccarton Mains Road, Currie Residential development (class 9), flats (sui generis) (including affordable housing provision, university halls of residence), neighbourhood centre inc. retail (class 1), services (class 2), food + drink (class 3), non-residential (class 10) + assembly + leisure (class 11) with associated access, parking, open space, public realm + infrastructure works (inc. demolition of overhead + relaying of power lines)**

### **Consultations**

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#### **Archaeology**

*The site, split by Riccarton Mains Road, forms open farmland lying adjacent to and occupying higher ground overlooking the Murray Burn. Historically the site formed part of the medieval Riccarton Estate centred upon Riccarton House formerly located at centre of what is now Heriot Watt University and its farm Riccarton Mains. The later C-listed farm house survives today boarding the northern limits of the site. Although 18th/19th century in date the current farm is likely to date back to the 16th/17th century as it is mentioned in a Royal Charter of 1610. Although no sites have been recorded within the boundaries of the site, prehistoric settlement is also known from the immediate area with ditched enclosures located at Currievale to the west (NT16 NE59), to the East at Barberton Mains (NT16 NE9) and to SE o(n the opposing side of the railway line) at Whitelaw (NT16 NE 194). The latter two enclosures are topographically situated on a very similar location to proposed village.*

*Accordingly this site has been identified as occurring within an area of archaeological potential. This application must be considered therefore under terms the Historic Environment Scotland Policy Statement (HESPS) 2016, Scottish Planning Policy (SPP), PAN 02/2011, current Rural West Edinburgh Local Plan Policy E30 and Local Development Plan (as modified) 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 archaeological evidence from the surrounding area indicates that this proposed development has the potential to disturb significant unrecorded prehistoric and medieval/post-medieval remains. Having assessed the potential archaeological implications of development, it is considered that these proposals would have potential moderate archaeological impacts.*

*It is therefore considered essential that prior to the submission of further detailed AMC or FUL for the site, that a programme of archaeological evaluation is undertaken up to a maximum of 10% of the site linked to a programme of metal detecting. The results of which would 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 is undertaken prior to and or during subsequent phases of development.*

*Furthermore if important discoveries are made during these works a programme of public/community engagement (e.g. site open days, viewing points, temporary interpretation boards) will be required to be undertaken, the final scope to be agreed with CECAS.*

*Accordingly it is recommended that the following condition be attached consent, if granted, to ensure that this programme of archaeological works is undertaken either prior to or during construction.*

*'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, public engagement) 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.*

## **Archaeology comment**

*Just read over the EIA which was issued to me on the 2nd December. Although I have a couple of minor issues with it in essence these are in line with my earlier conclusions and recommendations expressed in my memo to you of the 9th November.*

## **Affordable Housing**

### *1. Introduction*

*Housing requirements by tenure are assessed in line with the 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 residential 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 approximately 200 homes and as such the AHP will apply. There will be a AHP requirement for a minimum of 25% homes of approved affordable housing tenures, so if 200 homes were built this would be a requirement for 50 affordable homes. We request that the developer enters an early dialogue with the Council to identify a Registered Social Landlord (RSL) to take forward the affordable homes and deliver a well integrated and representative mix of affordable housing on site.*

*The applicant has stated that a mix of house types and sizes will be provided and the development will include affordable homes to meet the Council's requirements. This is welcomed by the department. The affordable homes are required to be situated in at least two locations on the site, to be tenure blind and fully compliant with latest building regulations and further informed by guidance such as the relevant Housing Association Design Guides and Housing for Varying Needs design procedures.*

*This department requests that in subsequent detailed applications, the locations, numbers and tenures of the affordable homes should be identified within the development site and the RSL (or RSLs) taking forward the affordable housing should be clearly stated.*

*In regards to accessibility, the applicant has stated the site will be well served by bus routes x25, 25 and 45. All new affordable homes should be located within a 400m walk of public transport links in accordance with PAN 75 guidance.*

### *3. Summary*

*The applicant has made a commitment to provide on-site affordable housing and this is welcomed by the department. The number and locations of affordable homes, and the RSL who will own or manage them should be identified by applicant, in agreement with the Council. These details will need to be confirmed in subsequent detailed applications and the affordable homes will be secured by a Section 75 Legal Agreement. This approach will assist in the delivery of a mixed sustainable community.*

*In summary:*

*The applicant is requested to enter an early dialogue with the Council regarding which Registered Social Landlord (RSL) is to deliver the affordable housing*

*25% of affordable housing is required to be delivered onsite, across at least two locations, to enable mixed communities*

*The affordable housing should include a variety of house types and sizes to reflect the provision of homes across the wider site*

*In the interests of delivering mixed, sustainable communities, the affordable housing will be expected to be identical in appearance to the market housing; an approach 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.*

## **Children + Families**

*The Council has assessed the impact of the growth set out in the LDP through an Education Appraisal (Updated December 2016), taking account of school roll projections. To do this, an assumption has been made as to the amount of new housing development which will come forward ('housing output'). This takes account of new housing sites allocated in the LDP and other land within the urban area.*

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

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

### *Assessment and Contribution Requirements*

*Assessment based on:  
200 Houses*

*This site falls within Sub-Area SW-1 of the 'South West Education Contribution Zone'.*

*The Council has assessed the impact of the proposed development on the identified education infrastructure actions and current delivery programme, as set out in the Action Programme and Supplementary Guidance.*

*The Education Appraisal did not consider the impact of new housing on this site, which would be expected to generate 60 additional primary school pupils and 40 additional secondary school pupils. The education infrastructure actions identified in the current Action Programme are not sufficient to accommodate the increase in the cumulative number of pupils expected in the area if this development progressed.*

*If the Council is minded to grant the application, the education infrastructure actions for Sub-Area SW-1 would be revised. A need for additional primary school capacity is already identified in the Action Programme, but it is likely that more would be required to accommodate pupils from this development. As the Council is currently considering whether any school catchment area changes in the area should be progressed it is not certain where the additional capacity would be delivered and what the total infrastructure cost would be.*

*Future versions of the Council's Action Programme and Supplementary Guidance would identify any revisions to the requirement for new primary school infrastructure in the Zone, and set out the new per unit contribution rates. However at the present time, it is appropriate to apply the established primary school contribution rates for Sub-Area SW-1 to the proposed development.*

*School roll projections for Currie High School indicate that there will not be sufficient spare capacity to accommodate the increase in additional secondary school pupils anticipated in the area as a result of this development. Although the Council's current Action Programme does not identify a requirement for additional capacity at the school (this is based on the impact of new housing sites allocated in the LDP and other land within the urban area), additional capacity will be required to accommodate pupils from the application site. The pro-rata contribution rate for secondary school extensions, which is set out in the Supplementary Guidance, should also be applied to the proposed development (£6,419 per house and £963 per flat - as at Q1 2015).*

*The application is for planning permission in principle. The required contribution should be secured through a legal agreement based on the established 'per house' and 'per flat' contribution figures set out below.*

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

*Per unit infrastructure contribution requirement:*

*Per Flat - £2,048*

*Per House - £11,067*

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

### **Children + Families further comment**

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

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

### *Assessment and Contribution Requirements*

*Assessment based on:*

*200 Houses*

*This site falls within Sub-Area SW-1 of the 'South West Education Contribution Zone'.*

*The Council has assessed the impact of the proposed development on the identified education infrastructure actions and current delivery programme, as set out in the Action Programme and Supplementary Guidance.*

*The Education Appraisal did not consider the impact of new housing on this site, which would be expected to generate 60 additional primary school pupils and 40 additional secondary school pupils. The education infrastructure actions identified in the current Action Programme are not sufficient to accommodate the increase in the cumulative number of pupils expected in the area if this development progressed.*

*If the Council is minded to grant the application, the education infrastructure actions for Sub-Area SW-1 would be revised. A need for additional primary school capacity is already identified in the Action Programme, but it is likely that more would be required to accommodate pupils from this development. As the Council is currently considering whether any school catchment area changes in the area should be progressed it is not certain where the additional capacity would be delivered and what the total infrastructure cost would be.*

*Future versions of the Council's Action Programme and Supplementary Guidance would identify any revisions to the requirement for new primary school infrastructure in the Zone, and set out the new per unit contribution rates. However at the present time, it is appropriate to apply the established primary school contribution rates for Sub-Area SW-1 to the proposed development (£4,648 per house and £1,085 per flat - as at Q1 2015).*

*School roll projections for Currie High School indicate that there will not be sufficient spare capacity to accommodate the increase in additional secondary school pupils anticipated in the area as a result of this development. Although the Council's current Action Programme does not identify a requirement for additional capacity at the school (this is based on the impact of new housing sites allocated in the LDP and other land within the urban area), additional capacity will be required to accommodate pupils from the application site. The pro-rata contribution rate for secondary school extensions, which is set out in the Supplementary Guidance, should also be applied to the proposed development (£6,419 per house and £963 per flat - as at Q1 2015).*

*The application is for planning permission in principle. The required contribution should be secured through a legal agreement based on the total 'per house' and 'per flat' contribution figures which are set out below.*

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

*Per unit infrastructure contribution requirement:*

*Per Flat - £2,048*

*Per House - £11,067*

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

## **Children + Families further comment**

*The Council has assessed the impact of the growth set out in the LDP through an Education Appraisal (January 2018), taking account of school roll projections. To do this, an assumption has been made as to the amount of new housing development which will come forward ('housing output'). This takes account of new housing sites allocated in the LDP and other land within the urban area.*

*In areas where additional infrastructure will be required to accommodate the cumulative number of additional pupils, education infrastructure 'actions' have been identified. The infrastructure requirements and estimated delivery dates are set out in the Council's Action Programme (January 2018).*

*Residential development is required to contribute towards the cost of delivering these education infrastructure actions to ensure that the cumulative impact of development can be mitigated. In order that the total delivery cost is shared proportionally and fairly between developments, Education Contribution Zones have been identified and 'per house' and 'per flat' contribution rates established. These are set out in the draft Supplementary Guidance on 'Developer Contributions and Infrastructure Delivery' (January 2018).*

### *Assessment and Contribution Requirements*

*Assessment based on:*

*200 Houses*

*This site falls within Sub-Area SW-1 of the 'South West Education Contribution Zone'.*

*The Council has assessed the impact of the proposed development on the identified education infrastructure actions and current delivery programme, as set out in the Action Programme and Supplementary Guidance.*

*The Education Appraisal did not consider the impact of new housing on this site, which would be expected to generate 60 additional primary school pupils and 40 additional secondary school pupils. The education infrastructure actions identified in the current Action Programme are not sufficient to accommodate the increase in the cumulative number of pupils expected in the area if this development progressed.*

*If the Council is minded to grant the application, the education infrastructure actions for Sub-Area SW-1 would be revised. A need for additional primary school capacity is already identified in the Action Programme, but it is likely that more would be required to accommodate pupils from this development. As the Council is currently considering whether any school catchment area changes in the area should be progressed it is not certain where the additional capacity would be delivered and what the total infrastructure cost would be.*

*Future versions of the Council's Action Programme and Supplementary Guidance would identify any revisions to the requirement for new primary school infrastructure in the Zone, and set out the new per unit contribution rates. However at the present time, it is appropriate to apply the established primary school contribution rates for Sub-Area SW-1 to the proposed development (£5,212 per house and £1,216 per flat - as at Q4 2017).*

*School roll projections for Currie High School indicate that there will not be sufficient spare capacity to accommodate the increase in additional secondary school pupils anticipated in the area as a result of this development. Although the Council's current Action Programme does not identify a requirement for additional capacity at the school (this is based on the impact of new housing sites allocated in the LDP and other land within the urban area), additional capacity will be required to accommodate pupils from the application site. The pro-rata contribution rate for secondary school extensions, which is set out in the Supplementary Guidance, should also be applied to the proposed development (£6,536 per house and £980 per flat - as at Q4 2017).*

*The application is for planning permission in principle. The required contribution should be secured through a legal agreement based on the total 'per house' and 'per flat' contribution figures which are set out below.*

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

*Per unit infrastructure contribution requirement:*

*Per Flat - £2,196*

*Per House - £11,748*

*Note - all infrastructure contributions shall be index linked based on the increase in the BCIS Forecast All-in Tender Price Index from Q4 2017 to the date of payment.*

### **Currie Community Council**

*1) Green Belt. This application is for a site in the Green Belt that is not included in the current LDP.*

*2) Prime Quality Farmland. I understand this land is prime quality farmland and therefore should not be built on.*

*3) Sustainable Development. This proposed development is not sustainable. The majority of residents will commute as minimal local workplaces are included in the planned development. It is also very unlikely that this proposal will make provision for any more than the minimum 25% affordable housing. It is also unlikely that any affordable housing will actually be included in this development. Housing in this area commands high prices therefore we must assume that yet again premium priced housing will be built.*

4) *Population/Education statistics.* A quick calculation will suggest that there will be many more primary and secondary school age children than indicated in the proposal. There is no capacity within Currie Primary School. There is a proposal for additional classrooms to be added on to Dean Park and Nether Currie for the Newmills and Kinleith Mill developments. This proposal does not include Currie Primary School and these additional agreed classrooms do not include capacity for other developments.

5) *Student Accommodation* As this proposal was created prior to the Brexit vote it is now an unknown whether the demand for university places within the capital will decrease.

6) *Recreation Space.* If this recreation space is intended for the greater local community then it is not adequate.

7) *Transport Assessments.* It would appear that the traffic assessment considers only current road usage and does not include the agreed new developments at Newmills, Kinleith, The Tannery and other proposals in the pipeline. The assessments made on behalf of the proposers are unlikely to be impartial and therefore a true reflection of the current traffic situation.

We quote below comments contained in the DPEA report:

*Michael Cunliffe (PPA-230-2112 - 2014) said - "several representations draw attention to the frequent tendency for traffic to grind to a halt. This was borne out on the way to my site visit, when a major holdup occurred between Juniper Green and Currie in the early afternoon...I am concerned that this and the traffic generated by any other significant developments in Balerno would add to an already congested road and lead to even longer journey times for both car users and bus passengers."*

*Richard Dent (PPA-230-2185 - 2016) said: "The proposal [to develop at Cockburn Crescent, Balerno] would undoubtedly increase traffic queuing and congestion at junctions affected by the site, including Gillespie Crossroads.."*

8) *Public Transport.* This is already an issue in this area with elderly residents having to undertake multiple bus journeys in order to fulfill basic shopping, banking, hospital appointments etc. This proposal does not address these requirements and will leave residents in the proposed development isolated as there is only one infrequent 45 bus service.

9) *Construction Traffic.* The construction of this development will add to the disruption to traffic on this already busy road and adversely impact traffic on Lanark Road West. This will cause more traffic congestion and therefore increased pollution.

10) *The Development Proposal.* Whilst it is refreshing to see the amount detail and planning included in this proposal, it is somewhat unnecessary at this stage. This may suggest that the proposer is determined to gain support for planning in order to make the land more attractive and valuable to future purchasers. E.g. to gain planning permission and sell on to a builder.

## **Economic Development**

*The application is primarily for housing and therefore has the potential to contribute to economic growth. However, this is a matter that Planning are best placed to assess in terms of whether this proposal represents sustainable growth and the Economy Service has no further comments to make at this stage.*

## **Edinburgh Airport**

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

### *Submission of a Bird Hazard Management Plan*

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

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

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

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

*The Bird Hazard Management Plan must ensure that flat/shallow pitched roofs be constructed to allow access to all areas by foot using permanent fixed access stairs ladders or similar. The owner/occupier must not allow gulls, to nest, roost or loaf on the building. Checks must be made weekly or sooner if bird activity dictates, during the breeding season. Outside of the breeding season gull activity must be monitored and the roof checked regularly to ensure that gulls do not utilise the roof. Any gulls found nesting, roosting or loafing must be dispersed by the owner/occupier when detected or when requested by Edinburgh Airport Airside Operations staff. In some instances it may be necessary to contact Edinburgh Airport Airside Operations staff before bird dispersal takes place. The owner/occupier must remove any nests or eggs found on the roof.*

*The breeding season for gulls typically runs from March to June. The owner/occupier must obtain the appropriate licences where applicable from Scottish Natural Heritage before the removal of nests and eggs.*

### *Submission of Landscaping Scheme*

*No development shall take place until full details of soft and water landscaping works have been submitted to and approved in writing by the Planning Authority, details must comply with Advice Note 3 'Potential Bird Hazards from Amenity Landscaping & Building Design' (available at <http://www.aoa.org.uk/operations-safety/>). These details shall include:*

- o any earthworks*
- o grassed areas*
- o the species, number and spacing of trees and shrubs*
- o details of any water features*
- o drainage details including SUDS - Such schemes must comply with Advice Note 6 'Potential Bird Hazards from Sustainable urban Drainage Schemes (SUDS) (available at <http://www.aoa.org.uk/policy-safeguarding.htm>).*
- o others that you or the Authority may specify and having regard to Advice Note 3: Potential Bird Hazards from Amenity Landscaping and Building Design and Note 6 on SUDS].*

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

*Reason: To avoid endangering the safe movement of aircraft and the operation of Edinburgh Airport through the attraction of birds and an increase in the bird hazard risk of the application site.*

### *Submission of SUDS Details*

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

- o *Attenuation times*
- o *Profiles & dimensions of water bodies*
- o *Details of marginal planting*

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

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

*We would also make the following observations:*

#### *Lighting*

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

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

*As the application is for planning permission in principle, it is important that Edinburgh Airport is consulted on all reserved matters relating to siting and design, external appearance (including lighting) and landscaping.*

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

#### **Environmental Assessment**

*The application is for Planning Permission in Principal; however, the application does include very detailed plans of what is proposed. The proposal is to include a number of different uses including residential properties, neighbourhood centre, food and drink use class 3, non-residential class 10 and leisure class 11 uses all with associated car parking and infrastructure works including the demolition of overhead power lines and relaying of power lines underground.*

*The site is located on open farmland immediately southeast of Heriot-Watt University's Riccarton Campus, between Hermiston and Currie. The site itself is split into two parts by Riccarton Mains Road, one smaller area to the northwest of the road and a larger area to the east of the road, the site is located within Edinburgh's Green Belt*

*The Murray Burn runs just west of the site boundary, flowing from south to north and lies approximately 3m lower than the level of the smaller site. The Shotts railway line from Glasgow Central to Edinburgh Railway skirts the southeastern boundary of the site, approximately 7m from the site boundary at its closest point. Three sets of electricity pylons (two high voltage on pylons and one low voltage on wooden poles) cross the site.*

*To the north of the site is open fields and Riccarton Mains buildings (~100m from site boundary) with Riccarton Mains Road and a roundabout just to the west of this. To the South, immediately the Shotts Glasgow Central to Edinburgh railway line, then the small village of Corslet at ~200m from the southern boundary. Currie begins at approximately 500m from the southern boundary of the site. To the west, Murray Burn and mixed woodland surrounding it and then Heriot Watt Riccarton Campus with associated buildings, outdoor areas and sports facilities. To the east, there is a house on the eastern site boundary, the aforementioned railway line and generally open farmland beyond this.*

*The applicant has submitted various supporting materials including a noise and local air quality impact assessment. The applicant has submitted a site investigation report which is currently being assessed by Environmental Protection. Until this has been completed Environmental Assessment recommends that a condition is attached to ensure that contaminated land is fully addressed. The applicant has also provided communications between the applicant and Scottish Power regarding the overhead pylons.*

## *Noise*

*In order to assess the potential noise impacts on the proposed development the applicant has submitted a noise impact assessment to address noise from Riccarton Mains Road, Railway line noise at southern site boundary, noise from the National Performance Centre, Air Rifle Range and any potential noise source within development specifically at building E. As this is not a detailed planning application the final layout and design have not been concluded and will likely change. When detailed plans are available further noise impact assessments will be required.*

*Noise sources from the overhead lines has not be carried out as requested by Environmental Protection this is based on the assumption that the overhead lines will be re-directed or buried and are therefore have not been assessed. Environmental Protection have serious concerns regarding this assumption as it will not be possible to condition that the overhead lines to be buried prior to development. Environmental Protection wanted the overhead lines to be assessed as this would be a worst-case scenario assessment. If the overhead lines remain a buffer zone under them will be require in the region of 20-50m wide.*

*The noise impact assessment has identified that noise mitigation measures will be required to ensure that specified indoor and outdoor amenity noise levels will be achieved. This is related to the transport sources of noise and will include an area that should not be developed for amenity space, acoustic barriers and double glazing.*

*As noise level in certain amenity areas exceeds the criteria level and the most appropriate method for controlling noise in garden areas is by the use of an acoustic grade fence and buffer zones. The assessment has identified that an acoustic fence and buffer zone are required to fully block the line of sight to Riccarton Mains Road to the centre of the proposed developments garden areas. Internal noise will require acoustic double glazing capable a sound reduction level of 33dB. Environmental Protection will recommend conditions are attached to ensure these mitigation measures are carried out.*

*It is also understood that the existing 40mph zone may be reduced to 30mph within the development frontage. This would possibly lead to a slight reduction in noise levels although this has not been predicted in the noise impact assessment. It would be in the interest of the applicant to reassess the road noise when detailed plans are available and if the speed limit has been reduced. Furthermore, the rail noise could be updated to include freight movements as this has not been actually measured.*

*Noise affecting the site from internal and external sources requires to be fully evaluated. A Noise Impact Assessment (NIA) will be necessary once details of proposed uses, layout, building heights /orientation are available. Any NIA will incorporate detailed technical specifications for any mitigation measures identified, as agreed by the Head of Planning.*

*Environmental Protection will not be in a position to support the application due to our concerns with the overhead power lines.*

### *Local Air Quality*

*Planning Advice Note (PAN) 51: Planning, Environmental Protection and Regulation 3 sets out the Scottish Executive's core policies and principles with respect to environmental aspects of land use planning, including air quality. PAN 51 states that air quality is capable of being a material planning consideration for the following situations where development is proposed inside or adjacent to an Air Quality Management Area (AQMA):*

- \* Large scale proposals.*
- \* If they are to be occupied by sensitive groups such as the elderly or young children.*
- \* If there is the potential for cumulative effects.*

*The planning system has a role to play in the protection of air quality, by ensuring that development does not adversely affect air quality in AQMAs or, by cumulative impacts, lead to the creation of further AQMAs (areas where air quality standards are not being met, and for which remedial measures should therefore be taken.*

AQMAs have been declared at five areas in Edinburgh - City Centre, St John's Road (Corstorphine), Great Junction Street (Leith) Glasgow Road (A8) at Ratho Station and Inverleith Row/Ferry Road. Poor air quality in the AQMAs is largely due to traffic congestion and the Council's Air Quality Action Plan contains measures to help reduce vehicle emissions in these areas. The Council monitors air quality in other locations and may require to declare further AQMAs where AQS are being exceeded., It is noted that a significant amount of development is already planned / committed in west Edinburgh and additional development will further increase pressure on the local road network. Committed development should therefore be fully accounted for in the Air Quality Impact Assessment for these proposals.

The applicant has submitted a supporting air quality impact assessment but it's not clear what developments have been included as committed developments in the air quality model.

Reducing the need to travel and promoting the use of sustainable modes of transport are key principles as identified in the second Proposed Edinburgh Local Development Plan (LDP). The LDP also states growth of the city based on car dependency for travel would have serious consequences in terms of congestion and air quality. An improved transport system, based on sustainable alternatives to the car is therefore a high priority for the Council and continued investment in public transport, walking and cycling is a central tenet of the Council's revised Local Transport Strategy 2014-19.

The development site is in close proximity to the Hermiston Gate Park and Ride which is well served by public transport and has rapid electric vehicle charging facilities. The applicant should be encouraged to keep car parking number to a minimum, support car club with electric charging, provide rapid electric vehicle charging throughout the development site, provide public transport incentives for residents, improve cycle/pedestrian facilities and links and contribute towards expanding the electric charging facilities at the Hermiston Park and Ride.

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

Environmental Protection have concerns with the cumulative impacts developments especially large proposals on the green belt may have on local air quality. Local roads in the area are already congested during peak hours and the development of this site will only exacerbate this.

## Odours

The PPP aspect of the application may propose Use Class 3, 10 & 11 premises which are likely to include cooking operations. Ventilation is likely to be required to adequately deal with kitchen effluvia from these premises and ensure that they reach an appropriate height. Therefore, the siting of such premises will require to be fully assessed at the AMC stage to ensure that odours from food operations do not impact upon residential amenity.

## Overhead Power Lines

*The applicant has provided an email from Scottish Power Networks advising that they are in dialogue with the applicant regarding the potential for underground and/or diversion of the 275kV and 132kV transmission overhead lines. Materials such as brick and clay are very efficient at shielding the electric field. In underground lines, the construction design is such that the electric field is completely shielded. The static electric field from overhead HVDC lines can expand further into the surroundings compared to AC lines (corona effects). The magnetic field, in contrast, passes unobstructed through most materials. However, the fields' strength diminishes quickly with distance from the line (International Commission on Non-Ionizing Protection). It is therefore desirable to have the powerline buried or diverted however the lines would need to be buried under the railway and there does appear to be three different sets of power lines crossing the site. It's not clear if all lines can be diverted/buried. All overhead cables would need to be buried or relocated before any development could commence.*

*Therefore, Environmental Protection on balance recommend the application is reused due to the potential adverse impacts the proposal may have on local air quality and the doubt regarding the potential to relocate the overhead power lines. If consent is grant Environmental Protection recommends that the following conditions are attached;*

### Conditions

#### Site in General

*Prior to the commencement of construction works on site:*

*a) A site survey (including intrusive investigation where necessary) must be carried out to establish, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and*

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

*ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.*

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

*The following noise protection measures to the proposed development, as defined in the Neo Environmental 'Volume 2 Environmental Statement' Chapter 7. Acoustics, dated 20/10/2016:*

*An acoustic fence with a minimum surface density in of 10kg/m<sup>2</sup> shall be erect as per Figure 7.1 Chapter 7 Acoustic Appendix dated 11/10/2016 drawing number NEO00347/030/A*

*No amenity areas to be located within the dotted lines as highlighted in Figure 7.2 Chapter 7 Acoustic Appendix dated 11/10/2016 drawing number NEO00347/030/A at the final design stage.*

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

*Class 3,10 and 11 uses proposed as per PPP application*

*Development shall not commence until a scheme for protecting the occupiers of the proposed and existing residential units hereby consented from operational noise has been submitted to and approved in writing by the Head of Planning; all works which form part of the approved scheme shall be completed to the satisfaction of the Head of Planning, before any part of the development is occupied.*

*The kitchen shall be ventilated by a system capable of achieving 30 air changes per hour, and the cooking effluvia shall be ducted to a suitable exhaust point as agreed with the Planning Authority to ensure that no cooking odours escape or are exhausted into any neighbouring premises.*

*The ventilation system shall be installed, tested and operational prior to the use hereby approved being taken up.*

*Deliveries and collections, including waste collections, will require to be agreed at the Approval of Matters in Conditions (AMC) stage.*

*Residential uses*

*Details of the required acoustic glazing barrier shall be submitted in the form of an updated noise impact assessment and agreed at the Approval of Matters in Conditions (AMC) stage.*

*Informative*

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

### **Environmental Assessment comment**

*A Preliminary Environmental Assessment Report dated May 2016 appears to have been submitted in support of this application.*

*An initial inspection of this report indicates that the potential for significant sources of contamination on this site appear to be minimal and therefore risks in connection with development to residential are likely to be of low level.*

*Nevertheless, an intrusive investigation is proposed by the report which will aim to identify the presence of unexpected contamination associated with the general ground conditions, further investigate the minor potential sources of contamination identified by the Preliminary Environmental Assessment, and assess potential risks associated with the development of the land to residential.*

*Environmental Protection would consider the application of a planning condition (SIO3c) to be sufficient for the purpose of ensuring/enabling any possible remedial requirements to address the presence of contaminants are agreed with the Local Authority prior to any works commencing on site to ensure the land is suitable for use.*

### **Environmental Assessment updated comment**

*Environmental Protection have considered the supplementary information submitted by the applicant with regards transport and local air quality impacts. It is accepted that the changes in the predicted traffic flows are likely to be insignificant in terms of the air quality impacts, therefore the original consultation response provided by Environmental Protection is still valid.*

*The application is for Planning Permission in Principal; however, the application does include very detailed plans of what is proposed. The proposal is to include a number of different uses including residential properties, neighbourhood centre, food and drink use class 3, non-residential class 10 and leisure class 11 uses all with associated car parking and infrastructure works including the demolition of overhead power lines and relaying of power lines underground.*

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*Large scale proposals.*

*If they are to be occupied by sensitive groups such as the elderly or young children.*

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### *Odours*

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*Therefore, Environmental Protection on balance recommend the application is reused due to the potential adverse impacts the proposal may have on local air quality and the doubt regarding the potential to relocate the overhead power lines. If consent is grant Environmental Protection recommends that the following conditions are attached;*

### *Conditions*

## *Site in General*

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

*a) A site survey (including intrusive investigation where necessary) must be carried out to establish, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and*

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

*ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.*

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

3. *The following noise protection measures to the proposed development, as defined in the Neo Environmental 'Volume 2 Environmental Statement' Chapter 7. Acoustics, dated 20/10/2016:*

*An acoustic fence with a minimum surface density in of 10kg/m<sup>2</sup> shall be erect as per Figure 7.1 Chapter 7 Acoustic Appendix dated 11/10/2016 drawing number NEO00347/030/A*

*No amenity areas to be located within the dotted lines as highlighted in Figure 7.2 Chapter 7 Acoustic Appendix dated 11/10/2016 drawing number NEO00347/030/A at the final design stage.*

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

*Class 3,10 and 11 uses proposed as per PPP application*

4. *Development shall not commence until a scheme for protecting the occupiers of the proposed and existing residential units hereby consented from operational noise has been submitted to and approved in writing by the Head of Planning; all works which form part of the approved scheme shall be completed to the satisfaction of the Head of Planning, before any part of the development is occupied.*

5. *The kitchen shall be ventilated by a system capable of achieving 30 air changes per hour, and the cooking effluvia shall be ducted to a suitable exhaust point as agreed with the Planning Authority to ensure that no cooking odours escape or are exhausted into any neighbouring premises.*

6. *The ventilation system shall be installed, tested and operational prior to the use hereby approved being taken up.*

7. *Deliveries and collections, including waste collections, will require to be agreed at the Approval of Matters in Conditions (AMC) stage.*

#### *Residential uses*

1. *Details of the required acoustic glazing barrier shall be submitted in the form of an updated noise impact assessment and agreed at the Approval of Matters in Conditions (AMC) stage.*

#### *Informative*

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

#### **Network Rail**

*Whilst Network Rail has no objections in principle to the proposal, due to its close proximity to the operational railway we would request that the following matters are taken into account:*

*The accompanying Planning Statement states that "the site is one of the most sustainable locations in the west of Edinburgh benefiting from a range of nearby public transport links". It then further recognises that Curriehill Station is located approximately 1.5km to the west of the site (c. 15 min walk) and provides an hourly service both to Edinburgh and Glasgow Central. The station provides car parking and 12 cycle parking spaces. It also states that the site is approximately 2km from Edinburgh Park Station which provides regular train services to Edinburgh City Centre, Dunblane and Helensburgh and Edinburgh Park tram which offers regular services to the airport and city centre.*

*Paragraph 290 of Scottish Planning Policy states that "Development proposals that have the potential to affect the performance or safety of the strategic transport network need to be fully assessed to determine their impact... Where such investment is required, the cost of the mitigation measures required to ensure the continued safe and effective operation of the network will have to be met by the developer."*

*It is therefore requested that further consideration is given to the impact of the proposed development on the rail network in the area. This may include pedestrian, cycling and vehicular linkages, car parking, cycle lockers and other station amenities.*

*In addition to the above, the following matters must also be taken into account, and if necessary and appropriate included as conditions or advisory notes, if granting the application:*

*Uncontrolled drainage towards the railway may have a direct impact on the reliability and frequency of the rail transport in your area.*

*o All surface or foul water arising from the development must be collected and diverted away from Network Rail Property. (Any Sustainable Urban Drainage Scheme should not be sited within 10 metres of railway infrastructure and should be designed with long term maintenance plans which meet the needs of the development).*

*The railway can be a dangerous environment. Suitable barriers must be put in place by the applicant to prevent unauthorised and unsafe access to the railway.*

*o If not already in place, the applicant must provide a suitable trespass proof fence of at least 1.8 metres in height adjacent to Network Rail's boundary and provision for the fence's future maintenance and renewal should be made. We recommend a 1.8 metre high 'rivetless palisade' or 'expanded mesh' fence. Network Rail's existing boundary measure must not be removed without prior permission.*

*The proximity and type of planting proposed are important when considering a landscaping scheme. Leaf fall in particular can greatly impact upon the reliability of the railway in certain seasons. Network Rail can provide details of planting recommendations for neighbours.*

*o Where trees/shrubs are to be planted adjacent to the railway boundary these should be positioned at a minimum distance from the boundary which is greater than their predicted mature height. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary.*

*Issues often arise where sensitive development types are sited in close proximity to the rail line.*

*o The applicant should be aware that any proposal for noise or vibration sensitive use adjacent to the railway may result in neighbour issues arising. Every endeavour should be made by the applicant in relation to adequate protection of the uses contained within the site.*

*Construction works must be undertaken in a safe manner which does not disturb the operation of the neighbouring railway. Applicants must be aware of any embankments and supporting structures which are in close proximity to their development.*

*o Details of all changes in ground levels, laying of foundations, and operation of mechanical plant in proximity to the rail line must be submitted to Network Rail's Asset Protection Engineer for approval prior to works commencing on site. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. by a "possession" which must be booked via Network Rail's Asset Protection Engineer and are subject to a minimum prior notice period for booking of 20 weeks.*

## **Police Scotland**

*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.*

## Roads Authority Issues

*The application should be refused.*

*Reasons:*

*The transport infrastructure enhancement needs arising from the planned growth set out in the Local Development Plan (LDP) have been assessed by a transport appraisal which accompanies the LDP and informs its Action Programme. The Transport Infrastructure Appraisal provides a cumulative assessment of the additional transport infrastructure required to support the new housing development identified within the LDP. Where cumulative impacts have been identified, transport infrastructure to mitigate the impact of the development are established. Contribution Zones are used to collect developer contributions equitably towards these actions.*

*This site is not proposed within the LDP and, therefore, its transport impact on the strategic road network has not been assessed cumulatively. Whilst the applicant has considered the impact of committed development of this site in combination with other developments in the area, it is clear that traffic will have a significant impact on the existing road network, in particular A70 Lanark Road, Riccarton Mains Road and A71 Calder Road. The Local Development Plan states that development proposals relating to major housing or other development sites which would generate a significant amount of traffic must demonstrate that individual and cumulative transport impacts can be timeously addressed. It is unclear whether the additional traffic from this site can be so addressed within the improvement works set out in the Action Programme.*

*In addition, the LDP policies support the transport strategy by seeking to minimise travel demand and encourage a shift to more sustainable forms of travel. Major travel generating developments should take place in locations well served by public transport, walking and cycling networks, and development in non-central locations with limited sustainable travel options will be resisted. The proposed site is not considered to be well served by public transport and it is likely that public transport improvements will not be in place when required to serve the development.*

*If minded to grant, the application should be continued for the applicant to assess the cumulative traffic impact and determine the actions required to mitigate the identified impact.*

*In addition to the above, the following should be included as conditions or informatives as appropriate:*

*\* Roads layout and parking numbers to be reserved matters.*

*\* A contribution of £2,000 is required to progress a suitable order to redetermine sections of footway and carriageway as necessary for the development;*

*\* A contribution of £2,000 is required to to progress a suitable order to introduce waiting and loading restrictions as necessary;*

*\* A contribution of £2,000 is required to promote a suitable order to introduce a 20pmh speed limit within the development and a 30-mph on Riccarton Mains Road in the vicinity of the development, and subsequently install all necessary signs and markings at no cost to the Council. The applicant should be advised that the successful progression of this Order is subject to statutory consultation and advertisement and cannot be guaranteed;*

*\* In support of the Council's LTS Cars1 policy, the applicant should contribute the sum of £18,000 (£1500 per order plus £5,500 per car) towards the provision of car club vehicles in the area;*

*\* 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;*

*\* In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), secure cycle parking, public transport travel passes, a Welcome Pack, a high quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport;*

*\* The applicant should note that new road names will be required for the development and this should be discussed with the Council's Street Naming and Numbering Team at an early opportunity;*

*\* 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;*

*\* 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;*

*\* All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Council if he wishes 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;*

*\* Under new RAUC(S) standards the existing footway should not be narrowed to less than 1.8m;*

*\* Electric vehicle charging outlets should be considered for this development including dedicated parking spaces with charging facilities and ducting and infrastructure to allow electric vehicles to be readily accommodated in the future;*

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

### **Roads Authority Issues (updated)**

*The application should be refused.*

*Reasons:*

*1. The site location provides travel choices. However, census data suggests that car use is still dominant. In regard to access to alternative travel choices, the following is specific and relevant:*

*a. It is located within 0.7 miles of Hermiston Park & Ride which is served by regular bus services to and from the City Centre. Express services are available at peak times. A night time service also operates to and from Riccarton Campus via the P&R site. Service 45 (Riccarton Campus to QMU, passing other university campuses enroute) which passes the site on Riccarton Mains Road operates on a 30 minute frequency on weekdays (06.00-20.00 approximately), and no weekend service.*

*b. Edinburgh Park Station (4 trains per hour) and Tram Stop (7 - 10 minute frequency) are 1.8 miles away (6 minute car journey in uncongested conditions). Curriehill Station is 1.2 miles away (4 minute car journey in uncongested conditions). Services from Curriehill (Glasgow Central - Edinburgh Waverley via Shotts) operate on an hourly frequency. Some additional services city bound (including Glasgow Central to North Berwick) stop during the morning peak.*

*It can be reasonably suggested that for the rail trip modes a short journey by car would be tempting, and most certainly likely during periods of inclement weather, or due personal circumstances on a given day e.g. childcare activity. The existing bus service which passes the site is poor in terms of frequency and times of operation which will impact on its attractiveness as a trip mode. Whether an additional 214 dwellings plus student accommodation; the latter being attractively located for students of Heriot Watt University but which it cannot be assumed will be necessarily occupied by their students; will in turn make an improved 45 service frequency or indeed diversion of the route into the "village" viable is debatable. Whilst within walking distance of the site, Hermiston Park & Ride would be again inconvenient for the residents of the "village." Similarly for the rail-based alternatives.*

*It is noted that a recent DPEA Reporter's decision on the matter of distance to public transport modes (PPA-400-2071) concluded that a small exceedance of the recommended walking distances in PAN75 was not likely by itself (in the context of the appeal site) to cause a significant change in mode of transport towards private car use but rather much would depend on the attractiveness and convenience of alternatives. It is considered that the walking distances to the regular public transport alternatives to this site are not within an acceptable small exceedance of walking distance of the site. Guidance distances from PAN 75 are 400m and 800m for bus and rail respectively.*

*The site lies within the catchments for Currie Primary and Community High schools, located 0.8 miles (1.3km) and 1.2 miles (2km) away respectively. Access to these schools is via the existing footway network contiguous to the roads.*

*The applicant's masterplan concept indicates a number of potential secondary links (pedestrian/cycle) to Riccarton Campus to the west of the site which would help improve site accessibility. The delivery of these by the applicant cannot be relied upon.*

*2. Whilst it is accepted that the applicant's transport consultant has carried out analysis of the external road junctions which considers the cumulative and cross-boundary effects as required by LDP Policy Tra 8 at the request of Officers, the use of traditional isolated junction modelling software does not take into account the interaction between major junctions. The case in point being that the A720 Calder Junction is routinely congested during both morning and evening peaks but specifically the morning peak, where vehicle queuing can extend through the A71 Calder Road/ Riccarton Mains Road/ P&R/ Gogar Station Road roundabout, impacting on the operation junction creating delays and significant queuing on approaches to the junction. This is not reflected in the results of the modelling which suggest a maximum queue of 8-9 PCUs (approximately 50m in length) on the A71(W) approach. This is backed up by the applicant's traffic survey queuing data for the latter junction. It is acknowledged that this can be argued as being an existing issue on the road network outwith the control of the applicant, it can be equally argued as being symptomatic of existing cumulative and cross-boundary effects to which this development would add.*

*Should the committee be minded to grant the application, the following conditions or informatives should apply:*

*1. The applicant will be required to:*

*a) Contribute the sum of £214,000 towards the Hermiston Park & Ride Transport Contribution Zone. The sum to be indexed as appropriate and the use period to be 10 years from date of payment;*

*b) Contribute towards the Calder and Hermiston Transport Contribution Zone. Details of the Action and cost are still be established. The sum to be indexed as appropriate and the use period to be 10 years from date of payment;*

*c) Contribute towards the Gillespie Cross Roads Transport Contribution Zone to provide signal improvements at this location. The sum to be indexed as appropriate and the use period to be 10 years from date of payment;*

*Items a) to c) above as per the LDP Second Action Programme. Contributions based on the proposed 214 No. residential units.*

2. *A contribution of £2,000 is required to progress a suitable order to redetermine sections of footway and carriageway as necessary for the development;*
3. *A contribution of £2,000 is required to progress a suitable order to introduce waiting and loading restrictions as necessary;*
4. *A contribution of £2,000 is required to promote a suitable order to introduce a 20pmh speed limit within the development and a 30-mph on Riccarton Mains Road in the vicinity of the development, and subsequently install all necessary signs and markings at no cost to the Council. The applicant should be advised that the successful progression of this Order is subject to statutory consultation and advertisement and cannot be guaranteed;*
5. *In support of the Council's LTS Cars1 policy, the applicant should contribute the sum of £18,000 (£1500 per order plus £5,500 per car) towards the provision of 3 car club vehicles in the area with capacity to provide further spaces if required as demand dictates, given the location in terms of accessibility and the nature of the development;*
6. *Pedestrian crossing facilities to be provided on Riccarton Mains Road, with the format and location(s) to be agreed. To be provided at no cost to the Council;*
7. *The internal site layout to be developed in accordance with the place making principles of the Scottish Government's Policy Document, "Designing Streets," and agreed in writing with the Council's Officers;*
8. *All Cycle and pedestrian infrastructure to be designed to the standard outlined in the Edinburgh Street Design Guidance factsheets. Links to the existing local infrastructure to be provided. A new combined footway/cycleway to be provided along the site frontage with Riccarton Mains Road;*
9. *New north and southbound bus stops to be provided on Riccarton Mains Road in the vicinity of the site, with the format and locations to be agreed. To be provided at no cost to the Council;*
10. *Parking provision to be in accordance with the Council's current standards and agreed in writing with the Council's Officers. Notes in regard to the applicant's proposed parking is provided below;*
11. *The location and form of access points into the development to be agreed in writing with Council's Officers;*
12. *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;*

13. A Quality Audit, as set out in *Designing Streets*, to be submitted prior to the grant of Road Construction Consent;

14. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), secure cycle parking, public transport travel passes, a Welcome Pack, a high quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport;

15. The applicant should note that new road names will be required for the development and this should be discussed with the Council's Street Naming and Numbering Team at an early opportunity;

16. 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;

17. 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;

18. All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Council if he wishes 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;

19. Under new RAUC(S) standards the existing footway should not be narrowed to less than 1.8m;

20. Electric vehicle charging outlets should be considered for this development including dedicated parking spaces with charging facilities and ducting and infrastructure to allow electric vehicles to be readily accommodated in the future;

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

Notes:

1. The application has been assessed against the Council's parking standards in the, "Edinburgh Design Guidance (October 2017)". These permit, for Zone 3 in which the site lies, up to a maximum of 2 parking spaces per residential dwelling depending on the quantity of habitable rooms provided in each. A minimum of 8% of the total parking provision must be suitable for use by disabled users. Where parking is provided in a car park with ten or more parking spaces proposed, one in every six spaces should feature an electric vehicle charge point. Where parking is provided on a driveway/garage, passive provision should be made such that an electric vehicle charge point can be added in the future.

2. In regard to the component of the proposals dedicated to student accommodation (halls and flats), the current standards permit up to 1 parking space for every 5 beds with 6% of the total parking provision suitable for use by disabled users. The applicant argues that given the location of the site in relation to the Heriot Watt Riccarton Campus and the established bus routes within a short walk the provision should be reduced to 50% of the permitted maximum. It is considered that this could be reduced further to a nominal provision for staff, disabled, visitor and maintenance vehicles given the location of the residences to Heriot Watt and the bus services which provide access to other campuses. Whilst not all campus locations are served directly by the public transport services available nearby to the site, they do however provide for interchange opportunities at city centre stops thus making them accessible.

3. Cycle parking/storage should be provided in accordance with the current Council standards. This requires a minimum of cycle storage for between one and three cycles per residential dwelling depending on the quantity of habitable rooms in each. In terms of the student accommodation component of the proposals a minimum of 1 cycle per bed provided.

### **SEPA comment**

*We ask that the planning condition(s) in Section 2 be attached to the consent. If any of these will not be applied, then please consider this representation as an objection. Please also note the advice provided below.*

*This advice is given without prejudice to any decision made on elements of the proposal regulated by us, which may take account of factors not considered at the planning application stage.*

#### *Advice for the planning authority*

##### *1. Flood Risk*

*We have no objection to the proposed development on flood risk grounds. Notwithstanding this we would expect Edinburgh Council to undertake their responsibilities as the Flood Prevention Authority.*

#### *Technical Report*

*1.1 Review of the SEPA flood map shows a small area at risk of fluvial flooding and surface water flooding.*

1.2 To assess the risk of fluvial flooding, the consultant has carried out hydrological and hydraulic modelling. To estimate the 0.5% annual probability (1 in 200 year) flood event the consultant has used three methods, the FEH Rainfall Runoff Method, ReFH2 and IH124. Table 2 presents the results of the hydrological modelling and the consultant has taken the precautionary approach and used the results of the FEH rainfall runoff method which generates the most conservative flows. We have carried out our own hydrological modelling and are in agreement with Kaya Consultants flow estimates.

1.3 To predict flood levels, a HEC RAS mathematical model has been constructed which incorporates 22 channel cross sections, 17 derived from a topographic survey and 5 derived from LiDAR data. It isn't best practice to derive cross sections from LiDAR information as there is uncertainty regarding the accuracy of LiDAR information particularly where there is tree cover as is the case for this site. However on this instance we are willing to accept this as there is a reasonable degree of freeboard between the flood level and the development site. The model has been run in a steady state.

1.4 Two structures are present at this site, a weir and a bridge and both have been incorporated within the hydraulic model. The weir spill coefficient has been set to 1 which is acceptable. Roughness values of 0.045 for the channel and 0.065 for the floodplain have been used. A large masonry wall runs along the right bank of the watercourse between the development site and the Murray Burn which will offer some degree of informal protection to the site. This has not been included within the hydraulic model to represent the worst case scenario.

1.5 The results of the hydraulic model show that the site is not at risk of flooding. Table 3 shows the predicted water level and adjoining site levels and there is a reasonable degree of freeboard between the site levels and predicted flood levels. Velocity information has been provided and although this shows very high velocities which could result in supercritical flow, the consultant explains that the channel is steep and this is reflected on the long profiles of the modelled reach on figure 6. We would highlight that it is best practice to provide the results tables within HEC RAS as well as cross section outputs for all sections as provided for a selection of cross sections on figures 7 to 9.

1.6 A sensitivity analysis has been carried out on roughness, flow, downstream boundary, blockage and weir coefficient. Although changes in some of these variables results in significant localised increases in flood levels, particularly when blockage is considered, the site is not deemed at risk of flooding.

1.7 To assess the risk of flooding from surface water, basic analysis using Global Mapper GIS software has been used to determine the flow paths within and outside the site. This shows that there is no risk of surface water flooding to the development site.

1.8 The FRA has shown that the development site is not at risk of flooding during the 0.5% flood event and as a result we offer no objection to the planning application at this site. We would highlight that finished floor levels should be set 600mm above the 0.5% annual probability flood level. Furthermore, SUDS proposals and runoff rates should be agreed with the flood prevention officer at Edinburgh City Council.

## 2. Drainage

2.1 Drainage is a material planning consideration as set out in PAN 79 Water and Drainage. Planning authorities have been designated responsible authorities under the Water Environment and Water Services (Designation of Responsible Authorities and Functions) Order 2006. As such authorities are required to carry out their statutory functions in a manner that secures compliance with the objectives of the Water Framework Directive (i) preventing deterioration and (ii) promoting improvements in the water environment in order that all water bodies achieve "good" ecological status by 2015 and there is no further deterioration in status This will require water quality, quantity and morphology (physical form) to be considered.

### Waste water drainage

2.2 We note from the supporting information that the intention is to connect the development to the public foul sewer network.

2.3 It should be noted that should a connection to the public sewer not be achievable then SEPA would be required to be re-consulted as any private waste water discharge would require authorisation under Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR).

2.4 It will be for SW to ensure that sufficient capacity exists in the public sewerage network to accommodate the proposal. Should SW determine that capacity exists, they must ensure that the proposal does not have a detrimental effect on the water quality of the river.

2.5 We would encourage that the applicant investigate any opportunities for first time sewerage provision - for 'isolated' properties currently served by private foul drainage arrangements - are actively sought out and implemented where possible.

### Surface water drainage

2.6 In accordance with the requirements of The Water Environment (Controlled Activities) (Scotland) Regulations 2011, also known as The Controlled Activity Regulations (CAR) surface water runoff arising from the hardstanding areas, inclusive of roads and roofs will require to be collected, treated and disposed of using sustainable drainage techniques.

2.7 We have considered the relevant information within the application and based on the details provided we are satisfied that the proposed principles of Sustainable Urban Drainage Systems (SUDS) for the application for planning permission in principle are appropriate, with 2 levels of SUDS to be incorporated into the detailed design and SUDS will be designed to CIRIA standards. The finalised design must accord with CIRIA 753 and will involve providing the output from the simple index CAR tool. We would encourage source control measures to be incorporated across the site where possible. While we are content with this approach it has not been confirmed in detail how this will be achieved. We therefore request that a condition is attached to any approved consent for all phases of development requiring full details of the finalised surface water management scheme. To assist, the following wording is suggested:

*Prior to the commencement of any works, full details of the finalised SUDS scheme for all individual phases of development shall be submitted for the written approval of the planning authority, in consultation with SEPA, and all work shall be carried out in accordance with the approved scheme.*

*Reason: To ensure adequate protection of the water environment from surface water run-off.*

*2.8 We have not considered the water quantity aspect of this scheme. Comments from Scottish Water, where appropriate, the Local Authority Roads Department and the Local Authority Flood Prevention Unit should be sought on any water quantity issues including the acceptability of post-development runoff rates for flood control.*

*Protection of the Murray Burn*

*2.9 The Murray Burn flows along the western edge of the site. There is no detail provided in the application regarding the potential finalised layout of the development and the protection of the water course. Therefore, we ask that a suitable worded condition is attached to any grant of permission which requires an appropriate buffer strip between the Murray Burn and any built development and details of this buffer strip to be provide at the approval of matters specified in conditions stage. We would recommend a buffer strip on either side of the water course of around 6 meters. This is required to ensure adequate protection of the water environment and comply with the requirements of the water framework directive as outlined in section 2.1 above.*

*Engineering in the Water Environment*

*2.10 We note from the design and access statement that it is outlined that there is potential for future connections to the campus across the Murray burn, no further information is provided. We do however note that these are outlined as potential future opportunities rather than concrete proposals at this stage. We would clearly outline that these potential crossings will require some form of authorisation under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended).*

*2.11 We would highlight that we prefer the water environment to be left in its natural state with engineering activities such as culverts, bridges, watercourse diversions, bank modifications or dams avoided wherever possible. Where watercourse crossings are required, bridging solutions or bottomless or arched culverts which do not affect the bed and banks of the watercourse should be used.*

*2.12 We cannot comment at the potential consentability of these at this stage but should the applicant wish to pursue these in the future then they should liaise with our local operations team (details below).*

### *3. Air Quality*

*3.1 The local authority is the responsible authority for local air quality management under the Environment Act 1995. Therefore we recommend that you consult with your environmental health colleagues regarding this element of the proposal.*

3.2 They can advise on the submitted Air Quality assessment contained within the ES. They can also advise on potential impacts such as exacerbation of local air pollution, noise and nuisance issues and cumulative impacts of all development in the local area. We do note that the submitted Air Quality assessment outlines that the proposed development is unlikely to have an impact on local air quality.

#### 4. Contaminated Land

4.1 The Local Authority is the lead authority in relation to contaminated land and we therefore request that you consult your Environmental Services Department and those responsible for implementing the contaminated land regime regarding this proposal. These contaminated land specialists will take a lead on commenting on the planning application, with SEPA's contaminated land specialists providing input directly to them in relation to impacts upon the water environment.

*Detailed advice for the applicant*

#### 5. Flood Risk Caveats & Additional information for the applicant

5.1 The SEPA Flood Maps have been produced following a consistent, nationally-applied methodology for catchment areas equal to or greater than 3km<sup>2</sup> using a Digital Terrain Model (DTM) to define river corridors and low-lying coastal land. The maps are indicative and designed to be used as a strategic tool to assess, flood risk at the community level and to support planning policy and flood risk management in Scotland. For further information please visit [http://www.sepa.org.uk/flooding/flood\\_maps.aspx](http://www.sepa.org.uk/flooding/flood_maps.aspx).

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

5.3 The advice contained in this letter is supplied to you by SEPA in terms of Section 72 (1) of the Flood Risk Management (Scotland) Act 2009 on the basis of information held by SEPA as at the date hereof. It is intended as advice solely to Edinburgh Council as Planning Authority in terms of the said Section 72 (1). Our briefing note entitled: "Flood Risk Management (Scotland) Act 2009: Flood risk advice to planning authorities" outlines the transitional changes to the basis of our advice inline with the phases of this legislation and can be downloaded from [www.sepa.org.uk/planning/flood\\_risk.aspx](http://www.sepa.org.uk/planning/flood_risk.aspx).

#### 6. Waste water drainage

6.1 The applicant should continue to liaise with Scottish Water to ensure a connection to the public sewer is available and whether restrictions at the local sewage treatment works will constrain the development.

#### **SEPA further comment**

*Advice for the planning authority*

*We have no objection to this planning application on the grounds of impacts on air quality, but please note the advice provided below.*

## 1. Air Quality

1.1 *With regard to the assessment methodology, we note that the dispersion model has not been verified due to a lack of air quality monitoring in the development area. There is a level of uncertainty, therefore, in the model output which cannot be quantified or adjusted. Please note that we are reliant on the accuracy and completeness of the air quality assessment in undertaking our review.*

1.2 *We do not object to this application on air quality grounds given that the assessment has been carried out in accordance with guidelines stated in LAQM TG (S) 16 in all aspects except model verification, which we understand is due to insufficient monitoring data, and the model predicted that all pollutants assessed were predicted to be well below the relevant objectives with the development in place.*

1.3 *However, the local authority is the responsible authority for local air quality management under the Environment Act 1995. The Council's Environmental Health Department may be able to advise further on air quality model verification for developments in this area, using their local knowledge of the Council's air quality monitoring network.*

1.4 *We want to draw attention to EPUK and IAQM guidance; Land Use Planning and Development Control Planning for Air Quality which provides a section on 'Principles of Good Practice'. The section outlines examples of good practice for air quality mitigation in the design and operational phases of development.*

1.5 *The City of Edinburgh Council should take these principals in to consideration, in particular provision of electric vehicle charging points which may encourage the uptake of low emission vehicles in the area helping to reduce transport emissions which are the predominate contributor to poor air quality in Scotland.*

## **Scottish Natural Heritage**

### *Summary*

*We provide detailed advice on the proposal in the Annex. This includes advice on wider strategic matters, advice and recommendations on landscape and visual impacts, green infrastructure and placemaking, and ecological/species surveys.*

### *Annex*

### *Strategic context*

*We note that the Local Development Plan has now been adopted. We support the key issues and development principles that are set out in site development briefs and associated supplementary guidance. From a natural heritage point of view we consider the development plan preparation process has allowed appropriate consideration of the wider strategic and functional implications of changes to the green belt, including the role of remaining areas in providing a landscape setting for the city and its surrounding settlements. The process of LDP preparation also allowed consideration of the local and wider role of green infrastructure and open space provision, both within and around development sites. We therefore consider that the LDP has a critical role to play in setting the direction for integrated green infrastructure delivery and sustainable city growth into the future.*

*This site is not allocated in the LDP and has not been considered in these terms. We therefore highlight that it may, along with other non-conforming proposed developments in the West Edinburgh area, compromise long term green belt objectives. In particular we highlight the key issue of maintaining the landscape setting of the City of Edinburgh and settlements in the west of the local authority area. We also consider that it could compromise the assessment of, and need to plan strategically for, active travel and green infrastructure as an integral part of any longer term growth of the city. For example, as per "Long Term Growth Corridors" and associated "Placemaking Principles" as set out in the Proposed Plan of SESPlan 2.*

*Given other proposed developments in the wider West Edinburgh area, including the East Millburn Tower application and the Malcolmstone Cottages, Hatton Village and Craigiehall proposals, we highlight the potential for this site to have wider cumulative effects on the landscape setting of the city and surrounding settlements, as well as the landscape character and visual amenity of the existing rural environs of the city.*

#### *Appraisal of proposal*

##### *Landscape and Visual Impacts, green infrastructure and placemaking*

*This site itself is on a gently rising slope, within a reasonably prominent and partly open landscape context, characterised by a large arable field to the east of the Riccarton Mains Road. From the more elevated areas of the site and from the southern end of Riccarton Mains Road there are open views (with pylons) available eastwards towards the city of Edinburgh and its landmark features. These views are restricted from the northern sections of the road by embankments and narrow strips of roadside woodland planting.*

*The proposal seeks to remove the pylons, and create an urban "village" with a defined central open space. Flatted development, other housing and associated landscaping is to be accommodated along Riccarton Mains Road in order to change its character and create a more street like environment, with new access links and pedestrian crossings proposed to allow connectivity across the road and to the existing university campus. Along with tree lined linkages which connect to the central open space, structural landscaped edges to the development are proposed, with such areas also containing SUDS, amenity space and a strongly defined formal and informal path network.*

*The proposal will by its nature have some significant localised landscape and visual impacts. Such impacts will include the change to the landscape character of the area as experienced from areas around and within the site and along a short section of Riccarton Mains Road, where there will also be a loss of available views from the road towards the City of Edinburgh and its landmark features. There will also be some degree of change in the relatively limited range of views towards the site through the introduction of built form and street lighting. These effects will be partially mitigated over time by the establishment of the landscape framework planting.*

*We consider the proposed approach to site layout and green infrastructure design (as set out in dwg 13.1: The Masterplan and dwg 15.0: Landscape Strategy) has the potential to provide an appropriately considered response to the landscape and visual impact issues of the site's context, while also addressing the placemaking opportunities presented by the site. The structural landscaping, connecting tree-lined streets and the more formal village centre open space could, if detailed and implemented to high design standards, provide an appropriate hierarchy and connectivity of open spaces. The proposed layout of the framework planting has the potential, particularly over time, to reduce the impacts of the development on local landscape character and visual amenity. The proposed framework also has the potential to provide a defined landscape setting and multi-functional green network resource for the proposed development and immediately surrounding areas.*

*If the City of Edinburgh Council was minded to approve this application we would advise that the proposals for the structural landscape layout and the provision of open space are secured to the scale and locations as proposed. Further details of landscape design and open space functionality will be needed, including details of measures to promote all ability access along proposed path routes and make appropriate connections with surrounding routes. We would also advise that the details of long term arrangements for landscape maintenance and management should also be secured.*

## *Ecology*

### *Firth of Forth Special Protection Area (SPA) - Habitat Regulations Appraisal*

*The site is within proximity to the Firth of Forth SPA, designated for its wintering wildfowl and waders, including pink-footed geese. Although the majority of these birds are unlikely to roost or feed more than a couple of kilometres from the coast, geese are known to travel up to 20km to forage. The site's status means that the requirements of the Conservation (Natural Habitats, &c.) Regulations 1994 as amended (the "Habitats Regulations") apply.*

*The City of Edinburgh Council is therefore required to consider the effect of the proposal on the SPA before the development can be consented, under a Habitats Regulations Appraisal (HRA). <http://www.snh.gov.uk/protecting-scotlands-nature/protected-areas/international-designations/natura-sites/habitats-regulations-and-hra/>. The SNH website has a summary of the legislative requirements: <http://www.snh.gov.uk/docs/A423286.pdf>*

*The sites allocated within the adopted second Local Development Plan have undergone an HRA as part of the Plan process. Any sites coming forward outwith the LDP, that have potential supporting habitat on site, will require an HRA to be carried out to assess whether there are likely to be significant effects and therefore whether an appropriate assessment is required. This means that sufficient information, which is likely to be in the form of bird survey data, as well as other available contextual information, should be submitted as part of an application to allow the council to undertake an HRA. Currently there is insufficient information to determine whether the proposal is likely to have a significant effect on pink footed geese. No bird surveys have been undertaken for this proposal, and at present, there is little information on pink footed goose use in this part of West Edinburgh. Therefore, standard bird (in this case specifically goose) survey work will be required. Two years wintering bird surveys are the norm, or one year if there's appropriate contextual information available alongside this.*

### *Protected Species*

*The Ecology chapter of the ES outlines potential effects on badger, otter and bats, with pre-construction surveys recommended to assess effects nearer the time. An extended Phase 1*

*survey was undertaken for the EIA but no specific protected species surveys were carried out.*

*It should be noted that effects on protected species must be determined at the planning stage, as outlined in 4.8 and 4.10. This also allows confidence in assessing impacts on species within the EIA process. Our website has guidance on carrying out appropriate protected species surveys for development, and identifying associated mitigation or licensing requirements:*

*<http://www.snh.gov.uk/planning-and-development/advice-for-planners-and-developers/protected-animals/>*

*However, through incidental observation as part of the Phase 1 survey, no evidence of protected species were noted on site. If there's confidence in these findings, then the standard mitigation listed in the ES will apply, including pre-construction surveys to check the status of species on site at the time of development. Further comments are provided below:*

*Bats - It is noted that no vegetation/trees are earmarked for removal at this stage, and therefore no impacts on bats are anticipated. Detailed roost surveys are therefore not required at this stage and will only be carried out if trees are to be removed.*

*Otter - no signs of otter were recorded although the Murray Burn has some potential as a foraging/commuting route. Our advice is that no licences are required but this should be checked again through pre-construction surveys, as otters are mobile animals.*

*Badgers - It's noted that no signs of badger were found on site and therefore our advice is that no licences will be required. It is assumed that this included checks for setts in close proximity to the site to ensure that there would be no disturbance and associated licence requirements.*

*It is acknowledged that there's an established badger population in the adjacent Riccarton estate and 4.71 mentions that the site could fall within the wider territory of these badgers. Best practice for badger surveys includes identifying their territories which would allow for an accurate assessment of impacts on badgers of development of this site, and what associated landscaping/mitigation may be required. Further detailed surveys will be required in due course to allow identification of necessary/adequate mitigation, particularly if nearby setts are identified.*

### **Scottish Natural Heritage**

*Many thanks for the updated report Appropriate Assessment; Riccarton Mains Village (Neo Environmental, 03/05/2017). We are content that this revised report presents evidence to support the conclusion that the proposed development (ref: 16/05217/PPP) will not have an adverse affect on the integrity of the Firth of Forth Special protection Area.*

### **Scottish Natural Heritage**

*SNH are content that the revised report presents evidence to support the conclusion that the proposed development (ref: 16/05217/PPP) will not have an adverse affect on the integrity of the Firth of Forth Special protection Area and so no further consideration of the SPA would be required in this case.*

### **Scottish Natural Heritage**

*Thank you for consulting us on the addendum to the ES consultation (updated Transport Assessment). I can confirm that we have no further comments to make at this stage and our advice therefore remains unchanged from our original response, dated 22 December 2016.*

### **Transport Scotland**

*The Director does not propose to advise against the granting of permission.*

### **Transport Scotland further comment**

*Transport Scotland have reviewed the updated Transport Assessment and do not have any comments to make. Consequently, our previous response is unchanged*

### **Waste Services**

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

*The elements of this proposal that I think we would provide a service to would be the following:*

*The residential development (approx 200); the flats integrated into other buildings; and the affordable housing.*

*Assuming the community hall is a Council premises we would provide the collection service and they would pay us; if it is not a Council property, we may still provide a domestic waste collection, and then they would contract a commercial provider to collect the rest.*

*The status of the student accommodation is less clear, and would depend on a number of factors including how it is rated and valued. If it is domestic then we would provide a domestic waste collection but may in future charge for collecting waste in out of term lets (which are profit making). If it is not rated domestically it will be commercial and for the operator to manage (see below).*

*In the documents provided I was not able find any mention of the waste management strategy for the site.*

*In order to comply with our strategies and policies, we would expect the domestic waste collection to consist of the following elements:*

- each property to receive either a kerbside collection or a communal bin collection*
- each collection to include the FULL range of waste and recycling services. We will not provide a partial service and provision must be made for all containers; -off street storage for all waste streams (which does not appear to be the case from the drawings provided?)*

*Consideration of how bulky waste will be managed;*

- cognisance of our operational needs with regards to vehicle size, access, health and safety, access to bin stores, etc;*

*As I say, I could not see any evidence that this has been considered (please excuse me if I have overlooked it) and accordingly I would advise that the architects should contact Justine Taylor to discuss these matters as soon as possible.*

*With regard to the other (non domestic) policies, can I please draw your attention to the legislation with regard to commercial waste in Scotland which requires the producers of commercial waste to sort their waste for a recycling. I would further highlight that the collectors of the commercial waste are likely to have similar operational, access and safety requirements to the Council.*

### **Scottish Water comment on ES addendum**

*Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced and would advise the following:*

*Water*

- o There is currently sufficient capacity in the Marchbank Water Treatment Works. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.*

*Foul*

*o There is currently sufficient capacity in the Edinburgh PFI Waste Water Treatment Works. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.*

*The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.*

#### *Infrastructure within boundary*

*According to our records, the development proposals impact on existing Scottish Water assets.*

*o 6" Cast Iron Water Pipe & Combined Sewer pipework runs through the site boundary*

*We can confirm that we have made our Asset Impact Team aware of this proposed development however the applicant will be required to contact them directly at [service.relocation@scottishwater.co.uk](mailto:service.relocation@scottishwater.co.uk).*

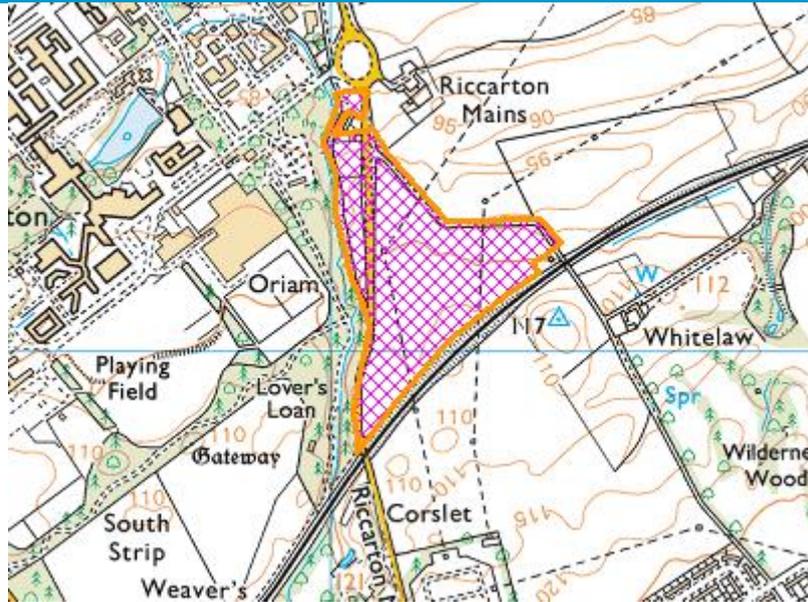
*The applicant should be aware that any conflict with assets identified may be subject to restrictions on proximity of construction.*

#### **Flood Prevention comment**

*The consultant has confirmed that they have used due skill and care as part of the design process. The development will result in surface water being better managed with flows from the site directed away from cottage towards the North. As a result flood prevention do not have any concerns about any detriment to the flood risk of this property.*

## Location Plan

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