

Development Management Sub Committee

Wednesday 20 June 2018

Application for Planning Permission in Principle 16/00216/PPP At Land 90 Metres West Of 20, The Wisp, Edinburgh Proposed residential development.

Item number	4.35
Report number	
Wards	A17 - Portobello/Craigmillar (Pre May 2017)

Summary

The proposal complies with the relevant policies of the Edinburgh Local Development Plan (LDP) and the Council's non-statutory guidelines. There are no issues with regards to flooding or drainage, biodiversity and trees, ground stability, contamination or archaeology. Subject to appropriate contributions being made, there are no issues with transport, education or healthcare infrastructure. The provision of the affordable housing will also be secured by a legal agreement.

The proposal is acceptable in principle and there are no material considerations that outweigh this conclusion.

Links

Policies and guidance for this application	LDPP, LDEL01, LDES01, LDES02, LDES03, LDES04, LDES05, LDES06, LDES07, LEN12, LEN15, LEN16, LEN21, LEN22, LHOU01, LHOU04, LHOU06, LTRA02, LTRA03, LTRA09, NSG, NSGD02, NSGSTR, OTH, SGDC,
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Report

Application for Planning Permission in Principle 16/00216/PPP At Land 90 Metres West Of 20, The Wisp, Edinburgh Proposed residential development.

Recommendations

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

Background

2.1 Site description

The development site, covering an area of 1.59 hectares, lies to the south-east of Edinburgh and is currently undeveloped greenfield land. The site is located at the base of the valley of the Niddrie Burn below the Edmonstone and Craigmillar ridges, which are major landscape features in the setting of this part of the city. The site is generally flat and is contained on all sides by rising ground, tree and hedge planting and existing development.

The site is separated from Hunter's Hall Public Park to the north by a belt of mature trees. Immediately to the east is an operational building and timber supplies yard which has planning permission to extend up to the boundary of the site. The land beyond this lies within Midlothian Council's area and is covered by Strategic Housing Land Allocation Hs0 Cauldcoats (350 houses) in the Midlothian Local Development Plan. To the south is a wedge-shaped site occupied by a commercial premises and a number of residential properties, with housing proposal HSG 41 The Wisp (80 houses) currently being developed beyond. The land to the west is currently undeveloped but is covered by LDP housing proposal HSG 18 New Greendykes for which there is an extant planning permission for residential development.

2.2 Site History

There is no relevant site history.

Neighbouring Sites

Land At Greendykes Road (Thistle Timbers)

23 December 2016 - Planning permission granted for class 6 (storage and distribution) - formation of builders supply yard as extension to existing yard (application number: 15/04151/FUL).

Land 213 Metres Southwest Of 22 The Wisp

17 February 2016 - Planning permission was granted following an appeal for a residential development (comprising 72 units) and associated works on the site to the south (application number: 13/02660/FUL).

10 October 2017 - Planning permission was granted for a remix of the residential development approval 13/02660/FUL, construction of 80 residential units and associated works (as amended) (application number: 16/04373/FUL).

Land At Greendykes Road

22 July 2010 - Planning permission in principle for residential development (as amended) was granted (application number: 07/01644/OUT).

26 October 2012 - Approval of matters specified in condition application was approved for residential development (application number: 12/01109/AMC).

1 February 2013 - Permission granted for works to facilitate new residential development associated with planning application reference 12/01109/AMC on land at Greendykes Road Edinburgh (application number: 12/03189/FUL).

21 February 2013 - Permission granted for residential development at Greendykes Road Edinburgh Greendykes Masterplan Area AH2 (application number: 12/03665/AMC).

21 September 2017 - Planning permission granted for residential development as part Greendykes Masterplan Site areas C and D at Greendykes Road, Edinburgh (application number: 13/01342/FUL).

Land At Cauldcoats - Midlothian Council

16 December 2014 - Application submitted for planning permission in principle for residential development; erection of primary school; and mixed use development (application number: 14/00910/PPP).

Main report

3.1 Description Of The Proposal

This application seeks planning permission in principle for a residential development with associated works.

As the application is for planning permission in principle there are no detailed designs of the proposals. However, an indicative plan has been provided showing 136 flats on the site laid out in blocks of three and four storeys. Subsequent AMC applications will need to ensure that the density and layout of any proposed development complies with council policies and guidance on density, amenity, car/cycle parking and open space.

Access to the site will be taken from the Springfield development currently underway to the south of the site. Footpath and cycleway connections will be provided to Hunter's Hall Park to the north and through the development to the south. Connections will also be provided to the forthcoming site to the west.

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

- Pre-application Consultation Statement;
- Planning Statement;
- Design and Access Statement
- Environmental Statement;
- Landscape and Visual Impact Assessment;
- Transport Assessment;
- Air Quality Impact Assessment;
- Ecological Study;
- Archaeology and Cultural Heritage Assessment;
- Ground Conditions Report;
- Sustainability Statement;
- Flood Risk Assessment and Drainage Impact Assessment; and
- Noise Assessment.

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

3.2 Determining Issues

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) the principle of the development is acceptable;
- b) the proposal will have an acceptable impact on the landscape and will be appropriate in terms of its scale, form and layout;
- c) the proposal will not adversely impact on neighbouring sites and will provide adequate amenity for future residents;

- d) the proposal will have acceptable transport impacts;
- e) the proposal will have a detrimental impact on air quality;
- f) the proposal will detrimentally affect flooding;
- g) the proposal will affect the biodiversity of the area;
- h) the proposal will detrimentally impact upon trees;
- i) the proposal meets the sustainability standards in the Edinburgh Design Guidance;
- j) the proposal will preserve and enhance archaeology;
- k) there are any issues in relation to ground stability;
- l) the proposal will impact upon existing infrastructure;
- m) the proposal will have any equalities or human rights impacts; and
- n) material representations or community comments raise issues to be addressed.

a) Principle

The site, along with the land to its south, was previously designated as green belt with its northern edge forming the boundary between the green belt and urban area.

Prior to the adoption of the LDP, an appeal decision granted planning permission for residential development on the site to the south. This decision resulted in the application site becoming severed from the rest of the green belt. During the LDP examination the reporters were informed that without continuity through linkage to the wider area the application site could no longer meet green belt objectives. As a consequence, the reporters modified the LDP and designated the site as urban area.

Within the urban area, Policy Hou 1 gives priority to the delivery of the housing land supply and relevant infrastructure on suitable sites, provided proposals are compatible with other policies in the plan. Conformity with other policies is assessed below. The site is currently an undeveloped field, however, as the site is not in the green belt, the principle of development is acceptable.

b) Landscape Setting, Scale, Form and Layout

The indicative proposal submitted in support of the application shows a layout with three and four storey flats, roads, parking areas, open space and pathway connections. However, the indicative plan is not for approval as part of this application and the subsequent AMC applications will have to demonstrate an acceptable level of development in terms of its scale, form and design.

A Landscape and Visual Impact Assessment has been submitted in support of the application which uses the indicative proposal for its appraisal of the site. The assessment was conducted using six viewpoints within the city that are considered sensitive in terms of landscape and visual receptors. All of the assessments of the magnitude of change and the significance of the impact were either 'none' or 'neutral' with the exception of the views of the site from Hunter's Hall Park. In this view the top of the proposed development could be seen protruding slightly above the trees from within the park. The assessment concluded that the magnitude of the impact on the view from the park was slight.

The residential development site to the south is currently under construction. In addition, the extension to the timber yard to the east and the Greendykes extension to the west are expected to be forthcoming in the short term. Therefore, the site, which is low lying in relation to those around it, will be surrounded by development on three sides and enclosed by a tree belt along its northern boundary. On balance, the site is capable of being developed without impacting detrimentally on the landscape setting of this part of the city. A further Visual Impact Assessment will be required at the AMC stage demonstrating an appropriate level of development in terms of its scale, design and massing in relation to its surroundings.

c) Amenity

Future Occupiers

Policy Des 5 of the LDP advises that development should not impact detrimentally on neighbouring residents and that future occupiers should have acceptable levels of amenity.

There are no detailed proposals at this stage showing the level of development, height of the buildings or orientation to neighbouring sites. A further application will be required to demonstrate that the proposal provides an adequate level of amenity to future occupiers of the development. This will include ensuring that occupiers are not impacted by noise and are provided with adequate daylight, sunlight and privacy. The unit sizes should also comply with the minimum standards specified in the Edinburgh Design Guidance.

To the east of the site is the Thistle Timbers yard which has planning permission to extend to meet the boundary of the application site. A condition imposed on the planning permission requires the construction of a 4 metre high acoustic wall to be constructed along the boundary to protect neighbouring sites from noise. Similarly, this condition is intended to protect the interests of the business, allowing it to carry out its operations without disturbing its neighbours.

A Noise Impact Assessment has been submitted which concludes that the acoustic wall will sufficiently protect the application site from noise from the timber yard. However, the detailed layout and design of the proposal will have to take into consideration the height of the wall to ensure that it remains effective. Acoustic control measures will also need to be central to the design and some areas may not be suitable for residential development. As a result, a further noise assessment will need to be conducted at the AMC stage taking into account the site layout and design and including details of the required glazing, ventilation and buffer zones (where no residential units will be located).

The timber yard also has a high level security floodlighting system. Environmental Protection has recommended that a condition is imposed to ensure that the detailed design takes into account the location of the floodlighting to ensure that residential amenity is protected.

Policy Hou 3 of the LDP supports housing development which makes adequate provision for green space to meet the needs of future residents. The indicative plan shows how this could potentially be achieved.

The indicative layout also uses areas of open space to connect the site to the surrounding landscape resource and the existing and proposed path network.

Hunter's Hall Park is located immediately to the north of the site. This meets the Council's Open Space 2021 objective of homes being within 400m walking distance of a good quality accessible greenspace of at least 500 sq m. In addition, to the north of Hunter's Hall Park is the Jack Kane Sports Centre and Jack Kane Park which provide accessible sports facilities and a play area within 500m walking distance.

Neighbouring Occupiers

There are a number of existing houses and cottages at the south east corner of the site that will have to be considered at the AMC stage to ensure that they are not detrimentally impacted by the future development.

There is an ongoing development of 80 units on the site to the south as well as the Greendykes extension to the west that will eventually connect with the site along its western boundary. The detailed application will have to ensure that the proposal complies with the Council's design guidance in terms of privacy, overshadowing and loss of daylight to neighbouring properties.

d) Transport Impacts

The application is supported by a Transport Assessment which bases its assumptions on a maximum of 150 houses. The assessment concludes that, when considered in isolation, the development would have a negligible impact on traffic flows in the area.

The assessment also considers the cumulative impacts on the highway network of the proposal along with other committed developments at The Wisp, Greendykes, Edmonstone Policies, Eight Acre Field/Walled Garden and facilities to be located within the site of Edinburgh Royal Infirmary including the Royal Hospital for Sick Children, the Child and Adolescent Mental Health Service and the Department of Clinical Neuroscience. It is considered that the cumulative impacts of these developments on the highway network would be of negligible significance.

Midlothian Council was consulted on the proposal. Their response includes suggestions for road infrastructure improvements within the vicinity of the development. The improvements include requesting contributions from the developer for the upgrade of Sheriffhall Roundabout. The LDP Action programme 2018 advises that developer contributions shall be used, in part, for the upgrade of Sheriffhall. However, it has not identified what proportion of funding for the upgrade will be required from developers and no contribution is sought at this stage.

The location and quantity of car parking will be determined at the AMC stage. However, the applicant has indicated that on site car parking provision will be provided in compliance with Tra 2 of the LDP. In addition, the applicant has agreed to provide electric car charging infrastructure for the communal parking areas and a contribution towards a car club vehicle and parking space for the development.

The applicant has advised that cycle parking will be provided to current standards and therefore the proposal would satisfy policy Tra 3 of the LDP.

The closest operational bus stop is located to the south of the development on Milligan Drive and is approximately 200 metres from the proposed access position. A pedestrian connection will be provided from the development to the bus stop to provide future occupiers with a nearby public transport connection.

Overall, the development will provide future occupiers with opportunities to utilise sustainable modes of transport. The impact of travel demand generated by the new development upon the surrounding road network is acceptable.

e) Air Quality

Environmental Protection has raised concerns over the cumulative impacts of development within this area. However, they are satisfied that the impact of the proposed development on its own will be limited if certain mitigation measures are implemented. Mitigation measures include: limiting car parking spaces as far as possible, good cycle storage and infrastructure provision, electric vehicle charging facilities and an up to date travel pack. The location and details of the above will be agreed at the AMC stage and in compliance with the Edinburgh Design Guidance.

f) Flood Prevention

A Flood Risk Assessment (FRA) was submitted in support of the application. The FRA recommends that the finished floor levels are above 47.5m AOD and a 5m deep strip of land is left undeveloped along the edge of the burn to act as a flow pathway in the event of overtopping or blockage of the burn and for maintenance access.

SEPA has no objections to the proposed development subject to a condition that ensures that no built development or land-raising will take place within the 1:200 year flood level and that the finished floor levels being above the minimum stated in the FRA.

Any AMC applications submitted will have to provide a Surface Water Management Plan (SWMP) as well as detailed information on the proposed SUDS. The application makes reference to the SUDS facility which should be designed as a natural feature within the overall layout without fencing and slopes to a standard supported by CEC for maintenance. No information or cross section is provided at this stage in the planning process, therefore a detailed condition is recommended.

g) Biodiversity

Policy ENV 16 of the Edinburgh Local Development Plan protects against development that would have an adverse impact on species protected under European or UK law.

The application site does not lie within, or contain, any sites or areas designated or recognised for their international or national ecological or ornithological value. In addition there are no statutory protected sites within 2km. The closest non-statutory site is Edmonstone Local Biodiversity Site which is located 800m to the south west of the site.

The Ecological Assessment submitted in support of the application recommends that a site-specific Construction Environmental Management Plan (CEMP) be adhered to during the construction phase of the development. This includes measures to mitigate potential impacts on the Magdalene Burn and nationally protected species.

The assessment concludes that, provided that the recommended mitigation measures are implemented, it is unlikely that the proposal will lead to any significant adverse residual effects in relation to terrestrial ecology. The mitigation measures outlined in the assessment will be secured through an appropriate condition.

h) Trees

Policy ENV 12 of the Local Development Plan does not support development which would have a damaging effect upon a tree or woodland worthy of retention unless necessary for good arboricultural reasons.

There are a number of trees on the northern edge of the site along the Magdalene Burn. The new pedestrian/cycle access will cut through the tree belt and full details will be required at the AMC stage to show how this can be achieved with minimal impact on mature trees and those worthy of retention. Mitigation planting should also be considered at this juncture.

The Ecological Assessment recommends that a comprehensive Tree Protection Plan should be produced before works commence to define root protection zones, including specifications for high visibility fencing to protect the trees. The Tree Protection Plan will be secured through a condition following best practice measures set out in BS 5837 'Trees and Construction'.

i) Sustainability

The applicant emphasises that the application is for Planning Permission in Principle and therefore it is not possible to state the measures that will be used for carbon reduction at this stage. However, the applicant has advised that the proposals are likely to include a passive solution in accordance with the building regulations. The AMC will have to demonstrate compliance with sustainability requirements.

j) Archaeology

The applicant has submitted an Archaeology and Cultural Heritage Assessment which has identified that the development has the potential to disturb significant medieval and later archaeological remains/deposits. Therefore it is recommended that a programme of archaeological works is undertaken prior to the submission of any future AMC applications. This should include a programme of archaeological works in accordance with a written scheme of investigation to be approved by the planning authority. A condition is required to achieve this.

k) Ground Stability

This area has a history of coal mining activity and a Phase 1 Desk Study has identified records of two disused mine shafts on or within 20m of the site.

The Coal Authority has been consulted and confirmed that the site falls within a defined Development High Risk Area. However, the Coal Authority has no objection to the proposal subject to the imposition of a condition requiring intrusive investigations and remedial measures to be completed prior to the commencement of development.

l) Infrastructure

Education

This site falls within the 'Castlebrae Education Contribution Zone' of the Developer Contributions and Infrastructure Delivery Supplementary Guidance. The impact of the proposed development on the identified education infrastructure actions and current delivery programme has been assessed, as set out in the guidance. The education infrastructure actions that are identified are appropriate to mitigate the cumulative impact of development that are anticipated should the proposal progress.

The proposed development is therefore required to make a contribution towards the delivery of these actions.

The required contribution should be based on the established contribution figures of £2,280 per flat and £12,107 per house (indexed to the date of payment) and should be secured through a legal agreement.

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

Affordable Housing

Policy Hou 7 of the LDP states for sites of 12 units or more, 25% of the total units should be provided for affordable housing.

The applicant has agreed to meet the requirement for 25% of the site to be affordable housing. An AMC application will determine the location of the affordable housing provision.

A legal agreement will be required to ensure that the affordable housing is provided as required.

Healthcare Actions

The Council's draft supplementary guidance Developer Contributions and Infrastructure Delivery identifies the site as being located in the Niddrie Health Care Contribution Zone. Within this zone there is a requirement for developers to contribute toward the expansion of the existing medical practice to mitigate the impact of new residential development in the area.

The contribution required amounts to £945 per dwelling and will be secured through a legal agreement.

m) Equalities and Human Rights

The proposal has been assessed in terms of equalities and human rights. No impact was identified.

n) Public Comments

Material representations - objections;

- Area was originally intended to be part of the south-east wedge parkland proposal - (addressed in section 3.3a);
- Increased traffic in the area - (addressed in section 3.3d);
- Increased flooding in the area - (addressed in section 3.3f);
- There are mine workings under the site - (addressed in section 3.3k);
- Site is in the green belt - (addressed in section 3.3a);
- Development of the site is contrary to the development plan - (addressed in section 3.3);
- Will not protect or enhance the landscape character of the area - (addressed in section 3.3b);
- It will not protect and give access to open space - (addressed in section 3.3c);
- Placing housing adjacent to the woodyard will create noise issues - (addressed in section 3.3c)
- The site is designated as open space in the LDP - (addressed in section 3.3a);
- The site is remote from amenities and would be car dependent - (addressed in section 3.3c and d); and
- Pedestrian and cycle links should be provided to Hunter's Hall Park to the north and to the Wisp - (addressed in section 3.3c and d).

Conclusion

The proposal complies with the relevant policies of the Edinburgh Local Development Plan (LDP) and the Council's non-statutory guidelines. There are no issues with regards to flooding or drainage, biodiversity and trees, ground stability, contamination or archaeology. Subject to appropriate contributions being made, there are no issues with transport, education or healthcare infrastructure. The provision of the affordable housing will also be secured by a legal agreement.

The proposal is acceptable in principle and there are no material considerations that outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. In accordance with the PPP and prior to the commencement of works on the site, details of the under-noted matters shall be submitted and approved by the Planning Authority, in the form of a detailed layout of the site and include detailed plans, sections and elevations of the buildings and all other structures.

Approval of Matters:

- a) a detailed layout and phasing plan of the site together with a plan showing the phased implementation of the development, including the number of residential units to be developed within each phase;
- b) if more than 150 units are proposed a further Transport Statement and Air Quality Impact Assessment will be required to assess the impact on the transport network and local air quality;
- c) siting, design and height of development, including design and appearance of all features including glazing specifications (including acoustic capabilities), ventilation measures, materials, public realm and other structures;
- d) a Visual Impact Assessment;
- e) a Noise Impact Assessment;
- f) car and cycle parking, access, road layouts and alignment, classification of streets, servicing areas/details and electric charging points;
- g) details of the provision of cycle and pedestrian routes linking the site to neighbouring developments and to Hunter's Hall Park to the north;
- h) waste management and recycling facilities;
- i) full details of sustainability measures in accordance with Edinburgh Design Guidance;
- j) full details of daylighting and overshadowing in accordance with Edinburgh Design Guidance;
- k) Hard and soft landscaping details, including:
 - (i) walls, fences, gates and any other boundary treatments;
 - (ii) a landscape plan with details of the management and maintenance of the landscaping, SUDS and open space;
 - (iii) a tree survey including trees 12m outwith the site boundary;
 - (iv) a Surface Water Management Plan;
 - (v) Existing and proposed services such as cables, pipelines, substations;

- (vi) Other artefacts and structures such as street furniture, including lighting columns and fittings; and
 - (vii) existing and finished ground levels in relation to Ordnance Datum.
2. A detailed specification of materials, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Planning Authority before work is commenced on site. Note: samples of the materials may be required to be erected and maintained on site for an agreed period during construction.
 3. 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 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;
 - (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 Council as Planning Authority. 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.
 4. Prior to the commencement of development the following will be submitted and approved by the Coal Authority:
 - (a) The submission of a scheme of intrusive site investigations for approval, including gas monitoring;
 - (b) The undertaking of that scheme of intrusive site investigations;
 - (c) The submission of a report of findings arising from the intrusive site investigations;
 - (d) The submission of a layout plan which identifies an appropriate zone of influence for the off-site mine entry and the definition of a suitable 'no-build' zone;
 - (e) The submission of a scheme of remedial and mitigatory works for approval; and
 - (f) The implementation of those remedial and mitigatory works.
 5. Prior to the submission of the AMC the applicant shall secure the implementation of a programme of archaeological work (excavation, reporting and analysis, publication & public engagement) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.
 6. Prior to the commencement of development a site-specific Construction Environmental Management Plan (CEMP) should be produced and adhered to during the construction phase of the proposed development including:
 - (a) Briefing of all contractors in relation to any on-site ecological requirements for the time of year and area of work including the use of 'toolbox talks'. This would include emergency procedures and a briefing regarding exclusion zones and practices around the works areas, with clearly demarcated exclusion zones marked as appropriate;

(b) Measures should be employed to prevent or mitigate potential impacts on the following ecological receptors:

- Magdalene Burn (although out-with the Site, it would act as a vector for downstream migration of sedimentary and chemical pollution); and
- Nationally protected species (i.e. bats, reptiles and breeding birds);

(c) Prior to the commencement of works a comprehensive Tree Protection Plan should be produced to clearly define tree root protection zones including specifications for robust high visibility fencing to protect the trees (e.g. no entry areas for machinery). The fencing would be in place before works commence. Best practice measures following BS 5837 'Trees and Construction'11 would be implemented including no tracking within the drip-line of mature trees that would be retained, and removal of diseased and dying trees.

7. No built development or land-raising shall take place within the 1:200 year flood level as detailed within the Flood Risk Assessment (FRA) by Kaya Consulting Ltd dated 21 February 2018.
8. Finished floor levels should be a minimum of 47.5mAOD as stated within the Flood Risk Assessment (FRA) by the Kaya Consulting Ltd report dated 21 February 2018.
9. A scheme for protecting the proposed residential accommodation from illumination and/or glare from the floodlighting system within the adjacent timber yard shall be submitted and approved by the Council as Planning Authority.
10. No development shall take place until a scheme for protecting the residential development hereby approved from noise from the road noise (The Wisp and the nearby junction of Milligan Drive.) and commercial noise (Timber yard and bus depot) has been submitted to and approved by the Council as Planning Authority; all works which form part of the approved scheme shall be completed prior to the occupation of any part of the development.

Reasons:-

1. To ensure that the site is designed and developed cohesively.
2. In order to enable the planning authority to consider this/these matter/s in detail.
3. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.
4. To ensure the site is remediated with regards to coal mining activity.
5. In the interests of cultural heritage.
6. In order to protect biodiversity and natural heritage.
7. In order to minimise the flood risk potential for the site.
8. In order to minimise the flood risk potential for the site.

9. In order to safeguard residential amenity.
10. In order to safeguard residential amenity.

Informatives

It should be noted that:

1. Permission shall not be issued until a suitable legal agreement has been concluded to secure the following:
 - Financial contributions of £2,280 per flat and £12,107 per house (to be index linked based on the increase in the BCIS Forecast All-in Tender Price Index from Q4 2017 to the date of payment) to Communities and Families to alleviate accommodation pressures in the local catchment area.
 - A contribution towards a car club vehicle for the development (anticipated costs are £1,500 per order plus £5,500 per car).
 - The sum of £2,000 to progress each of the following orders as necessary for the development:
 - a. An order to redetermine sections of footway and carriageway;
 - b. An order to introduce and amend waiting and loading restrictions;
 - c. An order to introduce 20mph speed limits;
 - d. A stopping up order under Section 207 of the Town and Country Planning (Scotland) Act 1984;
 - A minimum of 25% affordable housing provision on site.

The legal agreement should be concluded within 6 months of the date of this notice. If not concluded within that 6 month period, a report will be put to committee with a likely recommendation that the application be refused.

- A financial contribution of £945 per dwelling toward the expansion of the existing medical practice in Niddrie/Craigmillar to mitigate the impact of new residential development in the area.
2.
 - a) Application for the approval of matters specified in conditions shall be made before the expiration of 3 years from the date of the grant of planning permission in principle, unless an earlier application for such approval has been refused or an appeal against such refusal has been dismissed, in which case application for the approval of all outstanding matters specified in conditions must be made within 6 months of the date of such refusal or dismissal.
 - b) The approved development shall be commenced not later than the expiration of 3 years from the date of grant of planning permission in principle or 2 years from the final approval of matters specified in conditions, whichever is later.

3. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
4. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.
5. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles, public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities) and timetables for local public transport.
6. All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. Particular attention must be paid to ensuring that refuse collection vehicles are able to service the site. The applicant is recommended to contact the Council's waste management team to agree details of refuse store locations and routes.
7. The applicant must be informed that any proposed on-street car parking spaces cannot be allocated to individual properties, nor can they be the subject of sale or rent. The spaces will form part of the road and as such will be available to all road users. Private enforcement is illegal and only the Council as roads authority has the legal right to control on-street spaces, whether the road has been adopted or not. The developer is expected to make this clear to prospective residents.
8. The adoptable road layout should include the provision of cycle and pedestrian routes linking the site to neighbouring developments and to Hunter's Hall to the north.
9. A Quality Audit, as set out in Designing Streets, to be submitted prior to the grant of Road Construction Consent.
10. All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Council if he wishes the bays to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order but this does not require to be included in any legal agreement. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved.

11. 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.
12. All car parking spaces shall have provision for electric vehicle charging points and installed in accordance with The Institution of Engineering and Technology's Code of Practice for Electric Vehicle Charging Equipment Installation 2nd Edition (2015),
13. 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.
14. 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.
15. 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.
16. 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.
17. All vehicles operating within the site on un-surfaced roads shall not exceed 15mph to minimise the re-suspension of dust.
18. 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.
19. 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.
20. No bonfires shall be permitted.

Financial impact

4.1 The financial impact has been assessed as follows:

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

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

When the application was first submitted four objections were received, including one from an agent acting on behalf of the timber yard that neighbours the site.

As a period of two years had lapsed since the submission of the application and a number of changes have taken place in this area during that time, neighbours were re-notified of the application. One further objection was received following re-notification.

Craigmillar Community Council was notified but submitted no comments on the application.

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

Background reading/external references

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

Statutory Development

Plan Provision

The site is designated as urban area in the Edinburgh Local Development Plan.

Date registered

21 January 2016

Drawing numbers/Scheme

01A,

Scheme 1

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Alexander Gudgeon, Planning Officer

E-mail:alexander.gudgeon@edinburgh.gov.uk Tel:0131 529 6126

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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 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.

Other Relevant policy guidance

Draft Developer Contributions and Infrastructure Delivery SG sets out the approach to infrastructure provision and improvements associated with development.

Appendix 1

Application for Planning Permission in Principle 16/00216/PPP At Land 90 Metres West Of 20, The Wisp, Edinburgh Proposed residential development.

Consultations

Archaeology

Further to your consultation request I would like to make the following comments and recommendations concerning this application in principal for proposed residential development.

The site lies adjacent to the southern hedge row/ tree belt which marked the formal boundary of the designed garden/landscape associated with Niddrie Marischal House, demolished in the 1960s. The Estate was established in the medieval period and one of three major estates overlooking the Niddrie Burn along with Craigmillar Castle and Edmonstone. Archaeological investigations carried out in advance and during recent develops have provided further evidence for significant medieval and later archaeology relating to the both the operations of the Estate and for mining. Excavations have demonstrated that the area has been subject to industrial scale mining since late medieval/post-medieval period with early mines dating to the 16th -17th centuries identified along Edmonstone Ridge. As noted in Waterman's ES by the late 18th century this application site was being affected by mining exploited the deeper coal seams.

In addition metal detecting surveys carried out by local amateurs and as part of CEC Braid Burn Flood Prevention scheme, have also provided evidence (principally in the shape of regimental cap-badges) for the use of the area as training grounds during both WWI & WW II.

This application must be considered under terms of the Scottish Government's Scottish Planning Policy (SPP), PAN2/2011 and Scottish Historic Environment Policy (SHEP) and also CEC's Edinburgh City Local Plan policies ENV3, ENV7, ENV8 & ENV9 and 2013 Craigmillar Urban Design Framework. The aim should be to preserve archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.

Historic Landscape

As stated the northern boundary of the site is formed by an historic hedge row/ tree belt which formed part of the post-medieval designed landscape for Niddrie Marshall House. As such this historic landscape feature is of archaeological significance and is recognised within CEC's 2013 Craigmillar Urban Design Framework. It is noted that several links through this important historic landscape feature are proposed. Although in principal this is welcomed I have some concerns over the number and potential scale of such proposals. Accordingly it is recommended that any detailed designs must look to minimising the scale of any such intrusions in order to ensure the preservation/conservation and enhancement of the areas key historic landscape features.

Buried Archaeology:

Given the archaeological potential occurring across the proposed area (outlined above and in Waterman's ES Chapter 10), it is essential that an archaeological mitigation strategy is undertaken prior to submission of any further detailed (FUL/AMC) application and development. In essence this strategy will require the undertaking of a phased programme of archaeological investigation, the first phase of which will be the undertaking of an archaeological evaluation (min 10%) linked to comprehensive metal detecting survey. The results from this initial phase of work will allow for the production of appropriate more detailed mitigation strategies to be drawn up to ensure the appropriate protection and/or excavation, recording of any surviving archaeological remains prior to construction commencing is undertaken.

It is recommended that these programmes of work be secured using a condition based upon the model condition stated in PAN 42 Planning and Archaeology (para 34), as follows;

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

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

Coal Authority

Thank you for your consultation email of 28 January 2016 seeking the views of The Coal Authority on the above planning application.

The Coal Authority is a non-departmental public body sponsored by the Department of Energy and Climate Change. 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

I have reviewed the proposals and confirm that the application site falls within the defined Development High Risk Area; therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application.

Appropriate mining information for the proposed development site has been obtained on behalf of the applicant and has been used to inform a Phase 1 Desk Study Report (December 2015, prepared by Mason Evans), which is included within Appendix 11.1 of the Environmental Statement which accompanies this planning application.

The Phase 1 Desk Study Report correctly identifies that the application site has been subject to past coal mining activity. In addition to the mining of deep coal seams, The Coal Authority records indicate that thick coal seams outcrop at or close to the surface of the site and historic unrecorded shallow coal mining is likely to have taken place. The zone of influence of an off-site recorded mine entry (shaft, CA ref. 330671-014) encroaches over the western boundary of the site.

The Phase 1 Desk Study Report has been informed by an appropriate range of sources of information including a Coal Authority Report, an Envirocheck Report, historical mapping and BGS data. Based on a review of these sources of geological and mining information, the Report concludes that there is a high risk of localised surface instability due to mine workings beneath the site and, as such, this poses a development constraint at the site.

Accordingly the Report makes goes on to recommend the carrying out of intrusive ground investigations in the form of the drilling of rotary boreholes. These investigations will enable ground conditions to be ascertained and will establish the presence or otherwise of mine workings. Gas emission monitoring is also proposed.

The Phase 1 Desk Study Report identifies that two recorded mine entries are located within 20m of the site boundaries. Our records suggest that only shaft 330671-014 is present within 20m of the site boundary, being located some 11.10m from the eastern boundary of the site. Due to plotting inaccuracies this mine entry could deviate from its recorded position by up to 5m. Therefore whilst the mine entry is unlikely to be present within the application site, should the mine entry collapse in the future there may be implications for stability at the eastern edge of the site.

Building over or within the influencing distance of a mine entry raises significant safety and engineering risks and exposes all parties to potential financial liabilities. The Coal Authority has adopted a policy where, as a general precautionary principle, the building over or within the influencing distance of a mine entry should wherever possible be avoided. The Coal Authority would take this opportunity to make the applicant aware of our adopted policy: www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

This matter is not considered in any detail within the submitted Report, however, The Coal Authority considers that the results of the proposed rotary site investigation works, including establishing the depth to rockhead, will enable the applicant to undertake a further assessment of the likely extent of the zone of influence of the mine entry (in the event of a collapse). Should this zone of influence be calculated to extend into the site, the applicant should be required to identify a "no build" zone and/or mitigatory measures to be incorporated into the development to ensure stability of the development (e.g. foundation solutions) to address the risk posed by an off-site mine entry collapse. This information should be used to inform the detailed site layout.

The applicant should ensure that the exact form of any intrusive site investigation, including the number, location and depth of boreholes, is agreed with The Coal Authority's Permitting Team as part of their permit application. The findings of these intrusive site investigations should inform any mitigation measures, such as drilling and grouting stabilisation works, foundation solutions and gas protection measures, which may be required in order to remediate mining legacy affecting the site and to ensure the safety and stability of the proposed development.

The Coal Authority would also expect the applicant to afford due consideration to the prior extraction of any remnant shallow coal as part of any mitigation strategy. Prior extraction of remnant shallow coal can prove to be a more economically viable method of site remediation than grout filling of voids.

The Coal Authority Recommendation to the LPA

The Coal Authority concurs with the recommendations of the Phase 1 Desk Study Report; that coal mining legacy potentially poses a risk to the proposed development and that intrusive site investigation works should be undertaken prior to development in order to establish the exact situation regarding coal mining legacy issues on the site.

The Coal Authority recommends that the LPA impose a Planning Condition should planning permission be granted for the proposed development requiring these site investigation works prior to the formulation of a detailed site layout and prior to the commencement of development.

In the event that the site investigations confirm the need for remedial works to treat any areas of shallow mine workings or other mining legacy features to ensure the safety and stability of the proposed development, these should also be conditioned to be undertaken prior to commencement of the development.

A condition should therefore require prior to the commencement of development:

- * The submission of a scheme of intrusive site investigations for approval, including gas monitoring;*
- * The undertaking of that scheme of intrusive site investigations;*
- * The submission of a report of findings arising from the intrusive site investigations;*
- * The submission of a layout plan which identifies an appropriate zone of influence for the off-site mine entry and the definition of a suitable 'no-build' zone;*
- * The submission of a scheme of remedial and mitigatory works for approval; and*
- * The implementation of those remedial and mitigatory works.*

The Coal Authority considers that the content and conclusions of the Phase 1 Desk Study Report are sufficient for the purposes of the planning system in demonstrating that the application site is, or can be made, safe and stable for the proposed development. The Coal Authority therefore has no objection to the proposed development subject to the imposition of a condition to secure the above.

Communities and Families

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

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

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

Assessment and Contribution Requirements

Assessment based on:

147 Flats

This site falls within Sub-Area C-2 of the 'Castlebrae Education Contribution Zone'.

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

The education infrastructure actions that are identified are appropriate to mitigate the cumulative impact of development that would be anticipated if this proposal progressed.

The proposed development is therefore required to make a contribution towards the delivery of these actions. The application is for planning permission in principle. The required contribution should be based on the established 'per house' and 'per flat' contribution figures set out below and secured through a legal agreement

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

Per unit infrastructure contribution requirement:

Per Flat - £2,280

Per House - £12,107

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

Environmental Protection

The proposal is for Planning Permission in Principle and is for up to 150 new dwellings and associated external amenity areas, including hard and soft landscaping and roads. It aims to connect directly with the New Greendykes development.

The site is bordered to the east by an area of rough open land. There are residential properties located approximately 75m to the east and approximately 10m to the south and south-east. A timber yard (Thistle Timber) is located at the eastern site boundary, (which has recently extended nearer to the proposed development site) a garage is located approximately 50m to the east, and a mini-bus depot approximately 10m to the south of the site. Land approximately 50m south of the site is under development as a new residential estate. To the north of the site is a strip of woodland.

Environmental Protection have raised serious concerns regarding the suitability of this site being developed out for residential use. Noise impacts from the extended timber yard are a cause for concern. The timber yard has gained planning permission to extend their operations on condition that they erect an acoustic barrier. There are no conditions restricting the hours of use in the timber yard.

The applicant has submitted a supporting noise impact assessment, which has assessed the possible transport and timber yard noise impacts.

The applicants noise impact assessment has modelled that noise levels identified across the site will require acoustic attenuation measures in order to reduce the exposure of future residential occupants to the potentially harmful effects of road traffic noise in particular, those in immediate proximity of the southern and eastern site boundaries. If consented a further detailed noise impact assessment will be required further assess this and provide detailed information on mitigation measures.

The applicant has advised that the Thistle Timber Yard adjacent the proposed development site has recently had begun an extension to their site when the noise survey was being conducted. Due to this, it is possible that elevated noise levels were incurred during the most recent noise survey. As such the impact of the Thistle Timber Yard has been assessed based on previous survey data and information provided in various documents submitted to City of Edinburgh Council relating to the extension. This does raise doubts on the validity of the noise impact assessment and it should be highlighted that a further noise impact assessment will be required and there may be parts of the site that may not be possible to develop, for example there shall be units developed that would have a direct line of site into the Timber Yard.

Nevertheless, the applicants noise impact assessment has identified possible noise mitigation measures. Environmental and building design noise control methods have been suggested for protecting outdoor living areas and the internal noise environment of noise-sensitive premises built in areas with high noise exposure.

A detailed planning application with an updated noise impact assessment would need to consider external noise levels, the proposed residential dwellings will also be required to meet the internal noise criteria set out in British Standard 8233:2014 within living rooms and bedrooms during daytime hours and in bedrooms during the night-time period. As such, further consideration of detailed façade/layout design of the units would be required at the detailed design stage.

According to the noise impact assessment the prevailing daytime noise levels indicate that residencies will require a passive attenuated ventilation strategy in combination with appropriate glazing package. In this instance a standard thermal double-glazing unit providing a minimum sound reduction index of -427 dB R_w+C_{tr} - fitted with an acoustically attenuating trickle ventilator may be appropriate to provide adequate level of protection from external noise intrusion from transport sources only. It should be noted that Environmental Protection only accept a closed window standard for transport noise. All other noise sources must meet the internal noise levels with an open window assessment. The applicants noise impact assessment also advises that external noise can be further reduced through careful consideration to internal room layout (i.e. orientating bedrooms away from the noise sources), maximise screening from site layout and intervening buildings, and maximise distance by setting-back the build-line from the Timber Yard and The Wisp. The timber yard has consent subject to the erection of an acoustic barrier. Environmental Protection will require that there shall be no line of sight between any proposed residential development into the Timber Yard. This will need to be demonstrated when the detailed plans are submitted in the form of a noise impact assessment.

The timber yard has erected the 4m acoustic barrier however the proposed development site currently slopes upwards from the timber yard therefore there is a line of sight onto the site from relative proximity to the erected acoustic barrier. This includes the tops of the newly installed roller shutters in the new building erected in the timber yard and the tops of racking used to store material. The extension of the timber yard is still being rolled out and it's possible that operations in the yard could be adjusted so that more noise creating operations could occur closer to the proposed development site. The operational hours in the mornings could be extended to enable deliveries of materials to be processed before the yard is opened for customers.

Environmental Protection are satisfied that the helicopter noise impact assessments have been addressed and no further information will be required regarding this.

In summary, to provide suitable internal ambient residential amenity, acoustic control measures will need to be central in the design and layout of any residential development on this site. Acoustic mitigation measures will be required by way of an appropriate planning condition requiring a further detailed noise impact assessment. A suitable level of residential amenity will need to be provided for all future residents, it may not be possible to support residential units on all parts of the site specifically nearest the Timber Yard. It should be noted that Environmental Protection will need details of the required glazing, ventilation, buffer zones (where no residential units will be located) and barriers at the detailed phase.

Local Air Quality

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

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

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

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

Due to the size and density of the development Environmental Protection requested that the applicant assessed the potential impacts this proposed development may have on the local air quality taking into account any other developments in the area. It is noted that the air quality impact assessment was conducted in 2015 is now out of date. Environmental Protection has considered the assessment and do not accepts its findings as other nearby development sites have not been considered as committed development. This is due the fact that the assessment was conducted such a long time ago. As the applicant has shown a willingness to progress with other forms of local air quality mitigation measures and keep parking numbers to a minimum then Environmental Protection will not be requiring an update of the air quality impact assessment.

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

The applicant is encouraged to keep car parking number to a minimum, support car club with electric charging, provide rapid electric vehicle charging throughout the development site, provide public transport incentives for residents, improve cycle/pedestrian facilities and links and contribute towards expanding the electric charging facilities at the nearby Park and Ride facilities.

Environmental Protection have raised concerns with the cumulative impacts developments especially large proposals on the green belt may have on local air quality. It is noted that this specific proposal is identified in the local development plan as suitable for development. However, local roads in the area are already congested during peak hours and a development of this size may exacerbate this.

The proposal is likely to include a considerable number of car parking spaces and Environmental Protection recommend that electric vehicle charging points should be incorporated into the car park. The applicant has confirmed car parking spaces will have electric vehicle charging points installed to serve them.

The Scottish Government in the 'Government's Programme for Scotland 2017-18 has a new ambition on ultra-low emission vehicles, including electric cars and vans, with a target to phase out the need for petrol and diesel vehicles by 2032. A range of actions underpins this to expand the charging network, support innovative approaches, and encourage the public sector to lead the way, with developers incorporating charging points in new developments.

The applicant is aware that there are now requirements stipulated in the Edinburgh Design Guidance must be achieved. Edinburgh has made progress in encouraging the adoption of electric/hybrid plug-in vehicles, through deployment of extensive charging infrastructure. As plug-in vehicles make up an increasing percentage of the vehicles on our roads, their lack of emissions will contribute to improving air quality, furthermore their quieter operation will mean that a major source of noise will decrease.

The Sustainable Energy Action Plan is the main policy supporting the Council's Electric Vehicle Framework. Increasing the number of plug-in vehicles and charging infrastructure in Edinburgh will provide substantial reductions in road transport emissions.

Environmental Protection are satisfied that the impacts of this proposed development on its own will be limited. The applicant must keep the numbers of car parking spaces to a minimum, commit to providing good cycle provisions, electric vehicle charging facilities and supported with an up to date travel pack. Environmental Protection supports the applicant's proposal that the electric vehicle charging points will be fully installed and operational prior to occupation serving 100% of the spaces. Environmental Protection shall recommend that this is attached as a Planning Condition with specific details to be provided at the detailed planning stage.

Environmental Protection shall recommend an informative is attached to ensure that the impacts on local air quality are minimised during the construction phase.

Floodlighting

The Timber Yard has a number of high level security floodlighting. Environmental Protection recommends that a condition is attached to any consent to ensure that amenity is protected. Again, there may be parts of the development site that may not be suitable for residential use due to the impacts the floodlights may have on amenity.

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 a condition is attached to ensure that contaminated land is fully addressed.

Therefore, on balance Environmental Protection offers no objection subject to the following conditions and its recommended that an informative is attached. However, it must be stressed that a large buffer zone will be required between the proposed development site and the operational timber yard.

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.

2. A scheme for protecting the proposed residential accommodation from illumination and/or glare shall be submitted and approved in writing by the Council's Planning Authority. The scheme shall show that the design, installation and operation of the floodlighting system shall be such that no floodlighting bulb or floodlighting bulb reflecting surface shall be visible within any proposed residential premises.

3. No development shall take place until a scheme for protecting the residential development hereby approved from noise from the road noise (The Wisp and the nearby junction of Milligan Drive.) and commercial noise (Timber yard and bus depot) has been submitted to and approved in writing by the Head of Planning; all works which form part of the approved scheme shall be completed to the satisfaction of the Head of Planning before any part of the development is occupied.

4. There shall be no direct line of site between the consented residential developments units and the neighbouring timber yard ground operations.

5. *Install a minimum of 4 live feeder pillars (size 12 minimum) with 100amp three phase supply. Ducting with pull ropes shall then be installed from the feeder pillar to the middle point between two of the carparking spaces (highlighted on submitted drawing). The ducting shall be 100mm twin-walled rigid. A minimum of twenty-six 7Kw charge with type 2 socket shall be provided; all installed and operational prior to occupation.*

Informative

1. *All car parking spaces shall have provision for electric vehicle charging points and installed in accordance with The Institution of Engineering and Technology's Code of Practice for Electric Vehicle Charging Equipment Installation 2nd Edition (2015),*

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.*

Should you wish to discuss the matter, please do not hesitate to contact me via email or on 0131 469 5160.

Housing and Regulatory Services - Affordable Housing

1. Introduction

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

Services for Communities have developed a methodology for assessing housing requirements by tenure, which supports an 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 units or more.*
- o This is consistent with Policy Hou 7 Affordable Housing in the Edinburgh City Local Plan.*

2. Affordable Housing Requirement

As this application is proposing a development for 147 units, the AHP will apply and as such 36 (25%) of the units will be required to be of approved affordable housing tenures, as found in Planning Advice Note 2/2010 and within the Council's AHP. The applicant has made a commitment to provide 25% AHP provision and this is welcomed by this department. Furthermore this department will be seeking for a minimum of 36 affordable homes to be located and integrated amongst the market homes on this site.

The proposal is for a broad range of different types of accommodation from 1 and 2 bed flats to 3 and 4 bedroom houses. In the current application there is no indication of where the affordable housing provision would be provided and what tenure or house type it will consist of. In any future detailed application we would request the following be included on the affordable housing element:

- o The proposed location of the homes*
- o The inclusion of a representative mix of house types, sizes and tenures which follow the principles of blind tenure construction and which are well integrated with the market homes.*
- o A location close to local amenities and public transport*
- o The affordable housing will be fully compliant with latest building regulations and further informed by guidance such as Housing for Varying Needs and the relevant Housing Association Design Guides*

The site is located close to the Third Access Road that links The Wisp with Greendykes Road / Little France Drive. It serves as a bus route extension for services operating on Greendykes Road. A bus stop is within easy walking distance of the site that provides a public transport service to and from the city centre using the number 14 Lothian Bus. This is commended by the department.

This department would request that the developer enter into early dialogue with the Council and RSLs regarding the location(s) and most suitable delivery option for the affordable housing requirement.

The developer will be required to enter into a Section 75 legal agreement to secure these affordable homes. The location of the homes should be identified in that S.75 agreement and added to the Informatives section of the committee report.

Midlothian Council

Thank you for the opportunity to comment on the above planning application.

While not formally objecting to the proposal, Midlothian Council wishes to raise points in relation to Green Belt, landscape and transport. Midlothian Council raised matters on transport and landscape in its response dated 2 December 2015 to your EIA scoping request. I have attached this response as it provides context to the matters raised in this letter.

Green Belt

The application site has no planning policy support in that the current development plan identifies this area as Green Belt. The City of Edinburgh has identified a number of greenfield housing sites in its Proposed Edinburgh Local Development Plans, of which this site is not included. If the City of Edinburgh Council is satisfied that sufficient new housing land has been identified, there would appear to be no justification in supporting the release of this application site for development.

Landscape

In its EIA Scoping Response Midlothian Council set out that this site was to be undeveloped parkland/open space part of the South East Wedge development area. The location remains part of the important cross border location of The Wisp. If the proposal were to be supported this should be reflected in its design, landscaping and boundary treatments. The design should help facilitate active travel movements between Midlothian and Edinburgh. This matter is further raised in the below Transport comments.

Transport

Vehicular Transport

Midlothian Council has concerns regarding the cumulative impact on the transport network arising from this proposal. This proposal is in addition to developments that are in accordance with the development plans of the City of Edinburgh and Midlothian Councils, and other windfall developments in this part of south east Edinburgh that have come forward.

It is not clear from the Transport Assessment if the impact of proposed new allocations in the Shawfair area of the Proposed Midlothian Local Development Plan have been taken into account in its assessments. Reference is made to Shawfair but it is not clear if that is just the committed Shawfair development identified in the 2003 Shawfair and 2008 Midlothian local plans.

Based on current advice from Midlothian Council transport colleagues:

1. Midlothian Council notes and recommends the improvements to the A7/The Wisp junction identified in the Transport Assessment's drawing TP299/SK/102 in Appendix F be a requirement from this development, together with the conversion to MOVA signal controls at the junction also identified in the Transport Assessment. Midlothian Council also notes similar improvements to the same junction are highlighted in the Transport Assessment for the 750 house proposal further south on The Wisp (planning application ref. 15/05074);

2. Midlothian Council requests that the junction of The Wisp and the Millerhill Road be signalised as a requirement of the developments. It is currently a give-way junction, and this Council considers it should be a signalised to increase road safety and road capacity; and

3. Midlothian Council requests that a push button crossing, near to the new distributor road from the Greendykes development on to The Wisp, be a requirement of this development.

Pedestrian/ Cycle facilities

If this proposal is supported, then Midlothian Council requests that full provision of good multi-user foot and cycle paths is made in order that the development supports and helps facilitate reciprocal connections between local and wider Edinburgh and Midlothian networks. Midlothian Council considers links between Edinburgh and Midlothian in this location an important part of delivering its green network.

Midlothian Council supports the indicative footpath and cycle connections identified in the supporting material for the proposal showing routes through the development into Hunter's Hall. Midlothian Council requests that if this proposal were to be supported, it helps deliver cycle path connections from The Wisp through the development into Hunter's Hall Park, and beyond into the wider Edinburgh foot and cycle path network. This support is in addition to support for other connections made into Edinburgh to the south and west of the site.

Developer Obligations - Transport

With regard to impacts on the road network, Midlothian Council is seeking developer obligations from committed and proposed development identified in the Proposed Midlothian Local Development Plan in the Shawfair and Danderhall area for the upgrade and improvement of the Sheriffhall junction on the A720 City Bypass, Borders Railway and other education and infrastructure requirements.

If this development were to be supported, Midlothian Council requests that developer obligations are sought to help contribute to the upgrade of the Sheriffhall junction on the A720 City Bypass, as well as to other necessary improvements that may be required to the local road network. Midlothian Council would expect there to be potential for cumulative implications from this proposal, and other nearby developments, on the Sheriffhall junction and the local road network.

Finally, if the development were to be supported then the above multi-user foot/cycle paths should be secured through

Scottish Environment Protection Agency

We have no objection to this planning application subject to conditions on any planning permission. Also please note the advice provided below, particularly our advice in Sections 2.2 and 4.3.

Advice for the planning authority

1. Flood Risk

1.1 We have no objection to the proposed development on flood risk grounds provided that, should the Planning Authority be minded to approve this application, the following planning conditions are imposed:

o No built development or land-raising shall take place within the 1:200 year flood level as detailed within the Flood Risk Assessment (FRA) by Kaya Consulting Ltd dated 17 December 2015.

o Finished floor levels should be a minimum of 47.2mAOD as stated within the Flood Risk Assessment (FRA) by the Kaya Consulting Ltd report dated 17 December 2015.

1.2 In the event that the planning authority proposes to grant planning permission contrary to this advice on flood risk, the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 provides criteria for the referral to the Scottish Ministers of such cases. You may wish to consider if this proposal falls within the scope of this Direction.

1.3 Notwithstanding our position we expect the City of Edinburgh Council to undertake its responsibilities as the Flood Prevention Authority.

1.4 We have reviewed the information provided in support of this planning application and we note that the application site is encroaching within the medium likelihood (0.5% annual probability or 1 in 200 year) flood extent of the SEPA Flood Map, and it may therefore be at medium to high risk of fluvial flooding. In addition, the north east corner of the site is shown to be within the surface water Flood Map.

1.5 The site is green field and forms part of a larger mixed development within the south-east wedge of Edinburgh. We are aware that the adjacent site, immediately upstream of this site, is to be land-raised to facilitate development. The site has an earth bund between the site and the burn. This should be treated as an informal defence and not be used to enable development. The channel along the northern perimeter of the site has a shallow gradient and is constrained by a small gap in a wall downstream of the site.

1.6 As highlighted for other developments in this area, the upstream storage area on the Niddrie Burn is not part of a formal flood protection scheme but has been supported by the City of Edinburgh Council. We cannot confirm that the scheme has been built to the agreed design standard. In addition, the catchment is not gauged hence the design flow is theoretical and from the other information provided for the general area, it does not appear to include an allowance for climate change. There is some uncertainty, therefore, associated with the scheme's level of protection and thus it should be considered as a residual risk to the site.

1.7 The Magdalene Burn immediately downstream of the site flows through a small gap (800mm x 360mm) in a wall. Due to the size, gradient, and design of this gap, it will be prone to siltation and blockage from debris. The spill level adjacent to this is noted in the FRA as being approximately 46.2mAOD and the modelled level of flooding is 46.41mAOD when considering the 1:200 plus an allowance for climate change. The finished floor levels are to be set 600mm above the bank of the Magdalene Burn and one metre above the spill level of 46.2mAOD making the minimum finished floor level 47.2mAOD. We would add to this that no built development should take place within the 1:200 year flood level. We would also strongly recommend that all finished floor levels within the site are elevated above proposed ground levels to reduce any surface water runoff risk.

1.8 Regarding the model setup, we would note that it is not best practice to start a model at the site boundary. A model should be extended upstream of the development site placing the boundary where the backwater effects will be minimal.

1.9 The catchment areas appear to be reasonable. The channel is noted as being in poor condition and a maintenance schedule should be considered to reduce the risk of downstream blockage.

1.10 A filter trench or something similar will need to be considered, and sized appropriately, to capture the surface water that will enter the site from the larger catchment and route it away from proposed and existing development.

1.11 In section 6 of the FRA there is mention that removal of the wall would remove the flow obstruction but this has not been discussed further. Prior to this removal, the applicant should demonstrate that there would be no increase in flood risk downstream as a consequence.

1.12 Although it is out with the scope of SEPA's Flood Risk Team to review the SUDS design formally we highlight that the land-raising of the adjacent site, capturing the flow from water entering the site from the larger catchment, locating the SUDS out with the functional floodplain and discharging through an embankment, will all need to be considered.

1.13 As there are uncertainties associated with this site, it is particularly important to design the site to mitigate the residual flood risk. The uncertainties include the design standard of the upstream storage area, the maintenance of the spill level downstream in perpetuity as it is not within the site boundary and ownership is unknown, there is an informal earth bund along the watercourse which the condition is unknown, surface water will enter the site from the larger catchment, and the cross-section locations used in the model are not as extensive as best practice would deem sufficient.

1.14 We stress again to the City of Edinburgh Council that it is important to consider the development of the south-east wedge of Edinburgh holistically. Isolated pockets of development will likely restrict other development as it will limit flood risk mitigation. We recommend engagement with the adjacent proposed developers to understand more fully the potential risks to the site. There are residual risks to the site, highlighted above, which the City Council should consider.

1.15 The Non-Technical Summary mentions that "Flood risk mitigation would include ensuring that ground floor levels are appropriate with respect to the Magdalene Burn. A strip of land adjacent to the Magdalene Burn would be left undeveloped to act as a flow pathway in the event of overtopping or blockage and maintenance works would be undertaken to remove debris and reduce sediment accumulation within the burn." We would argue that flood risk mitigation would include avoidance of development within the 1:200 year, including an allowance for climate change, in the first instance. Elevating finished floor levels sufficiently above the 1:200 year level will account for uncertainties which for this site have been documented above. We agree that a maintenance strip is important to allow access to the watercourse to keep it clear of obstructions and as free-flowing as possible.

Caveats & Additional Information

1.16 The SEPA Flood Maps have been produced following a consistent, nationally-applied methodology for catchment areas equal to or greater than 3km² using a Digital Terrain Model (DTM) to define river corridors and low-lying coastal land. The maps are indicative and designed to be used as a strategic tool to assess flood risk at the community level and to support planning policy and flood risk management in Scotland. For further information please visit <http://www.sepa.org.uk/environment/water/flooding/flood-maps/>

1.17 The advice contained in this letter is supplied to you by SEPA in terms of Section 72 (1) of the Flood Risk Management (Scotland) Act 2009 on the basis of information held by SEPA as at the date hereof. It is intended as advice solely to the City of Edinburgh Council as Planning Authority in terms of the said Section 72 (1). Our briefing note entitled: "Flood Risk Management (Scotland) Act 2009: Flood risk advice to planning authorities" outlines the transitional changes to the basis of our advice in line with the phases of this legislation and can be downloaded from <http://www.sepa.org.uk/environment/land/planning/guidance-and-advice-notes/>.

2. Groundwater

2.1 A report obtained from the Coal Authority indicates the: "property is in the likely zone of influence from workings in 7 seams of coal at 160m to 500m depth, and last worked in 1925", (North Coal, Blue Coal, Carlton Coal, Peacocktail Coal, Blackchapel Coal, Great Steam Coal and South Parrot Coal). It notes that the property: "is in an area where the Coal Authority believes there is coal at or close to the surface" and has records of two disused mine shafts within 20 m of the property. Our research indicates that the Peacocktail Coal and Blackchapel Coal have been worked below the site.

2.2 The applicants have identified that the findings of the Coal Authority Report present a high risk of localised surface instability due to mine working beneath the site. Following this investigation if Pulverised Fuel Ash (PFA) grouting is required for stabilisation the advice in Appendix 1 should be followed.

2.3 Any dewatering during excavations should be in compliance with Controlled Activities Regulations (CAR) General Binding Rules (GBR) 2 and 15. Abstraction of groundwater in quantities greater than 10m³/day will require a CAR permit depending on the scope and duration of the works. Details should be provided of how any dewatering will be managed, the amount of groundwater proposed to be abstracted and the anticipated timescales.

3. Groundwater Dependent Terrestrial Ecosystems (GWDTE)

3.1 Considering the information submitted in support of this planning application, we consider it is very unlikely that GWDTE or peat are present in this area.

3.2 *Invasive species have been found on the site and the relevant guidance has been referenced in the Environmental Report and should be followed if this site is developed.*

4. *Surface Water Drainage.*

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

4.2 *This application for planning permission is not supported by proposals for Sustainable urban Drainage Systems (SuDS). Please see Flood Risk, particularly Section 1.12, above which highlights the particular need on this site and in this area to ensure SuDS are appropriately designed both for their principal purpose, the maintenance of water quality, and to help ensure no increased flood risk.*

4.3 *We understand that this application is for an application for planning permission in principle and we consider that it should be possible for this development to accommodate appropriately designed SuDS at the detailed stage. If appropriately designed SuDS, however, do not form part of an application for matters specified in conditions we will object at that stage. Ideally, however, we consider that this issue should be resolved before planning permission in principle is determined as the layout for appropriate SuDS could influence the design and layout of the rest of the site.*

5. *Air Quality and Greenhouse Gas Emissions* *Air Quality*

5.1 *The proposed development will be in an area that is currently not affected by poor air quality. An air quality modelling assessment has been undertaken and the findings are reported. We note and welcome the decision to use ADMS Roads to assess the impact of traffic on local air quality. The modelling assessment has shown that the completed development is unlikely to have a significant impact on local air quality.*

Greenhouse Gas Emissions

5.2 *We note that the development is located some distance from local amenities and, therefore, there is likely to be an increase in the number of journeys made by car. While this figure may appear to be insignificant, when it is considered alongside other developments across Scotland, the cumulative increase in the distance travelled by car, and subsequent emissions of carbon dioxide could undermine the Scottish Government's commitment to reduce emissions of greenhouse gases.*

5.3 *Scottish Planning Policy sets out an approach to integrating transport and land use planning by supporting a pattern of development and redevelopment that "reduces the need to travel and as a consequence reduce emissions from transport sources". It also states that "Planning permission should not be granted for significant travel-generating uses at locations which would increase reliance on the car and where the transport assessment does not identify satisfactory ways of meeting sustainable transport requirements."*

5.4 Greenhouse gas emissions from road traffic are expressed as grams of carbon dioxide emitted per kilometre travelled (g/km) and, therefore, every additional km travelled will increase the emissions of greenhouse gases. Road transport emissions account for 72.4% of all transport emissions of greenhouse gases and cars account for over half road emissions "The Climate Change (Scotland) Act 2009 sets a target of reducing greenhouse gas emissions by at least 80% by 2050, with an interim target of reducing emissions by at least 42% by 2020. Annual greenhouse gas emission targets are set in secondary legislation" . Section 5 of the Scottish Government's Climate Delivery Plan describes the issue in detail.

Cumulative effects of development

5.5 When considered in isolation, a single development will appear to have a negligible impact on local air quality. When the same development is considered alongside other developments in the area, however, the cumulative impact could be more significant, particularly along main commuter routes. SEStran has warned "the allocation of extensive new land for development underlines the importance of integrating land-use and transport planning in the SEStran area, building these links into the forthcoming City Region plan and other development plans. Failure to do so will lead to further significant increases in car use", and " It has been demonstrated that the SEStran area faces particular challenges in catering for the travel volumes and patterns resulting from the anticipated growth in population and employment in the area. In addition to the forecast increase in the number of jobs, the trend of dispersal of jobs, services and homes will, if it continues, bring further pressure to bear on the transport network." Transport Scotland advises: "With several proposals in close proximity, a more detailed Transport Assessment of the cumulative impact of the proposals may be more appropriate than one for each proposal in isolation".

5.6 It is important that the City of Edinburgh Council is satisfied that the assessment has considered the cumulative impact of all development that will add traffic to the road network, particularly along main commuter routes. 'Land-Use Planning and Development Control: Planning for Air Quality' (Produced by Environmental Protection UK and Institute of Air Quality Management, 2015) explains how a cumulative impact should be undertaken.

Regulatory advice for the applicant

6. Regulatory requirements

6.1 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 operations team in the local SEPA office at:

*Clearwater House
Heriot Watt Research Park
Avenue North
Riccarton
Edinburgh
EH14 4AP*

Tel: 0131 449 7296

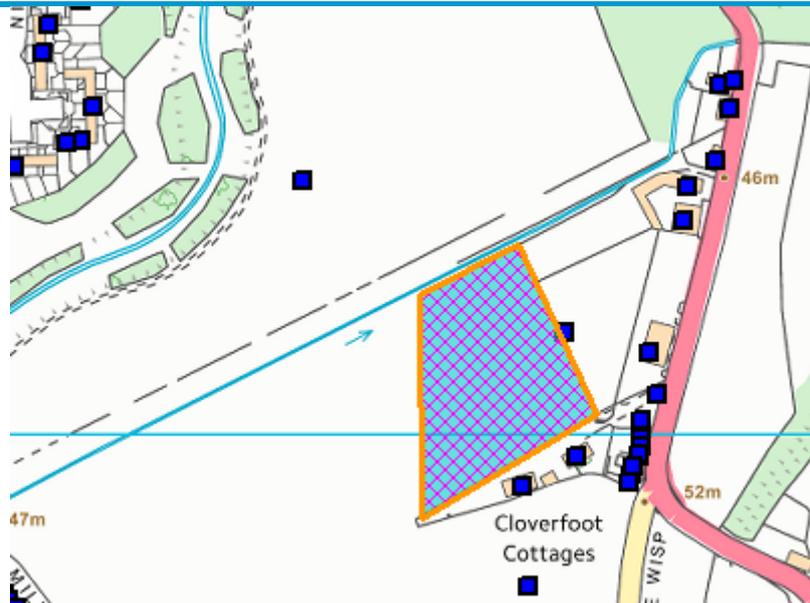
Roads Authority Issues

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

- 1. Car parking - numbers, including disabled and electric vehicles, to be to Council parking standards;*
- 2. Cycle parking - numbers, location, security, specification and type to be to Council standards;*
- 3. Motorcycle parking - numbers, location, security, specification and type to be to Council standards;*
- 4. The applicant will be required to contribute the sum of £2,000 to progress each of the following orders as necessary for the development:*
 - a. An order to redetermine sections of footway and carriageway;*
 - b. An order to introduce and amend waiting and loading restrictions;*
 - c. An order to introduce 20mph speed limits;*
 - d. A stopping up order under Section 207 of the Town and Country Planning (Scotland) Act 1984;*
- 5. In support of the Council's LTS Cars1 policy, the applicant should provide car club vehicles at suitable locations for the development at a rate of 1 car per 100 units (anticipated costs are £1,500 per order plus £5,500 per car);*
- 6. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles, public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities) and timetables for local public transport;*
- 7. All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. Particular attention must be paid to ensuring that refuse collection vehicles are able to service the site. The applicant is recommended to contact the Council's waste management team to agree details of refuse store locations and routes;*
- 8. The applicant must be informed that any proposed on-street car parking spaces cannot be allocated to individual properties, nor can they be the subject of sale or rent. The spaces will form part of the road and as such will be available to all road users. Private enforcement is illegal and only the Council as roads authority has the legal right to control on-street spaces, whether the road has been adopted or not. The developer is expected to make this clear to prospective residents;*
- 9. The adoptable road layout should include the provision of cycle and pedestrian routes linking the site to neighbouring developments and to Hunter's Hall to the north;*
- 10. A Quality Audit, as set out in Designing Streets, to be submitted prior to the grant of Road Construction Consent;*

11. All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Council if he wishes the bays to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order but this does not require to be included in any legal agreement. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved;
12. 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.
13. 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;
14. The developer must submit a maintenance schedule for the SUDS infrastructure for the approval of the planning authority.

Location Plan



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