

# Development Management Sub Committee

**Wednesday 20 June 2018**

**Application for Approval of Matters Specified in Conditions  
17/05925/AMC**

**At Land 292 Metres West Of 10, Gilmerton Station Road,  
Edinburgh**

**Approval of matters specified in conditions 1 (b), (d), (e), (f),  
(g), (h), (i), 6 and 10 of Planning Permission in Principle  
14/01649/PPP for the erection of 315 residential units (as  
amended).**

<b>Item number</b>	4.19
<b>Report number</b>	
<b>Wards</b>	B16 - Liberton/Gilmerton

## Summary

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The development is in accordance with the planning permission in principle and the approved masterplan for the wider site. The site layout and design and height are acceptable. The proposal development is acceptable in terms of amenity and will provide a modern development with suitable public spaces for the benefit of future occupiers with pedestrian and cycle links, access and parking. Measures are proposed as part of the development of the wider site to mitigate any impacts on traffic and road safety within the local area. Overall, the proposed development is acceptable.

## Links

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

LDPP, LDES01, LDES02, LDES03, LDES04, LDES05, LDES06, LDES07, LDES08, LDES09, LEN09, LEN12, LEN20, LEN21, LEN22, LHOU01, LHOU02, LHOU03, LHOU04, LHOU06, LTRA02, LTRA03, LTRA04, LTRA09, NSG, NSGD02, NSGSTR,

# Report

## **Application for Approval of Matters Specified in Conditions 17/05925/AMC**

**At Land 292 Metres West Of 10, Gilmerton Station Road, Edinburgh**

**Approval of matters specified in conditions 1 (b), (d), (e), (f), (g), (h), (i), 6 and 10 of Planning Permission in Principle 14/01649/PPP for the erection of 315 residential units (as amended).**

### **Recommendations**

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

### **Background**

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#### **2.1 Site description**

The application site is 12.32 hectares and covers phase 3 of the masterplan area of housing proposal HSG24 as allocated in the Edinburgh Local Development Plan (LDP). It slopes from the north-west boundary to the south-east boundary with Gilmerton Station Road.

It is currently farmland with some trees along the western boundary. The site is bounded by farmland on which phase 2 planning application 17/05883/AMC is proposed to the north. Gilmerton Station Road and farmland is to the east. To the west are the residential dwellings of Gilmerton Place and 61 dwellings under construction as part of planning permission 14/01446/FUL and an area of woodland. To the south is agricultural farmland which also forms part of the wider masterplan area under the same planning permission in principle.

There is a separate area to the south of the main area of development which is existing farmland and located on the southern boundary of the masterplan area of housing proposal HSG24. It is currently surrounded by farmland which will be part of phase 4 of the masterplan area.

#### **2.2 Site History**

On 30 April 2014, an application was submitted for planning permission in principle (application reference 14/01649/PPP) for a residentially-led mixed use development. The applicant appealed against the failure of the planning authority to issue a decision within the prescribed period. The Scottish Ministers allowed the appeal and granted the planning permission subject to 11 conditions and the signing of a planning obligation. The planning obligation covered contributions relating to transport, education and provision of affordable housing. The date of the appeal decision is 18 January 2016.

18 January 2016 - Planning permission in principle granted for residentially-led mixed use development including primary school, commercial/community uses, open space, access, car parking and landscaping at land 292 metres west of 10 Gilmerton Station Road (application reference: 14/01649/PPP).

22 December 2016 - Approval of matters specified in condition 1.a) a site development layout and phasing plan showing a phased implementation programme for built development, road and footpath provision, open space provision, tree and shrub planting and woodland management (as amended) (application reference: 16/03299/AMC).

2 March 2017 - Approval of matters specified in conditions 1(b)-1(f), 1(h)-1(i), 1(j)i, v-vii and conditions 2-5 of Planning Permission in Principle ref 14/01649/PPP for the first phase of development for the erection of 199 no. dwellings, four units for commercial or community use and associated works (application reference: 16/04382/AMC).

18 April 2018 - Approval of matters specified in condition 1(g) - 1(j)ii,iii and iv of Planning Permission in Principle ref 14/01649/PPP for the first phase of development for the erection of 199 no dwellings and associated works (application reference: 17/04164/AMC).

### Adjacent Site

18 December 2017 - application submitted for approval of matters specified in condition 1 (b)-(f), (h)-(j)i of Planning permission in principle 14/01649/PPP for the second phase of development for the erection of 294 residential units with associated landscape, drainage and infrastructure works. Application also on this Committee agenda.

## **Main report**

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

This application seeks approval of a number of matters specified in condition 1, 6 and 10 of the planning permission in principle (reference number: 14/01649/PPP), relating to the layout and design of the proposal.

The condition states that:

Plans and particulars of the matters listed below shall be submitted for consideration by the planning authority, in accordance with the timescales and other limitations in section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended). No work shall begin until the written approval of the planning authority has been given, and the development shall be carried out in accordance with that approval.

Approval of Matters:

- 1(b) the siting, design and height of development, including the design of all external features and glazing specifications;
- 1(d) car and cycle parking, access, road layouts and alignment, classification of streets and servicing areas;
- 1(e) footpaths and cycle routes;
- 1(f) waste management and recycling facilities;

- 1(h) existing and finished ground levels in relation to Ordnance Datum; and
- 1(i) details of sustainability measures in accordance with Edinburgh Standards for Sustainable Building;
- Condition 6 - the location and design of the surface water drainage scheme; and
- Condition 10 - a bat survey;

The proposal is for the detailed layout and design of phase 3 of the development, as indicated within the phasing strategy outlined in the masterplan.

This development consists of 315 dwellings comprising 270 detached, semi-detached, townhouses, terraces and 45 flats. There will be 78 (24.76%) affordable units. The affordable units will comprise 45 two bedroom flatted units and 33 three bedroom terraced units. The houses are all two storeys and the townhouses and flats three storeys in height and are proposed to be finished in brick or render. The dwellings also use brown/grey roof tiles with grey UPVC windows, doors, fascias and black rainwater goods.

The proposal follows the principles of the masterplan for this part of the site, with the provision of a mixture of residential densities with higher density development at the Gilmerton Station Road frontage and access. Lower density development is located along the secondary and tertiary routes. The density of the development using the method set out in the Edinburgh Design Guidance is 29.25 dwellings per hectare.

Parking is provided at two spaces per unit for the semi and detached housing, 1.5 spaces per unit for the private terraces and one space per unit for the affordable units. Parking is generally provided off-street and driveways for houses. Ducting for electric vehicle charging points will be installed for the future provision of electrical car charging points to service the common adopted parking areas within the development. Cycle parking is provided within the curtilage for the houses and within the ground floor of the flatted blocks.

A new vehicular access will be formed off Gilmerton Station Road. Within the site the network of routes for cars, cyclists and pedestrians will connect with those on phases two and four vehicle accesses are proposed to connect to future phase four. A continuation of the pedestrian/cycle path provided at phase one will be delivered along the Gilmerton Station Road edge in line with the masterplan. On the western side one pedestrian/cycle connection is made through to existing developments on south of Gilmerton Place as shown in the masterplan.

There are a number of areas of proposed public open space. A large area of public open space is located on the western boundary of the application site, extending to 1.55 hectares. There are three public open spaces located throughout the site to provide additional recreational space. Private garden space is provided for both houses and ground floor flats. There is an area of open space along the Gilmerton Station Road frontage and a SUDS area to the south/east of the site fronting onto Gilmerton Station Road.

There is a separate area to the south of the main area of development which will be used as underground water storage with landscaping above and a multi-user path along the boundary.

## **Scheme 1**

The original scheme had insufficient details on the dwelling designs, areas of open space, landscaping and building materials. The original scheme did not include the pedestrian/cycle link to the west nor the pedestrian/cycle path alongside Gilmerton Station Road. The layout was amended to provide higher density development at the Gilmerton Station Road access and adjacent to the open space, to ensure that houses overlooked open spaces, and provide sufficient garden depths and amenity space in sloping gardens. Further details on building materials, boundary treatments and landscaping proposals have also been provided.

The initial proposal also sought the discharge conditions relating to landscaping. However, this has been removed for further discussions to take place.

### **Supporting Information**

The following information was submitted in support of the application:

- Drainage Report;
- Surface Water Management Plan;
- Noise Impact Assessment;
- Sustainability Statement;
- Tree Survey;
- Site Investigation Report;
- Quality Audit; and
- Travel Plan.

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

### **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 development complies with the planning permission in principle;
- (b) the details of the development are acceptable;

- (c) the proposal will provide suitable amenity to future residents;
- (d) there are any air quality issues;
- (e) there are any other material considerations; and
- (f) comments raised have been addressed.

### **(a) Principle**

The principle of residential development on this site has been established in planning permission in principle (reference number 14/01649/PPP). The PPP is for a residentially-led mixed use development including primary school, commercial/community uses, open space, access, car parking and landscaping.

Condition 1(a) of the PPP required the approval of a site masterplan to establish a development layout and phasing programme for built development, road and footpath provision, open space provision, tree and shrub planting and woodland management. This was approved on 22 December 2016.

This proposal is for phase three and comprises 315 residential units with associated infrastructure works.

The site is to be delivered in four phases. Phase one, providing 199 units (7.88 hectares), is now under construction. The AMC application for phase two is for 293 units (9.77 hectares) and is to be considered at this Committee alongside this application for phase three. Phase four (approximately 4.3 hectares) is still to be submitted. In total, the three AMC applications submitted to date include the delivery of over 800 dwellings. This number of units is higher than the HSG24 estimated capacity of up to 650 units outlined in the LDP site brief.

The PPP did not impose a restriction on the number of units that can be delivered. However, some of the supporting information, including education, transport and air quality were based on an approximate figure of 650. The implications of this are assessed below. The masterplan advises that the site could accommodate around 700 homes, but this is dependent on what density of development is brought forward in each phase.

In terms of the density, if the entire site were to be built out to a total of 650 units, discounting the school site, this would result in a development of 19 units per hectare. Under the current proposals, the first three phases would deliver 27 units per hectare. The Edinburgh Design Guidance encourages increased density in suburban areas where it can help to sustain services such as shops and public transport. Higher densities allow land to be used more efficiently, helps regeneration and minimises the amount of greenfield land being taken for development.

Policy Hou 1 of the LDP gives priority to the delivery of the housing land supply and relevant infrastructure on suitable sites. Therefore, the principle of the development is acceptable provided proposals are compatible with relevant policies in the plan. The proposed layout represents an efficient use of greenfield land and complies with the density principles indicated in the masterplan.

## **b) Acceptability of the Details**

### **Condition 1 (b) Siting, Design and Height**

Policies Des 1 to Des 9 of the Edinburgh Local Development Plan (LDP) set out the policy framework for the design of developments. Also relevant are the masterplan for this site, approved under condition 1(a), and the Edinburgh Design Guidance (2017). The masterplan sets out key principles for the development of the site, including a hierarchy of streets, density, SUDS, open space and parks, connections to neighbouring sites, car parking and landscaping.

The Landscape and Visual Impact Assessment, submitted in support of the PPP, has determined appropriate building heights and densities across the wider site. This information was used to inform the masterplan to ensure a variety of building types and heights can be implemented to help create and define interesting streets and spaces.

The proposed hierarchy of streets and development blocks are positioned generally in alignment with the approved masterplan for this part of the site and encourage a permeable layout. The density of the development decreases moving from Phase one and two to Phase three reducing the massing generally with less flatted blocks and more two storey detached dwellings. The masterplan principle of higher density adjacent to Gilmerton Station Road and around the former civic spaces has been followed. There will be predominantly two storey houses along the primary streets and overlooking the open space with pockets of higher density three storey development at key junctions on the primary route. The three storey flats are sited along the Gilmerton Station Road frontage and three storey townhouses on the north side of the site entrance opposite the SUDs area. Houses have been positioned to address the roads throughout the development as well as the open spaces. The secondary and tertiary streets will be medium and lower density semi-detached and detached two storey housing broadly in line with the masterplan. The residential density equates to 29.25 units/ha (excluding the proposed western park). This is appropriate for this type of development and the layout is compatible with the neighbouring existing housing developments in this part of Gilmerton. It provides a balance between the efficient use of land on this greenfield site and ensuring that an attractive residential environment is created which safeguards living conditions within the development.

There is a range of different house types proposed and range of materials used commensurate with the materials on housing in phase one and two and the area to the west. There is differentiation between the brick dwellings located around the smaller open spaces and at junctions on the primary route and dwellings elsewhere, including the flats, which are render with a brick base course. The masterplan identified key corner block or landmark buildings at junctions particularly along the primary routes and around civic spaces. The proposal has identified dwellings in corner locations to have active gables - with secondary windows providing additional overlooking, and enhanced boundary treatments of 1.8 m brick walls where back gardens are visible alongside public areas. This adds suitable visual interest and is appropriate in this location.

The site layout includes the Western Park, three public spaces, and SUDs park as indicated in the masterplan. Two additional areas of open space are proposed along the primary route instead of the secondary civic space. There is also another smaller area of open space near the western junction to Phase four instead of a civic space at this location. Across the phase three site, 20% of the total site area is useable green space above the masterplan requirement for 19% open space and is acceptable.

The frontage to Gilmerton Station Road is an important feature of this site and needs to comply with LDP policy Des 9 (urban edge development). The dwellings will front onto Gilmerton Station Road with front gardens and boundary hedges. The frontage includes a grass verge, street trees, multi-user path along the entire frontage, and areas of street trees and beech hedging with grassed areas adjacent to the flats. The SUDS biodiversity and landscaped area is situated adjacent to the main access to provide open space at this junction which is acceptable.

The siting, design and height are acceptable.

### **Condition 1 (d) and (e) Car and Cycle Parking, Road Layouts, Footpaths and Cycle Routes**

Policy Des 7 of the LDP seeks to enhance connectivity across sites. The masterplan requires a multi-user perimeter path around the site which is incorporated into the western park, southern SUDS area and along the Gilmerton Station Road frontage as a 3.5 metre wide shared footpath/cycleway. The western park also includes the proposed multi-user connection to the adjacent housing as shown in the masterplan. The existing right of way across Phase two land has been incorporated into the development proposals. The footpaths and cycle routes layout will contribute to connectivity through the site.

There are some minor differences between the approved masterplan and the AMC layout. One difference is the primary road layout which has changed to be more curved in form. This is a result of the identification of former mine shafts on site, but still provides a clear avenue through the development. Consequently, other streets have become secondary streets through the site rather than the parallel primary street and four streets provide access into the phase four development area instead of the five proposed in the masterplan.

The car parking provision is in line with current Council parking standards and is acceptable. Ducting for electric vehicle charging points will be installed for the future provision of electrical car charging points to service the common adopted parking areas within the development. Cycle parking is integrated into the ground floor flatted blocks and within the curtilage for the houses. The cycle parking provision meets the requirements of the Parking Standards.

The impact of additional traffic was considered at the PPP stage. However, some objections to this development, including Gilmerton Inch Community Council refer to the potential increase in traffic and the impact on the existing road network around the site. At appeal, the increase in traffic caused by the development was considered acceptable, provided that a planning obligation secured transport contributions for the wider PPP site including: reconfiguration of the Gilmerton Crossroads junction; a cycle/pedestrian crossing on Drum Street; a traffic order for a lower speed on Gilmerton Station Road; an upgrade to local bus stops; a new footway along Gilmerton Station Road; and a pedestrian crossing on Gilmerton Station Road. Altogether these measures will offset the impact of the new development and create a more pedestrian and cyclist friendly environment around the site. The obligations have been considered in the context of the increase in unit numbers over that which were assessed in the Transport Assessment for the PPP. The works required to offset the impact of the development on the local road network are sufficient.

Transport has raised no objection to the application subject to informatives on secure cycle parking, public access to roads, disabled car parking traffic order requirements and parking spaces adjacent to roads should form part of any road construction consent, and electric vehicle charging to be considered.

Overall, there are no issues arising in terms of traffic or road safety. A planning obligation is in place to alleviate the pressure on the local road network caused by the development.

The car and cycle parking, road layouts, footpaths and cycle routes are acceptable.

### **Condition 1 (f) Waste Management and Recycling Facilities**

Individual refuse and recycling storage areas are provided for each house, accessible from respective rear lanes to each garden of terraced or townhouses. For flatted blocks, internal refuse and recycling storage areas are provided at ground floor level. All calculations for waste and recycling provision have been based on CEC's Waste Management Guidance.

Waste Services have confirmed that all the information provided in relation to waste provision is acceptable.

### **Condition 1 (g) surface water and drainage arrangements; and condition 6 surface water management plan**

This proposal includes a SUDS basin and a separate area of underground storage tanks. The applicant has amended the SUDS areas and the underground storage tanks area to include landscaping to provide recreational and biodiversity benefits as well as attenuate water. The SUDS basin slopes are now adjusted to facilitate grass cutting maintenance. Whilst underground storage tanks are only to be used in exceptional circumstances on greenfield sites, Scottish Water and the Council's Flooding team have agreed these are acceptable in this location provided they are accompanied by landscaping which maximises their biodiversity and recreational benefits.

The Council's Flooding Team has confirmed that it has assessed all the information submitted by the applicant relating to flood risk and surface water management plan. It is satisfied that the applicant has met the requirements set by the Council with regards to flood risk assessment and surface water management. SEPA confirms that it is satisfied with the applicant's SUDS proposals.

In terms of SUDS maintenance, Scottish Water has confirmed that it would be willing to take on the future responsibility of the underground tanks but would not accept maintenance responsibilities for anything above ground. Similarly, the Council cannot maintain the landscape of dry basins or ponds that is designed to hold water in a storm event beyond a 1 in 30 year storm. However there is a requirement from the Council to attenuate water on site for the larger storms (a 1 in 200 year storm plus climate change). This landscape is maintained by a private factor.

Scottish Water stated that it would not connect to a private network unless a maintenance agreement (Section 7) is in place with the Council. This seems to be an expedient way to progress this matter but is not something that the Council has signed up to currently. The applicant has confirmed that it is willing to accept future maintenance for the SUDS and underground water storage tank in absence of an agreement with Scottish Water or other party. This provides an acceptable approach.

The information provided accords with the requirements of condition 1(g) and condition 6 in relation to SUDS and is acceptable.

#### **Condition 1 (h) Existing and Finished Ground Levels in Relation to Ordnance Datum**

Details of the existing and finished levels to a fixed point Above Ordnance Datum (AOD) are shown on the engineering drawings. These drawings show levels in relation to existing and proposed features including roads, footpaths, parking spaces, public/private gardens, retaining walls etc. Finished floor levels are also included on the site layout plan. These are all acceptable.

The matters specified in condition 1 (h) can be approved for this application site.

#### **Condition 1 (i) Full Details of Sustainability Measures in accordance with Edinburgh Standards for Sustainable Building**

The applicant has submitted a sustainability statement in support of the application. The proposed development will meet current Building Standards, and will be constructed on greenfield land. The proposal is a major development and has been assessed against Part B of the standards. The points achieved against the essential criteria are set out in the table below:

<b>Essential Criteria</b>	<b>Available</b>	<b>Achieved</b>
Section 1: Energy Needs	20	20
Section 2: Water conservation	10	10
Section 3: Surface water run off	10	10
Section 4: Recycling	10	10
Section 5: Materials	30	30
<b>Total points</b>	<b>80</b>	<b>80</b>

The proposal meets the essential criteria and condition 1 (i) can now be discharged.

### **Condition 10 - Bat Survey**

A survey has been undertaken which highlighted that there are no buildings on the land or trees capable of supporting bat roosting and therefore no adverse impact on the species as a consequence of the development of the land as proposed. Should any other protected species, such as barn owls be found on site, then the applicant will need to comply with the relevant legislation for protected species. An informative can be added to this effect. This is acceptable.

### **(c) Amenity**

LDP Policy Hou 2 (housing mix) seeks the provision of a mix of house types and size to meet a range of housing needs, including those of families, older people and having regard to the character of the surrounding area and its accessibility. This mix should respond to the differing needs of residents, immediate site conditions and to citywide objectives. The Edinburgh Design Guidance states that in schemes with 12 units or more, 20% of the total number of homes should be designed for growing families. These types of homes should have three or more bedrooms, have good levels of storage and have direct access to private gardens or safe play areas for children.

This proposal includes 85% of properties across the site, with three or more bedrooms. This includes terraced, townhouses, semi-detached and detached houses with at least 81 square metres of internal floor space, adequate storage and private gardens. In total, 40% of these dwellings have at least 91 square metres of internal floor area which meets the Edinburgh Design Guidance space standards. The proposed two bedroom flats have at least 81 square metres of internal floorspace complying with the guidance too. This is acceptable under Policy Hou 2.

The site has been designed to ensure the majority of houses are separated by back gardens of at least 9 metres. The properties have also been positioned within the site to ensure that there are no issues in relation to daylighting or sunlight. Where there is a substantial difference in levels between back to back gardens, useable terraced space of at least 3m in depth has been provided directly adjacent to the dwellings. The remainder of the gardens is sloping to reduce the height of the retaining walls between them to a maximum of 2 m. The north facing gardens are also slightly larger than 9m to compensate for the slope. This will ensure that sufficient distance is provided between the windows to ensure that privacy is afforded and overlooking limited between the new properties.

In terms of the flats, all are dual aspect and will receive acceptable amounts of sunlight and daylight. The flats front onto Gilmerton Station Road or the SUDS pond adjacent to it within Phase two giving them an open aspect and reducing overlooking and affording residents' privacy. Refuse and recycling facilities as well as cycle storage is provided in the ground floor of the flatted blocks.

In terms of LDP policy Hou 3 (private green space in housing development) adequate provision for green space to meet the needs of future residents is required. The ground floor flats will have direct access into their own private gardens at least 3 metres wide and separated by a 0.9m boundary hedge. The flats amenity area averages at 34 square metres per flat in excess of the policy Hou 3 standard of 10 square metres per flat.

A Noise Impact Assessment (NIA) has been submitted in support of the application. The assessment states that the main sources of noise will be from Gilmerton Station Road and the city bypass. The NIA further advises that some gardens closest to Gilmerton Station Road are capable of being affected detrimentally by road noise. The properties located along the Gilmerton Station Road will act as an acoustic barrier for the rest of the development site. However, the affected areas are at the front of properties that also have their principal gardens to the rear. Any rear gardens with a direct line of sight to Gilmerton Station Road would have a 2.0 metre high acoustic wall to mitigate noise. In the south-east corner of the development, on the boundary with phase 4, where rear gardens are more exposed to the effects of road traffic noise, boundary acoustic fences 2.0 metre high are proposed to mitigate noise. Therefore, the occupiers of the properties will not be affected by road noise within their principal garden space.

Overall, the design of the units is in accordance with the Edinburgh Design Guidance and will provide adequate amenity for future and neighbouring occupiers.

#### **(d) Air Quality**

This AMC application is to build out the site broadly in line with the approved development brief and masterplan for the site. However the information provided in support of the PPP was based on a site capacity of 600-650 units and the proposals now coming forward are increasing this number to approximately 800-850 units. This in turn will have an impact on air quality above what was previously anticipated.

The proposal already includes a commitment by the applicant that ducting for electric vehicle charging points will be installed for the future provision of electrical car charging points to service the common adopted parking areas within the development. In order to mitigate that impact further, as advised by Environmental Protection, it is considered reasonable to encourage the applicant to comply with the latest Edinburgh Design Standards with regards to introducing electric vehicle charging points for all the proposed residential units. This can be added as an informative and is acceptable.

The applicant has also submitted a Green Travel Plan to discharge condition 11 of the planning permission in principle (application reference: 14/01649/PPP) in due course. It is also considered reasonable that a bespoke green travel plan is prepared, in conjunction with Environmental Protection, to encourage sustainable transport. Incentives to encourage new homeowners to use local public transport and car clubs could be included in this travel plan.

An informative is added to encourage the preparation of a construction environmental management plan to ensure that the construction phase impacts are considered. This is acceptable.

### **(e) Other material considerations**

#### **Affordable Housing**

The affordable housing to be provided for the wider PPP site has been secured through a planning obligation. For phase three, 25% will be affordable homes to be provided on site. Places for People have been identified as the affordable delivery partner taking the mix of 33 three bedroomed terraced houses and 45 two bedroomed flats.

The Council's Enabling Partnerships section are concerned that the mix is not representative of the market housing and that the affordable housing will not be tenure blind. The Council's enabling partnerships section will need to agree any future proposed tenure mix and have highlighted that they would not support any of the 25% affordable housing provision allocation for Golden Share.

In terms of policy Hou 6 (affordable housing) 24.7% of the total number of units is acceptable. Whilst flats and houses are proposed for the affordable housing, the market housing proposed is all housing of 3 or 4 bedrooms in a mix of terraces, townhouses, semi-detached and detached properties. However, there are market flats in phases one and two. All proposed affordable housing meets our space standards and includes adequate storage. The affordable housing would be integrated with the market housing providing a frontage to Gilmerton Station Road and around the SUDS pond on the adjacent phase two site. The proposed materials for the affordable housing are the same render and brick as the market housing and will appear "tenure blind". The affordable housing delivery mechanism and tenure type is not something which can be agreed to at this stage, nor does it need to be. The affordable housing proposed is acceptable.

#### **Archaeology**

The application site is considered to occur within an area of archaeological significance, containing remains relating to the development of Gilmerton from possibly prehistory through to the early 20th century industry (mining and quarrying). As a result a condition was attached to the PPP requiring the undertaking of a programme of works.

The archaeological investigation has been conducted and showed that the site does contain significant archaeological remains primarily relating to historic mining, quarrying and post-medieval land management.

The investigation advises that ground breaking works will have a significant though moderate-low archaeological impact. Accordingly, it is essential that a programme of archaeological works (strip, map & record) is undertaken prior to/during development in order to fully excavate and recording any surviving archaeological remains.

A condition in relation to the implementation of archaeological works is attached to permission 14/01469/PPP and still applies.

## **Education**

The planning obligation attached to the planning permission in principle includes a requirement for contributions to education provision to the value of £16,703,426 (as index linked to quarter 4 2017). This contribution was calculated for the site as a whole and not on a per unit basis. The contributions that have been agreed at PPP stage will be either the construction of non-denomination primary school on serviced land within the site or applying that contribution towards the provision of primary school places elsewhere.

The number of units now proposed for this site are more than what was assumed in the Education Appraisal. As this development progresses, the education infrastructure actions for these areas may have to be revised: a larger primary school at Gilmerton Station Road and additional secondary school capacity may be required.

Communities and Families have confirmed that there would be a sufficient contribution towards the delivery of the revised set of education infrastructure actions and will enable the impact of the first three phases of this development on education infrastructure to be mitigated. This is acceptable.

## **(f) Public Comments**

### Material Representations - Objections

- traffic management issues/additional congestion - addressed in section 3.3(b) and 3.3(d);
- decrease in air quality - addressed in section 3.3(d);
- the loss of farm track right of way - addressed in section 3.3(b);
- impact on nature conservation - addressed in section 3.3(b);
- increased noise - addressed in section 3.3(c);
- loss of farmland - addressed in section 3.3(a);
- pedestrians/cyclists access and connectivity - addressed in section 3.3(b);
- existing woodland habitat connection - addressed in section 3.3(b); and
- too many houses being built in this area - addressed in section 3.3(a).

### Non-Material Representations

- mud and debris on the roads from existing construction traffic - this is not a planning issue.

### Gilmerton Inch Community Council

- traffic management issues - addressed in section 3.3(b) and (d); and

- decrease in air quality - addressed in section (d);

## **Conclusion**

The development implements the third phase of the wider planning permission in principle, for HSG 24 Gilmerton Station Road. The development is in accordance with the planning permission in principle and the approved masterplan for the wider site. The site layout and design and height are acceptable. The proposal development is acceptable in terms of amenity and will provide a modern development with suitable public spaces for the benefit of future occupiers with pedestrian and cycle links, access and parking. Measures are proposed as part of the development of the wider site to mitigate any impacts on traffic and road safety within the local area. Overall, the proposed development is acceptable.

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

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

### **Informatives**

It should be noted that:

1. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
2. As soon as practicable upon the completion of each phase of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.
3. A legal agreement has been concluded in respect of this application and is available to view on the Council website.
4. For the avoidance of doubt, condition 1(c), (j) in relation to landscaping and open spaces and condition 3 (site investigation survey), condition 7 (site investigation remediation), condition 9 (road noise) and condition 11 (travel plan), for this site are not discharged through the approval. Landscaping and Environmental Protection are considering the submitted information and its acceptability or otherwise will be confirmed in due course.
5. The applicant is encouraged to install additional electric vehicle charging points throughout the development.
6. The applicant is encouraged to develop a construction environmental management plan to ensure that the construction phase impacts are considered. This should include:

- (i) The developer shall ensure that risk of dust annoyance from the operations is assessed throughout the working day, taking account of wind speed, direction, and surface moisture levels. The developer shall ensure that the level of dust suppression implemented on site is adequate for the prevailing conditions. The assessment shall be recorded as part of documented site management procedures.
  - (ii) Internal un-surfaced temporary roadways shall be sprayed with water at regular intervals as conditions require. The frequency of road spraying shall be recorded as part of documented site management procedures.
  - (iii) Surfaced roads and the public road during all ground works shall be kept clean and swept at regular intervals using a road sweeper as conditions require. The frequency of road sweeping shall be recorded as part of documented site management procedures.
  - (iv) All vehicles operating within the site on un-surfaced roads shall not exceed 15mph to minimise the re-suspension of dust.
  - (v) Where dust from the operations are likely to cause significant adverse impacts at sensitive receptors, then the operation(s) shall be suspended until the dust emissions have been abated. The time and duration of suspension of working and the reason shall be recorded.
  - (vi) This dust management plan shall be reviewed monthly during the construction project and the outcome of the review shall be recorded as part of the documented site management procedures.
  - (vii) No bonfires shall be permitted.
7. The developer must submit a maintenance schedule for the SUDS infrastructure for the approval of the Planning Authority.
  8. The sum of £2,000 will be required to promote a suitable order to control on-street disabled spaces.
  9. Clearance of vegetation from the proposed construction area has the potential to disturb nesting birds; therefore clearance should be carried out outside the bird nesting season March - August (inclusive). Should it be necessary to clear ground during the bird nesting season the land should be surveyed by a suitably qualified ecologist and declared clear of nesting birds before vegetation clearance starts.

## **Financial impact**

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

As detailed in the report under section 3.3(e) there is no shortfall in education provision as the obligation attached to the planning permission in principle includes a requirement for contributions to education provision which is sufficient to cover phases 1, 2 and 3 of the proposed development.

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

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

## **Equalities impact**

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

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

## **Sustainability impact**

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

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

## **Consultation and engagement**

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

There is no pre-application process history.

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

Neighbour notification was carried out on 22 December 2017. Four objections were received within the statutory time period which was extended until 31st January 2018.

An assessment of the material considerations raised is included within 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**

The site covers phase 3 of housing proposal HSG 24 as allocated in the adopted Edinburgh Local Development Plan.

### **Date registered**

22 December 2017

### **Drawing numbers/Scheme**

1, 2a, 3a, 4a, 5a, 6a,  
7a,8a,9a,11a,12a,15a,17a,18a,20a,21a,,  
31-62, 64-69, 70a, 71, 72,

Scheme 1

## **David R. Leslie**

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Catriona Reece-Heal, Senior Planning Officer  
E-mail:catriona.reece-heal@edinburgh.gov.uk Tel:0131 529 6123

## **Links - Policies**

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### **Relevant Policies:**

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

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

LDP Policy Des 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 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 12 (Trees) sets out tree 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 Tra 2 (Private Car Parking) requires private car parking provision to comply with the parking levels set out in Council guidance, and sets criteria for assessing lower provision.

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

LDP Policy Tra 4 (Design of Off-Street Car and Cycle Parking) sets criteria for assessing design of off-street car and cycle parking.

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

### **Relevant Non-Statutory Guidelines**

**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 - EDINBURGH STREET DESIGN GUIDANCE** - Edinburgh Street Design Guidance supports proposals that create better places through the delivery of vibrant, safe, attractive, effective and enjoyable streets in Edinburgh. It sets out the Council's expectations for the design of streets and public realm.

# Appendix 1

## **Application for Approval of Matters Specified in Conditions 17/05925/AMC**

**At Land 292 Metres West Of 10, Gilmerton Station Road, Edinburgh**

**Approval of matters specified in conditions 1 (b), (d), (e), (f), (g), (h), (i), 6 and 10 of Planning Permission in Principle 14/01649/PPP for the erection of 315 residential units (as amended).**

### **Consultations**

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#### **AFFORDABLE HOUSING - ENABLING AND PARTNERSHIPS**

*Housing requirements by tenure are assessed in line with the Affordable Housing Policy (AHP) for the city.*

- o 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.*
- o 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 310 homes and as such the AHP will apply. There will be an AHP requirement for a minimum of 25% homes of approved affordable housing tenures, so if 310 homes were built this would be a requirement for 78 affordable homes.*

*We note the developer has entered an early dialogue with Places for People (PfP) to take forward the affordable homes and we would support this partnership to provide representative mix of affordable housing on site.*

*PfP have confirmed they "have reviewed the mix of the affordable housing units proposed at South Gilmerton and we are pleased that the provision includes a mixture of houses and apartments which will be popular with our occupiers. We look to deliver a range of affordable tenures within the overall mix."*

*We would note that the proposal is not representative of the mix delivered by market housing.*

#### *Affordable Mix*

*Terraces = 34 (43% of AH)*

*Flats = 45 (57% of AH)*

*Market housing is  
Houses= 237 (100% of MH)  
Flats = 0 (0 % of MH)  
Total = 316*

*The delivery mechanism and tenure type is not something which can be agreed to at this stage and nor does it need to be. The terms of the Unilateral Undertaking under Section 3 of the agreement, in connection with this development, require this to be agreed prior to commencement of development. However, for the sake of clarity, we will only support the delivery of the AHP requirement at this site for an RSL, we would not support any of the affordable housing for Golden Share.*

### *3. Summary*

*The applicant has made a commitment to provide on site affordable housing and this is welcomed by the department. PfP have been identified as the affordable delivery partner who welcome taking a mix of houses and flats. However we would note this proposal is not representative of the mix delivered by market housing.*

- o PfP identified as development partner*
- o 25% of affordable housing is required to be delivered onsite for an RSL,*
- o The affordable housing includes a variety of house types and sizes to reflect the provision of homes across the wider site*
- o 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"*
- o For clarity, we will only support the delivery of affordable housing for an RSL, we would not support any of the 25% AHP allocation for Golden Share.*

### **THE COAL AUTHORITY 12 January 2018**

*The Coal Authority is a non-departmental public body sponsored by the Department for Business, Energy & Industrial Strategy. As a statutory consultee, The Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas.*

#### *The Coal Authority Response: Material Consideration*

*Before work begins, Condition 7 of planning permission 14/01649/PPP requires a detailed Report on Site Investigations to be submitted for the consideration of the planning authority. Thereafter, the condition requires no development to take place until the remedial measures identified in the submitted report have been carried out. Finally, the condition requires the mine entries to be grouted and capped and documentary evidence to be submitted to certify that the approved measures have been carried out in consultation with both the Coal Authority and SEPA, before construction on site begins.*

*In terms of providing comments in relation to this planning application, it is noted that the submission is an application for approval of matters specified in conditions in respect of permission in principle reference 14/01649/PPP and that the proposed layout avoids all of the recorded mine entries, the conjectured positions of which are within the planning boundary.*

*On the basis that coal mining legacy related issues are able to be addressed at a subsequent future stage, which ultimately may ensure the further treatment of the coal mining legacy features, The Coal Authority has no objection to this planning application.*

#### **COUNCIL ARCHAEOLOGIST 4 January 2018**

*Although archaeological work has been agreed and completed for phase 1 (excluding school site) the same is not the same for these two Phases. As you can see from my attached response to the PPP applications in 2014 a phased programme of work is stipulated the initial phase being the undertaking of a phase of archaeological evaluation (10%) combined with metal detecting survey prior to the submission of future AMC/FUL applications.*

*This is necessary so that future mitigation can be agreed and also if necessary preservation in situ can occur, the later could require significant changes to site design/layouts. To date this work has not been undertaken nor agreed (the work undertaken to date by AOC only covered the Phase 1 site). Accordingly I'm not in position to recommend approval of either of these two applications in deed would be recommending refusal as don't have sufficient information to determine the impacts of these two detailed layout masterplans.*

*It is therefore essential that the required evaluation works are undertaken as soon as possible.*

#### **Council archaeologist 12 April 2108**

*Just looked over this WSI covering the 1st Phase of archaeological work and have the following two comments/quires which need addressed before I can sign off on it: Firstly is this WSI covering just the Barret site (phase 2) or both this and the Persimmon site (phase 3)?*

*Secondly in terms of mitigation will also require a metal detecting survey to be undertaken.*

#### **COMMUNITIES AND FAMILIES - 14 March 2018**

*The impact of developing this site was assessed as part of the application for planning permission in principle. The legal agreement attached to this permission will secure a contribution from the development in order that new education infrastructure can be delivered.*

#### **COMMUNITIES AND FAMILIES - 9 May 2018**

#### **COMMUNITIES AND FAMILIES - CONSULTATION RESPONSE**

*Location Land 292 Metres West Of 10 Gilmerton Station Road Edinburgh*  
*Proposal Approval of matters specified of Planning Permission in Principle 14/01649/PP*  
*Application number 17/05883/AMC*  
*Case Officer Catriona Reece Heal*  
*Applicant Persimmon Homes (East Scotland) Ltd*  
*Assessment date 07.06.2018*

*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'.*

#### *Assessment and Contribution Requirements*

*Assessment based on:*

*154 Flats (1 one bedroom flat excluded)*

*653 Houses*

*This site falls within Sub-Area LG-1 of the 'Liberton Gracemount Education Contribution Zone'.*

*The Council has assessed the impact of the proposed development on the identified education infrastructure actions and current delivery programme.*

*The proposed number of units now proposed for this site are more than what was assumed in the Education Appraisal. If this development progressed, the education infrastructure actions for this areas may have to be revised: a larger primary school at Gilmerton Station Road and additional secondary school capacity may be required.*

*There is a legal agreement attached to the original outline consent for the Gilmerton Station Road (14/01649/PPP). The Planning service has advised that the terms of this agreement are applicable to this application and that if the required payment was indexed to Q4 2107 it would have a value of £16,703,426.*

*This would be a sufficient contribution towards the delivery of the revised set of education infrastructure actions and will enable the impact of the first three phases of this development on education infrastructure to be mitigated.*

## ENVIRONMENTAL PROTECTION - 16 May 2018

### TOWN AND COUNTRY PLANNING ACT 1997

17/05925/AMC | Approval of matters specified in conditions 1, 3, 6, 7, 9, and 10 of Planning Permission in Principle 14/01649/PPP for the erection of 316 residential units. | Land 292 Metres West Of 10 Gilmerton Station Road

*This application is seeking to approve matters specified in condition 1,3,6,7,9,and 10 of planning permission in principal 14/01649/PPP for the erection of 316 residential units. Environmental Protection had recommended that the 14/01649/PPP application was refused due to the likely adverse impacts a development of that density will have on local air quality. Issues were also raised regarding potential noise impacts from the Gilmerton Station Road and the City Bypass. Consent was granted and now the applicant is wanting the following conditions approved the relevant conditions to Environmental Protection are as follows;*

1. *Plans and particulars of the matters listed below shall be submitted for consideration by the planning authority, in accordance with the timescales and other limitations in section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended). No work shall begin until the written approval of the planning authority has been given, and the development shall be carried out in accordance with that approval. For the avoidance of doubt, no approval is hereby given to the layout shown in the illustrative masterplan which forms part of the application for planning permission in principle.*

*(b) for each phase of the development, a plan detailing the siting, design and height of development, including the design of all external features and glazing specifications (including acoustic capabilities);*

*(j) hard and soft landscaping details, including: i. walls, fences, gates and any other boundary treatments*

3. *Before work begins, a site survey (including intrusive investigation where necessary) shall 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 should be undertaken to bring the risks to an acceptable level in relation to the development. No work shall begin until the written approval of the planning authority has been given to the details and programming of any remedial and/or protective measures required, and the development shall be carried out in accordance with that written approval.*

7. *Before work begins, a detailed Report on Site Investigations shall be submitted for the consideration of the planning authority. No development shall take place until the remedial measures identified in the submitted report have been carried out. The mining entries should be grouted and capped. Documentary evidence to certify that the approved measures have been carried out shall be submitted to and approved in writing by the planning authority, in consultation with the Coal Authority and SEPA, before construction work begins on site.*

9. For each phase no construction work shall begin until a scheme for protecting the residential development hereby approved from road noise (Gilmerton Station Road and Drum Street) and commercial noise (industrial area east of Gilmerton Station Road) has been submitted to and approved in writing by the planning authority. The protection works shall be completed in accordance with the approved details before any part of the development is occupied.

The consent allows the site to be developed to include up to 650 residential dwellings, a primary school, commercial/community uses together with associated parking and landscaping. The site is currently agricultural land with existing residential properties located to the north with agricultural land to the west. The site is bounded by Gilmerton Station Road to the south and Drum Street to the east. There is a residential development currently under construction to the east. There are numerous industrial and commercial activities on the triangulated industrial estate to the east of Gilmerton Station Road, including a waste recycling centre, scrap metal yard, scaffolding yard, a bottled gas depot and a vehicle repair workshop. Generally, all commercial activities take place during normal daytime hours with the exception of scaffolding operations which can commence at 6:30am.

Environmental Protection had raised concerns regarding this development including the impacts the development may have on local air quality, odour and noise impacts from neighbouring commercial uses and local roads, possible light pollution from the new school and contaminated land. The applicant had addressed some of these issues and were appropriate had submitted supporting documents at the PPP stage and has now submitted further details on noise and ground investigation works as part of this AMC application.

#### *Local Air Quality*

Due to the size and density of the PPP development Environmental Protection requested that the applicant assessed the potential impacts this proposed development may have on the local air quality considering any other developments in the area. It was noted at the PPP stage that not all recommended developments had been considered. The applicant's supporting air quality impact assessment in which dispersion modelling was undertaken in order to quantify pollutant concentrations across the site and predict air quality impacts as a result of emissions associated with traffic generated by the development. Exceedences of the relevant air quality objectives were not predicted at any location across the development. Predicted impacts on nitrogen dioxide and Particulate Matter<sub>10</sub> concentrations because of operational phase emissions were predicted to be negligible within the vicinity of the site. The air quality impact assessment highlighted that mitigation measures would be required for the construction phase to ensure dust was controlled. Environmental Protection had considered the assessment and did not accept its findings; as none of the other nearby development sites have been considered as committed development as recommended by Environmental Protection. Therefore, the worst-case scenario had not been assessed. Another contributing factor was the density of the proposed development which was significantly above that in the Local Development Plan at that time.

*Planning has advised Environmental Protection with regards the level of input Environmental Protection can have with regards this consented site local air quality impacts. Planning have advised that if the AMC applications that are now forthcoming propose to build out the site broadly in line with the approved development brief for the site then Environmental Protection can't revisit the air quality issue in terms of the principle of the site for housing. However, the LDP site brief and the information provided previously was based on a site capacity of 600-650 units. The proposals now coming forward are increasing this number to approximately 800-850 units, which in turn will have an impact on air quality above what was previously anticipated which was already a cause for concern and a reason for Environmental Protection recommending refusal.*

*Environmental Protection would strongly recommend that the applicant considers the latest Edinburgh Design Standards with regards introducing electric vehicle charging points for all the proposed residential units. Environmental Protection would also be willing to work with the developer to produce a bespoke green travel plan to encourage sustainable transport. Incentives to encourage new homeowners to use local public transport and car clubs could be included in travel plans.*

*Environmental Protection shall make recommendations in the form of an informative to ensure the construction phase impacts are considered. The applicant should be encouraged to develop a construction environmental management plan which is endorsed by all development sites in the area to minimise environmental impacts on neighbours*

#### *Noise*

*Environmental Protection raised concerns at the PPP stage regarding the possible impact noise may have on the amenity of the newly proposed residential properties. The development site is exposed to noise from road traffic and commercial activities from the industrial estate. The applicant had submitted a noise impact assessment in support of the PPP application. That noise impact assessment had demonstrated noise can be mitigated by careful building layout and design along with 2m high acoustic barrier and appropriate insulation can provide a reasonable level of protection for amenity for gardens and habitable rooms. Environmental Protection were satisfied that noise could be mitigated however the exact specifications of the mitigation measures will be required in the form of a noise impact assessment when more details of the proposed development are available. The applicant has submitted a supporting noise impact assessment with regards conditions 1b, J and 9. The principle of an acoustic barrier was established at the PPP stage and is considered necessary by Environmental Protection to ensure a reasonable level of amenity can be provided to the garden areas closest to the Gilmerton Station Road and By-pass.*

*With regard to reasonable levels of environmental noise in external amenity areas (gardens) the World Health Organisation Document Guidelines for Community Noise recommends that, to prevent most people being moderately annoyed during the daytime, the sound pressure level should not exceed 50dB LAeq. This criterion has been applied to assess the suitability of predicted noise levels in the proposed gardens. Most of principle gardens are protected from road traffic noise by the local acoustic screening effects afforded by intervening development (Homes located closest to Gilmerton Road).*

*Therefore, the properties located along the Gilmerton Station Road will act as an acoustic barrier for the rest of the development site.*

*The applicants' noise impact assessment has highlighted that there will be a small number of gardens in the south-east corner of the development where principle gardens are more exposed to the effects of road traffic noise because of the residential layout. The applicant has advised that where principle gardens have a direct line of sight on to Gilmerton Station Road, a close-boarded timber fencing should be incorporated along the boundary of height approximately 1.8m. It is noted that the height of the proposed fence has been reduced from the 2m fence proposed at the PPP stage and also was required to mitigate noise from the by-pass.*

*The applicants noise impact assessment has highlighted that Close-boarded fencing should be fabricated from material with a minimum surface density of 12 kg/m<sup>2</sup> will be required to mitigate traffic noise. All materials should be non-hygroscopic, rot proof and vermin proof. The fence should be constructed with longevity in mind and should be maintained such that its acoustic performance does not reduce with time. In order avoid compromising the acoustic performance of the fence, there should be no air gaps through the structure, such as between the fence and the ground or between any individual panels or boards.*

*Environmental Protection require this proposed acoustic barrier to be erected or the proposed garden areas to be moved beyond the affected areas. Planning have advised that the acoustic barrier is not something that can be conditioned therefore Environmental Protection will not be in a position to support the AMC conditions relating to noise impacts from road noise.*

#### *Contaminated Land*

*The applicant has submitted a Ground Investigation Report which is currently being assessed by Environmental Protection. Until this has been completed Environmental Protection recommends that the condition remains attached to ensure that contaminated land is fully addressed.*

*Therefore, on balance Environmental Protection cannot support the approval of matters that concern noise impacts from transport noise. Furthermore, if the density of the consented PPP application is exceeded then Environmental Protection would also have serious concerns with the potential unassessed impacts on local air quality. The following condition should remain until the contaminated land reports have been fully assessed;*

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

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

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

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

#### *Informative*

- 1. All residential properties with private driveways shall be provided with 7Kw (type 2) electric vehicle charging points. Full technical details available in the Edinburgh Design Standards (2017).*
- 2. All mobile plant introduced onto the site shall comply with the emission limits for off road vehicles as specified by EC Directive 97/68/EC. All mobile plant shall be maintained to prevent or minimise the release of dark smoke from vehicle exhausts. Details of vehicle maintenance shall be recorded.*
- 3. The developer shall ensure that risk of dust annoyance from the operations is assessed throughout the working day, taking account of wind speed, direction, and surface moisture levels. The developer shall ensure that the level of dust suppression implemented on site is adequate for the prevailing conditions. The assessment shall be recorded as part of documented site management procedures.*
- 4. Internal un-surfaced temporary roadways shall be sprayed with water at regular intervals as conditions require. The frequency of road spraying shall be recorded as part of documented site management procedures.*
- 5. Surfaced roads and the public road during all ground works shall be kept clean and swept at regular intervals using a road sweeper as conditions require. The frequency of road sweeping shall be recorded as part of documented site management procedures.*
- 6. All vehicles operating within the site on un-surfaced roads shall not exceed 15mph to minimise the re-suspension of dust.*
- 7. Where dust from the operations are likely to cause significant adverse impacts at sensitive receptors, then the operation(s) shall be suspended until the dust emissions have been abated. The time and duration of suspension of working and the reason shall be recorded.*
- 8. This dust management plan shall be reviewed monthly during the construction project and the outcome of the review shall be recorded as part of the documented site management procedures.*
- 9. No bonfires shall be permitted.*

#### **ENVIRONMENTAL SERVICES 30th May 2018**

*The Gilmerton Station Road waste strategy is now approved.*

## **FLOODING 22 May 2018**

*I have reviewed the information sent through by Ross Slorach on Friday. The SWMP complies with our requirements and we have no further comment to make on that aspect.*

*I would note that a specific flood risk assessment has not been provided for this individual development. However, at the previous stage of the application under reference 14/01649/PPP a flood risk assessment was provided which covered the larger site before it was apportioned between individual housing developers. The findings of this FRA give CEC flood planning comfort that there is an acceptable level of flood risk at the site. One of the key risks was surface water management. This has been addressed by the applicant through the provision of a sustainable drainage system which has been certified by both the originating engineer and an independent consultant. Therefore, Flood Prevention are happy for conditions 1(g) and 6 to be considered satisfied with respect to this part of the phased development:*

*All in, flood prevention have no further comment to make on this application.*

## **Gilmerton Inch Community Council 31 January 2018**

*Gilmerton Inch Community Council have concerns about the traffic management issues this development will bring - it being the middle section to be developed by Persimmons. There are currently 5 developments in progress in this area with another 2, including this one, scheduled. Gilmerton Conservation area, Ravenscroft Street, Newtoft Street - the narrow section on a slope behind the number 11 Bus Stop - is currently being used as rat run with a noticeable increase since the new development by Millar's on Gilmerton Dykes Road and the building of Social Housing on the opposite side. Residents have complained about mud and debris on the streets and tailbacks of cars attempting to travel down NewToft Street when large lorries are blocking the way. Residents, therefore, feel abandoned by considerations of both developers and the City of Edinburgh Council in relation to entering and exiting their properties within the aforementioned area.*

*This development will further increase pressure on the existing traffic tailbacks on main roads as well as contributing to a decrease in air quality.*

*There is a concern about the option of the existing Right of Way through the old Farmer's land from Ravenscroft Street to Station Road. This is used by local residents as a pedestrian/cycle through way and needs to be maintained within this new development. There is a further concern about rat runs being created within this development as a whole. Whilst GICC appreciates that developments of 200 + houses require two entrances and exits in relation to Health and Safety, we feel that there needs to be more explicit measures mitigating this.*

## **SCOTTISH WATER 14 March 2018**

*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

*There is currently sufficient capacity in the Glencorse 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

*There is currently sufficient capacity in the Edinburgh 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.*

## Surface Water

*For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not normally accept any surface water connections into our combined sewer system. There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges. In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.*

*Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area then they should write to the Customer Connections department at the above address. If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude. Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer. The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed. Please find all of our application forms on our website at the following link <https://www.scottishwater.co.uk/business/connections/connecting-yourproperty/new-development-process-and-applications-forms>*

*Next Steps: 10 or more domestic dwellings:*

*For developments of 10 or more domestic dwellings (or non-domestic equivalent) we require a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals. Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.*

## **SEPA 23 January 2018**

*We ask that the planning condition in Section 1 be attached to the consent. If this will not be applied, then please consider this representation as an objection. Please also note the advice provided below.*

### **1. Energy Statement**

*1.1 We require that substantial developments ensure their heat demand is met from district heating, subject to the outcome of a feasibility statement. This can be achieved through onsite heat generation, co-location with an existing or proposed heat source (including Energy from Waste facility or other facility which produces heat/power including excess or waste heat), or an existing or proposed heat network off site.*

*1.2 The development must enable connection to a heat network or heat producer, unless it can be demonstrated to your authority that this would not be feasible. An Energy Statement informed by a Feasibility Study should be provided for assessment by your authority demonstrating how the proposal will meet the requirements for providing district heating onsite. This should be prepared in line with the Scottish Government's online planning advice Planning and Heat and assess the technical feasibility and financial viability of heat network/district heating for this site, identifying any available existing or proposed sources of heat (within or outwith the site) and other factors such as where land will be safeguarded for future district heating infrastructure.*

*1.3 Please note that we will not audit Energy Statements or Feasibility Studies as the responsibility for this lies with your authority. However we expect them to be undertaken to demonstrate full consideration of how the proposed development can contribute towards Scotland's climate change targets in line with our Public Body Duties under the Climate Change (Scotland) Act 2009 to act "in the way best calculated to help deliver the emissions reduction targets and the statutory Adaptation Programme" and" in a way we consider is most sustainable."*

*1.4 Applicants should provide evidence of how the national heat map and/or relevant local authority heat maps (where available) have been used to maximise potential connections / co-location between heat providers and high heat demand users when considering site selection for developments involving heat/power. Consideration of heat mapping should maximise opportunities for the co-location of 'high heat demand' developments with heat supply sources, like energy from waste facilities, to maximise the provision of energy efficient and low carbon heat networks and district heating installations.*

1.5 *Heat Maps clearly show where there are areas of heat use and heat generation, and can therefore be used as locational criteria for new heat providers, or for new development sites which could utilise the heat being generated. Heat maps are intended for a number of uses, including in planning new developments, and identifying heat network feasibility. They also identify existing heat providers, particularly those that produce heat as "excess" or "waste" who can connect to heat networks, utilising heat that was previously "wasted".*

1.6 *A Design and Access statement which demonstrates how the findings of the Energy Statement have been incorporated into the design and layout of the proposed development should be provided. Where new developments are located adjacent to existing heat networks or district heating, the connection should be an integral part of the design to enable connection to take place at time of construction, unless it would not be viable or feasible to do so (the burden of proof is placed on the developer). Ensuring users can be connected to district heating networks is an essential part of delivering the Government's targets towards renewable and low-carbon heat. There are also significant opportunities within Scotland to make use of heat that is currently waste or excess, in particular from industrial facilities.*

1.7 *Where connections are intended to be made to proposed heat sources in the future, the design of new developments should incorporate space to 'safeguard' the future provision of pipework, energy hubs or other associated heat infrastructure to ensure that the subsequent connection to a proposed district heating network can be undertaken (if not already proposed within the original design) without causing disturbance to buildings or infrastructure. This applies to all new significant/anchor development (i.e. developments with a significant heat load or demand). Consideration should be given to potential barriers or restrictions on making district heating connections, for example when planning new key infrastructure such as bypass roads which may interrupt the route of district heating pipeworks.*

1.8 *Creating links between heat producers and heat users is essential to create heat networks and accords with guidance in SPP. In order to deliver the Scottish Government's targets for 40,000 homes to be heated through heat networks, new developments need to be designed to incorporate district heating. Where substantial new developments are planned, the opportunity arises for providing a heat network within the site and for this to be required and designed in at the earliest stages. New developments have a role to play in not only establishing and creating these networks, but also in connecting to networks to make use of heat that is being captured.*

1.9 *We therefore require that a condition be attached for an Energy Statement to be submitted as part of any Application for Matters Subject to Conditions.*

## 2. *Foul Water Drainage*

2.1 *We note that the foul drainage from the site will be discharged to this public sewerage system vested by Scottish Water.*

2.2 *The applicant should deal directly with Scottish Water to ensure that the additional flow arising from this development can be accommodated in the sewer network without causing or contributing to the premature operation of consented storm overflows.*

### 3. Surface Water Drainage

3.1 The discharge of surface water to the water environment this must be in accordance with the principles of the SUDS Manual (C753) which was published by CIRIA in November 2015. The applicant should consult with Scottish Water in relation to the discharge of surface water into their sewer network. We are satisfied with the information provided by the applicants in respect of their SUDS proposals.

3.2 The discharge of surface water must comply with the terms of the Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended). Further information on this matter can be found on our website at [http://www.sepa.org.uk/water/water\\_publications.aspx](http://www.sepa.org.uk/water/water_publications.aspx). However the design of the drainage system must be site specific and dependent upon the contaminants at the site, the remediation strategy and the risks posed by any residual contamination, in addition to the normal design considerations.

### 4. Waste Management

4.1 The applicant should ensure that they use approved contractors that have the appropriate permits and authorisations to crush/screen any on site inert waste. The developer should recycle and manage waste disposal in accordance with the waste management "Duty of Care".

*Detailed advice for the applicant*

### 5. Energy Statement

5.1 Set out in the paragraphs below, for the applicant, are links to relevant sources of information and guidance with regards feasibility assessments and energy statements.

5.2 Our Development Management Guidance and associated Background Paper can be found on our website here: <http://www.sepa.org.uk/environment/land/planning/advice-for-planning-authorities/>.

The Background Paper sets out why SEPA comments on this matter and adds background to our position for both development plan and development management stages of planning. On page 28/ paragraph DM.13 there are links to example approaches in English Local Authorities on District Heating, feasibility assessments and energy statements.

5.3 The Scotland Heat Map is available here <http://heatmap.scotland.gov.uk/> and includes information on heat demand and potential heat supply, as well as existing and in-development heat networks.

5.4 Through Stratego, Scottish Futures Trust have been providing information on funding models for developing district heating networks. Information on the relevant presentation can be found here: [http://www.heatandthecity.org.uk/about/workshops/stratego\\_project/stratego\\_coaching\\_session\\_1](http://www.heatandthecity.org.uk/about/workshops/stratego_project/stratego_coaching_session_1)

5.5 Scottish Enterprise may also have useful information or contacts on this matter.

<https://www.scottish-enterprise.com/services/attract-investment/renewable-energy-investment-fund/overview> and <https://www.scottish-enterprise.com/knowledge-hub/articles/guide/low-carbon-heat-opportunities>

5.6 The Chartered Institute of Building Services Engineers (CIBSE) published a "Code of Practice" document which outlines essentially a project management approach towards developing a district heating network. It details every stage from design and layout of the network, product and material choice to ongoing maintenance and management of an operational network.  
<http://www.cibse.org/knowledge/knowledge-items/detail?id=a0q200000090MYHAA2>

*Regulatory advice for the applicant*

## 6. Regulatory requirements

6.1 You may need to apply for a construction site licence under CAR for water management across the whole construction site. These will apply to sites of 4ha or more in area, sites 5 km or more in length or sites which contain more than 1ha of ground on a slope of 25 degrees or more or which cross over 500m of ground on a slope of 25 degrees or more. It is recommended that you have pre-application discussions with a member of the regulatory team in your local SEPA office.

-5-

6.2 Details of regulatory requirements and good practice advice for the applicant can be found on the Regulations section of our website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the regulatory team in your local SEPA office.

## **SEPA 15 May 2018**

*I apologise for any confusion I may have caused - as this is an AMC application, we do not require the provision of an energy statement.*

## **TRANSPORT 4 May 2018**

Your Ref: 17/05925/AMC Date: 4 May 2018

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

PLANNING APPLICATION NO: 17/05925/AMC

FOR: APPROVAL OF MATTERS SPECIFIED IN CONDITIONS 1, 3, 6, 7, 9, AND 10 OF PLANNING PERMISSION IN PRINCIPLE 14/01649/PPP FOR THE ERECTION OF 316 RESIDENTIAL UNITS

AT: LAND 292 METRES WEST OF 10 GILMERTON STATION ROAD, EDINBURGH

## **ROADS AUTHORITY ISSUES**

*No objections to the application subject to the following being included as conditions or informatives as appropriate. The Conditions set out in the Appeal Decision Notice dated 18 January 2016 (Planning Appeal Ref. PPA-230-2137) is relevant:*

1. *The applicant to be required to provide secure and undercover cycle parking in accordance with the Council's parking standards;*

2. All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures and layout. Particular attention must be paid to ensuring that refuse collection vehicles are able to service the site. The applicant is recommended to contact the Council's waste management team to agree details. For the avoidance of doubt, the road layout is not approved at this stage. A Quality Audit has been submitted;
3. 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;
4. Any parking spaces adjacent to the carriageway will normally be expected to form part of any road construction consent. The applicant must be informed that any such proposed 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 as part of any sale of land or property;
5. All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Head of Planning and Transport if he wishes the bays to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2002 regulations or British Standard 8300:2009 as approved by the Head of Planning and Transport;
6. 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;
7. The developer must submit a maintenance schedule for the SUDS infrastructure for the approval of the Planning Authority.

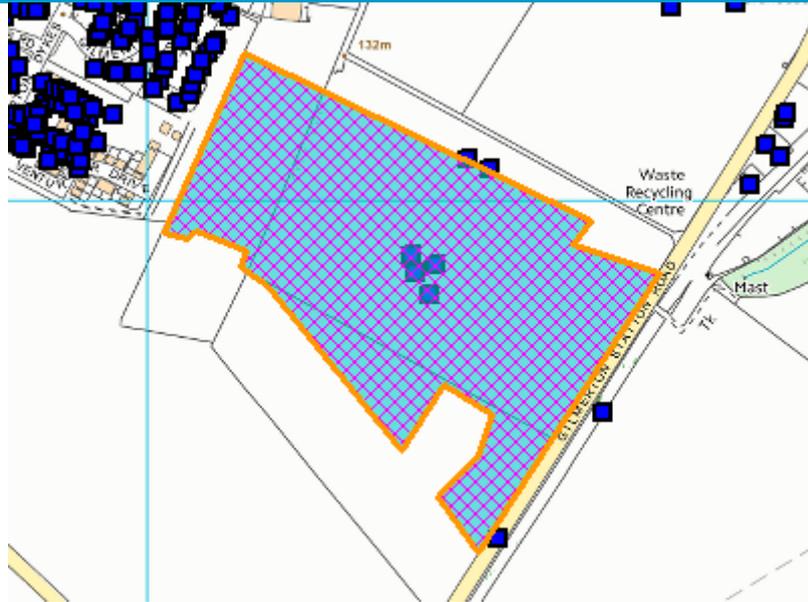
Note:

o Car parking provision is understood to be 100% for affordable units, 150% for private terraced units, and 200% for private houses. This is considered acceptable under the Council's former parking standards which applied at the time of appeal decision, 18 January 2016.

No.units	2009 - Zone 6		2017 - Zone 2		
	Spaces / unit	Spaces	Spaces / unit	Spaces	Spaces
3 room affordable	45	0.33	15 min.	1	45 max.
4 room affordable	34	0.67	23 min.	1	34 max.
4 room private	237	2	474 min.	1	237 max.
Total	316	-	512 min.	-	316 max.

## Location Plan

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**END**