

Development Management Sub Committee

Wednesday 23 January 2019

**Application for Planning Permission 18/02817/FUL
At 27 Lanark Road, Edinburgh, EH14 1TG.**

Demolition of existing public house and erection of building comprising residential apartments and associated development (as amended).

Item number	7.1
Report number	
Wards	B09 - Fountainbridge/Craiglockhart

Summary

The proposals do not comply with Policy Env 10 of the Edinburgh Local Development Plan in terms of development in the Green Belt.

However, there are material considerations in this particular case that justify a departure from policy.

The proposals have no adverse impact on the landscape quality of the Green Belt, are acceptable in terms of scale, form, design and materials and will have no adverse effect on the character of the surrounding area. The development will have no detrimental impact on significant archaeological remains, flora or fauna, residential amenity, road safety or infrastructure and will have no significant impacts in terms of flooding or aerodrome safety. There are no identified impacts on equalities or human rights.

Links

[Policies and guidance for this application](#)

LDPP, LEN10, LHOU10, LHOU03, LHOU04, LHOU06, LDES01, LDES03, LDES04, LDES05, LDES06, LEN12, LDES07, LDES10, LEN09, LEN15, LEN16, LEN21, LTRA02, LTRA03, LTRA04, NSG, NSGCGB, NSGD02, NSGSTR, NSMDV,

Report

Application for Planning Permission 18/02817/FUL At 27 Lanark Road, Edinburgh, EH14 1TG Demolition of existing public house and erection of building comprising residential apartments and associated development (as amended).

Recommendations

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

Background

2.1 Site description

The application site lies to the south of Lanark Road and measures approximately 0.2 hectares in area. The Water of Leith forms the western boundary and the Water of Leith Walkway adjoins to the east. The north-east half of the site is occupied by the former Blue Goose pub - a two-storey brick and rendered structure with single-storey outshoots. The remainder of the site comprises a tarmac former parking area.

The surrounding area is mixed-use in character with an office occupying a traditional single-storey building to the immediate east of the site and a boarded up former car showroom further east. The Water of Leith Visitor Centre is within a traditional building opposite the site and a car repair workshop lies to the west of the site beyond the Water of Leith.

There are trees along the eastern boundary, mainly young and self-seeded, two larger trees adjacent to Lanark Road and trees of varying age outwith the site along the Water of Leith Walkway.

The site boundary is demarcated by a metal fence with a retaining wall of varying height behind on the east and south-east boundaries and a brick wall along part of the northern boundary. Vehicular access is at the north-east corner of the site.

The site is within the Green Belt and Local Nature Conservation Site.

2.2 Site History

19 December 2016 - planning permission refused for the change of use at 27, 35, 37-39 Lanark to erect two student residence blocks with office/reception and communal areas and associated facilities at ground floor level, landscaping, amenity space and cycle storage (application reference 15/05401/FUL). Refusal was on the basis of a non-conforming use within the green belt, a damaging impact on the Water of Leith Special Landscape Area, loss of trees, issues relating to design, form, scale and amenity of future occupiers and lack of housing provision on the site.

Related Planning History

15 August 2018 - planning permission granted for the demolition of existing buildings and erection of purpose built student accommodation including change of use and all associated works, as amended at 35 Lanark Road (application reference 16/06275/FUL).

Main report

3.1 Description Of The Proposal

The application is to demolish the existing public house and erect a residential development comprising 25 apartments: 5 one-bedroom, 16 two-bedroom and 4 three-bedroom within a two to four-storey block with gardens, terraces and balconies, cycle and car parking, landscaping and refuse space.

The proposed building comprises a contemporary style, flat roofed structure stepping from four storeys at the east end to two storeys at the west end. The main facing material is blonde facing brick with bronze coloured cladding panels, aluminium-faced timber-framed windows and steel balustrades and sedum roofs.

The proposed hard and soft landscaping materials include precast concrete, light grey and charcoal paving blocks, areas of porous pavements and a section of masonry retaining wall to match the existing wall, a 1.1m high blonde brick wall along the northern boundary to Lanark Road, timber-decked private gardens facing the Water of Leith bounded by a 1.1m high steel railing, ornamental planting along the east and south boundary and areas of hedging. The existing trees within the site will be removed.

The scheme provides 16 car parking spaces, including two spaces for disabled users and two spaces with electric car charging points, one motorbike space and 57 cycle parking spaces.

Scheme 1

The original scheme did not specify green roofs or include areas of porous pavements.

Supporting Documents

The applicant has submitted the following documents in support of the application which are available to view via planning and building standards online services:

- Planning Support Statement;
- Schedule of Accommodation;
- Design and Access Statement;
- Townscape, Landscape and Visual Impact Appraisal;
- Tree Survey;
- Bat Survey;
- Habitat Survey;
- Archaeological Evaluation;

- Noise Impact Assessment;
- Transport Report;
- Flood Assessment and Drainage Strategy; and
- Sustainability Statement.

3.2 Determining Issues

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) the development is acceptable in principle in this location;
- b) the proposals adversely affect the landscape quality of the Green Belt;
- c) the proposals are acceptable in terms of scale, form, design and materials and will not adversely affect the character of the surrounding area;
- d) the proposals have an adverse impact on flora or fauna;
- e) the proposals have an adverse impact on significant archaeological remains;
- f) the proposals are detrimental to residential amenity, road safety or infrastructure;
- g) the proposals have any significant impacts in terms of flooding or aerodrome safety;
- h) any impacts on equalities or human rights are acceptable; and
- i) public comments have been addressed.

a) Principle

This site lies within the Green Belt in the Edinburgh Local Plan (LDP). Policy Env 10 presumes against new development in the Green Belt other than for the purposes of agriculture, horticulture, forestry, countryside recreation or other uses appropriate to the rural character of the area. The policy allows for minor alterations and extensions to existing buildings, the change of use of existing buildings and the replacement of existing buildings with new buildings in the same use, subject to further caveats. This proposal does not fulfil any of the criteria of Policy Env 10 and the existing non-conforming use of the site as a public house does not justify the development of the site for any other non-conforming use.

However, paragraph 181 of the LDP states that "the purpose of the green belt is not to prevent development from happening." Paragraph 183 states that the "key tests for all proposals in the green belt will be to ensure that the development does not detract from the landscape quality and/or rural character of the area."

This particular case relates to a site on which there is an existing building of no architectural merit or value within the landscape and all open space within the site is surfaced in tarmac. The absence of designation within a Special Landscape Area in the LDP reflects the site's essentially urban character and the proposed development will not result in the loss of any undeveloped land within the Green Belt. In addition, the proposal will introduce more soft landscaping on the site than previously exists.

In terms of the proposed development of the site for residential use, LDP Policy Hou 1 states that priority will be given to the delivery of the housing land supply on suitable sites. This proposal will contribute to the city's effective housing land supply without having any detrimental impact on the objectives of the city wide Green Belt designation. The development will respect the characteristics of the surrounding area and create an attractive residential environment with access to public transport and local facilities.

The proposed development is a departure from the Local Development Plan and there are material considerations in this particular case that justify this departure.

b) Landscape Quality of Green Belt

LDP Policy Env 10 provides guidance on appropriate development within the green belt and to ensure that development keeps the landscape quality and/or rural character of the area.

The area of Green Belt land which is affected is relatively small and represents a minor and isolated part of the city wide Green Belt. The land is not publicly accessible and comprises hardstanding with an existing two and single storey building which makes no positive contribution to the landscape character of the area.

The proposed development respects the landscape character of the adjacent area which comprises the steep slopes of the river corridor with its woodland backdrop and abundant wildlife by stepping down in height from the street edge towards the southern boundary allowing clear views of the mature trees along the Water of Leith walkway.

The proposals will therefore have no adverse impact on the landscape quality of the Green Belt, in compliance with LDP Policy Env 10.

c) Scale, Form, Design and Materials and Character of Surrounding Area

The surrounding area is mixed residential/commercial in character encompassing detached and semi-detached dwelling houses and flatted properties. The recently approved student housing development on the adjacent site to the south comprises three adjoining stepped blocks ranging from three to five storeys in height with the highest section opposite the application site.

Each block of the proposed development, which comprises three adjoining stepped blocks ranging from two to four storeys in height, is comparatively lower than its equivalent block in the student housing development and the flat roofs allow clear sight of the mature woodland backdrop. The new building therefore sits unobtrusively within the streetscene of this section of Lanark Road, the townscape of which is evolving towards a denser urban form.

In terms of massing, the constituent blocks step down from the street southwards along the Water of Leith edge. The central three-storey section incorporates a set-back upper floor to reduce the visual impact of the building on the river frontage and interesting articulation is achieved through recessed balconies on the principal elevations.

The proposed contemporary design and use of blonde-coloured brick for the main elevations is appropriate in this context which includes a range of building styles, materials and tones, including red-facing brick elevations within the neighbouring student housing development. The muted tone of the proposed brick elevations will not compete visually with the green natural landscape behind. A condition has been applied to ensure that the external materials are appropriate in specification.

The proposed density of the development is appropriate within this area which is characterised by a mix of older, less dense housing stock and denser new developments and the sizes of the apartments are mixed sizes with various levels of accessibility.

Green open space will be provided as 12.5% of the site. This is less than the normal 20% requirement but justified in this case given the site's proximity to high quality open space in the form of the Water of Leith frontage and walkway.

The proposed landscaping design is appropriate within the existing context of hardstanding and will improve the current situation through the introduction of tree and ornamental planting along the northern and eastern edges of the site to improve the relationship with the Water of Leith walkway behind.

The overall design will make a positive contribution to the site by replacing an existing derelict building of no intrinsic architectural merit with an appropriately scaled and designed building and a tarmaced landscape with an attractive mix of hard and soft landscaping.

The proposals are therefore acceptable in terms of scale, form, design and materials and will have no adverse effect on the character of the surrounding area, in compliance with LDP Policies Des 1, Des 3, Des 4, Des 5, Des 6, Des 7, Hou 3 and Hou 4.

d) Flora and Fauna

The site is within a Local Nature Conservation Site as defined in the LDP. Policy Env 15 guards against development which is likely to have an adverse impact on the flora, fauna, landscape or geological feature of the site.

Although this site is not designed as a Special Landscape Area within the LDP, it is important that any development respects the views of the landscape backdrop and Water of Leith. The overall scale and stepped form of the development achieves this by protecting views of the wooded skyline and the proposed structure replaces an existing building, albeit smaller in scale.

The development is not set back 15 metres from the water's edge as normally required by the Edinburgh Design Guidance. However, the existing building does not meet this standard and the proposed development will introduce a sequence of private timber decked terraces with planters to replace the existing tarmac edge. The Water of Leith walkway runs along the rear of the site, so there is a natural route past the site without the need to form an additional route along this section of the water's edge.

All trees on the actual site which are to be removed are largely self-seeded and classed as category U, i.e. unsuitable for retention. The tree survey includes a further 15 trees outwith the site but close to the boundary and these are better specimens. However, tree root protection measures are not required for the majority of these trees due to the difference in ground levels and presence of a retaining wall which has prevented root ingress to the site. The only notable tree, a category A sycamore, lies to the east of the site, although this tree has a split trunk and requires ivy removal. Works around this tree will be carried out using the methodology for root protection areas as specified in the relevant British Standard.

The bat survey identified bat activity so the development will have an effect on this European protected species. In accordance with the Habitats Regulations 1994, the applicant will require to obtain a derogation licence from Scottish Natural Heritage and must be receipt of planning permission prior to this licence being issued. The planning authority must therefore be satisfied that the three tests necessary for a licence to be issued, will be met. With information supplied by the applicant, the three tests have been applied to this application and it is considered likely that SNH will issue a licence. An informative has been applied to ensure that this process is duly followed.

A further condition has been applied regarding the protection of breeding birds and an informative has been added on the incorporation of swift bricks into the new building.

No otters were found to be using the site, but otters are known to travel along the Water of Leith. Therefore, an informative has been added regarding Best Practice Measures to Safeguard Otters.

The development will therefore have no adverse impact on flora or fauna, in compliance with LDP Policies Env 12, Env 15 and Env 16.

e) Archaeological Remains

The site lies within an area of archaeological importance both in terms of the late-medieval and post-medieval development of Slateford and its associated milling heritage. The associated ground works of the development could disturb archaeological remains in the area. Accordingly, a condition has been applied to ensure that an archaeological investigation is undertaken prior to works commencing.

The proposals will have no adverse impact on significant archaeological remains, in compliance with LDP Policy Env 9.

f) Residential Amenity, Road Safety and Infrastructure

Residential Amenity

Environmental Protection has no objections to the proposed development, subject to conditions, including a site survey to check for potential contaminants in, on or under the soil and implementation of any necessary remedial and/or protective measures. A noise impact assessment has been carried out, although Environmental Protection has requested a condition on the proposed enhanced glazing and ventilation to ensure protection for future occupiers of the development against road traffic noise. The final condition relates to the provision of electric vehicle charging points in accordance with the requirements of the Edinburgh Design Guidance. Relevant conditions and informatives have been applied according to enforceability under planning legislation.

The site offers a tranquil green environment for occupiers of the new development. The proposed dwellings are adequate scale with private gardens and views to the open countryside.

The internal floor area of each house ranges from 60-61 square metres for the one-bedroom flats, 80-87 square metres for the two-bedroom flats and 103-123 square metres for the three-bedroom flats which complies with the minimum standards as set out in the Edinburgh Design Guidance.

The development also complies with the daylighting, overshadowing and privacy standards in the Edinburgh Design Guidelines. There are no neighbouring residential properties in close proximity to the site and the building has been sited as far away from the mature trees of the Water of Leith walkway to maximise daylighting levels.

Each flat will be provided with a private garden space or a terrace/balcony and all of these spaces face onto the Water of Leith. The main living apartments are also on the south side of the development so future occupiers of the flats will have a high level of amenity.

Road Safety

The Roads Authority has no objections to the application in terms of road safety, subject to the provision of a Travel Plan.

The proposed parking provision complies with the Council's 2017 parking standards for Zone 2 which allows for a maximum of 25 parking spaces for the proposed development. A total of 57 cycle parking spaces will be provided: 54 for residents within secure bike racks and 3 visitor spaces. This Council aims to discourage the use of private car journeys through the setting of maximum rather than minimum car parking standards and this site is well-served by public transport and pedestrian routes.

The scheme has been revised in accordance with the request by the Roads Authority to include a dropped kerb at the northwest footway to the access road and resolve a "pinch point" by setting the building back at ground floor level to achieve the required footway width of 1.5 metres.

Informatives have been added regarding a Travel Plan and accessible parking spaces.

In terms of accessibility, the site is located in close proximity to the Water of Leith Walkway providing pedestrian access to the north of the city, and the Union Canal Footpath/Cycle Path which is a pedestrian link to the west end of the city centre. Four separate bus routes also serve the site.

Infrastructure

The application was assessed against the Supplementary Guidance on Developer Contributions and Infrastructure Delivery, August 2018.

This site falls within the 'Firrhill Education Contribution Zone'. The development of 25 flats is expected to generate at least one additional primary school pupil but less than one additional secondary school pupil. The guidance only identifies an action for Secondary School Infrastructure in this location and therefore no contribution towards new education infrastructure is required.

As regards affordable housing, LDP Policy Hou 6 states that planning permission for residential development of 12 or more units should include provision for affordable housing amounting to 25% of the total units proposed, which should normally be on site for developments of 20 or more dwellings. On this basis, the affordable housing requirement for this site is six and a quarter homes.

The applicant originally proposed this provision through the 'golden share' method", but Affordable Housing has confirmed that the expected sale price of the units would preclude them from being an affordable product. In addition to this, Rental Sector Landlords (RSLs) seek consolidation of properties within a single stairwell for management of maintenance purposes.

Consolidation of the affordable units would not comply with the standard of the Edinburgh Design Guidance that requires tenure blind affordable housing, nor would this model fit successfully within the landscape-led design of this development which is informed by the particular constraints and attributes of the site.

In these circumstances, the applicant has agreed to enter into a legal agreement with the Council to ensure an appropriate off-site affordable housing provision. An informative has been added requiring the conclusion of a legal agreement to secure a financial contribution of £281,250 for this purpose.

The proposals are not therefore detrimental to residential amenity, road safety or infrastructure.

g) Flooding and Aerodrome Safety

LDP policy Env 21 states that planning permission will not be granted for development that would increase a flood risk or be at risk of flooding itself.

Flood Planning and SEPA has raised no objection to the final scheme in terms of increased or integral flood risk.

In terms of Sustainable Urban Drainage (SUDS), the revised scheme proposed green roofs and significant areas of porous paving to improve the existing drainage situation on site.

Edinburgh Airport has no objections on the grounds of aerodrome safety, provided that conditions regarding bird hazard, lighting and a Sustainable Urban Drainage Scheme are applied. Appropriate conditions have been applied, although the lighting issue has been added as an informative as it not a condition of planning permission.

The proposals will therefore have no significant impacts in terms of flooding or aerodrome safety.

h) Impact on Equalities and Human Rights

This application was assessed in terms of equalities and human rights and no impact has been identified.

i) Public Comments

Material Objections

- the development should not be permitted within the Green Belt - this has been addressed in section 3.3 a).
- an alternative community use should be proposed - this has been addressed in section 3.3 a).
- the density and height of the proposed development is not in keeping with the surrounding area - this has been addressed in section 3.3 c).
- the flat-roofed design and brick finish will look out of place in the old village of Slateford - this has been addressed in section 3.3 c).
- the proposals will have an adverse impact on the Water of Leith and its setting - this has been addressed in sections 3.3 b), c) and d).

- noise generated by the development will adversely affect wildlife - this has been addressed in section 3.3 d).
- loss of trees - this has been addressed in section 3.3 d).
- the development should also include swift boxes and bat boxes - this has been addressed in section 3.3 d).
- the number of parking spaces provided is insufficient and will result in increased parking on adjacent streets - this has been addressed in section 3.3 f).
- the development will cause increased traffic congestion and reduce road safety as result - this has been addressed in section 3.3 f).
- the development will be at risk from flooding - this has been addressed in section 3.3 g).

Supporting Comments

- the development will provide needed, good quality housing.
- the proposals will improve the existing derelict site and surround area.
- the materials and landscaping is appropriate.
- there will be no adverse impact on neighbouring residences.

Conclusion

The proposals do not comply with Policy Env 10 of the Edinburgh Local Development Plan in terms of development in the Green Belt.

However, there are material considerations in this particular case that justify a departure from policy.

The proposals have no adverse impact on the landscape quality of the Green Belt, are acceptable in terms of scale, form, design and materials and will have no adverse effect on the character of the surrounding area. The development will have no detrimental impact on significant archaeological remains, flora or fauna, residential amenity, road safety or infrastructure and will have no significant impacts in terms of flooding or aerodrome safety. There are no identified impacts on equalities or human rights.

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

3.4 Conditions/reasons/informatives

Conditions:-

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

- a) A site survey (including intrusive investigation where necessary) must be carried out to establish, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and
- b) Where necessary, a detailed schedule of any required remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Planning Authority.
- ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.
2. No development shall take place until the applicant has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Planning Authority, having first been agreed by the City Archaeologist.
 3. A detailed specification, 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.
 4. A fully detailed landscape plan, including details of all hard and soft surface and boundary treatments and all planting, shall be submitted to and approved in writing by the Planning Authority before work is commenced on site.
 5. The approved landscaping scheme shall be fully implemented within six months of the completion of the development.
 6. A pre-works start bird survey shall be carried out by an ecologist to confirm that no breeding birds, nests, or dependent young are present if site preparation works are proposed to occur between April and July. The results of this survey shall be submitted to and approved by the planning authority in writing before any such works within this timescale commence.
 7. Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Planning Authority. The submitted plan shall include details of:
 - monitoring of any standing water within the site temporary or permanent;
 - sustainable urban drainage schemes (SUDS) - such schemes shall comply with Advice Note 3 'Wildlife Hazards' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>);
 - management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds - the management plan shall comply with Advice Note 3 'Wildlife Hazards';
 - reinstatement of grass areas;

- maintenance of planted and landscaped areas, particularly in terms of height and species of plants that are allowed to grow;
- which waste materials can be brought on to the site/what if any exceptions e.g. green waste;
- monitoring of waste imports (although this may be covered by the site licence);
- physical arrangements for the collection (including litter bins) and storage of putrescible waste, arrangements for and frequency of the removal of putrescible waste; and
- signs deterring people from feeding the birds.

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

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

8. Development shall not commence until details of the Sustainable Urban Drainage Schemes (SUDS) have been submitted to and approved in writing by the Planning Authority. Details must comply with Advice Note 3 'Wildlife Hazards'. The submitted Plan shall include details of:
- attenuation times;
 - profiles and dimensions of water bodies; and
 - details of marginal planting.

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

Reasons:-

1. In order to protect the amenity of the occupiers of the development.
2. In order to safeguard the interests of archaeological heritage.
3. In order to enable the planning authority to consider this/these matter/s in detail.

4. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
5. In order to ensure that the approved landscaping works are properly established on site.
6. In order to safeguard breeding birds.
7. In order to manage the development to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Edinburgh Airport.
8. To avoid endangering the safe movement of aircraft and the operation of Edinburgh Airport through the attraction of Birds and an increase in the bird hazard risk of the application site. For further information please refer to Advice Note 3 'Wildlife Hazards' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>).

Informatives

It should be noted that:

1. Permission should not be issued until the applicant has entered into a suitable legal agreement to ensure that a commuted sum of £281,250 is provided towards the provision of affordable housing off 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.

2. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
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. Best Practice Measures to Safeguard Otters
 - toolbox talks on the presence of otters within the survey area will be provided to all contractors, and the potential for otters to occur within the development site should also be pointed out;

- any soil materials stockpiled for an extended period of time could offer burrowing habitat for mammals such as otters, so if any soils are stored they should be checked for the presence of any excavations by mammals prior to removal or re-working;
 - any pipe compounds should be secured so that wild mammals cannot enter pipe stacks at night;
 - no pipes will be left open ended in trenches and accessible to wild mammals overnight;
 - any trenches/excavations remaining open overnight that are deeper than 1.5m will have escape ramps provided in case wild mammals fall in, or will have at least one graded slope that any mammals could use to get out again;
 - SEPA guidelines will be followed and high standards will be maintained with regard to the prevention of water pollution, with a pollution prevention plan in place. Measures will be in place to prevent any concrete/cement liquor, muds, silts etc. from reaching the adjacent river; and
 - the use of white light directed towards the river will be avoided as far as practical: any lighting should be hooded and face away from the water and woodland margins. This will reduce the chances of disturbing any foraging wild mammals or their prey.
6. The applicant should consider incorporating swift bricks into the building.
 7. The applicant is required to obtain a derogation licence from Scottish Natural Heritage before any works commence and must be receipt of planning permission prior to this licence being issued.
 8. All lighting should be designed in accordance with guidance on bats.
 9. The enhanced glazing and ventilation specification detailed on drawing number 1756 (PL) 004 (as recommended in section 4 of the RMP noise impact assessment '27 Lanark Road, Edinburgh (Technical Report No. R-8105-ST-MI), dated 4 April 2018') shall be implemented in full before the first residential use of the property.
 10. The electric vehicle charging bays for this development should be ducted to allow electric charging facility to be readily accommodated in the future.
 11. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including the provision of pedal cycles (including electric cycles), secure cycle parking, public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities) and timetables for local public transport.

12. 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.
13. The development is close to the aerodrome and the approach to the runway. Attention is drawn to the need to carefully design lighting proposals. This is further explained in Advice Note 2, 'Lighting' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>) Please note that the Air Navigation Order 2005, Article 135 grants the Civil Aviation Authority power to serve notice to extinguish or screen lighting which may endanger aircraft.

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

The application has been assessed and has no impact in terms of equalities or human rights.

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

The application was not advertised. A total of 28 representations were received, 16 objecting to the proposals including the Water of Leith Conservation Trust, 11 in support of the application and one neutral comment.

A full 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 located within the Edinburgh Local Development Plan, within the Green Belt and a Local Nature Conservation Site.

Date registered

18 June 2018

Drawing numbers/Scheme

01,02,03A,04,05,06A,07,08A,09,10A,11,12,13A+14,

Scheme 2

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

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Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Relevant Non-Statutory Guidelines

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

Non-Statutory guidelines 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.

Non-statutory guidelines 'MOVEMENT AND DEVELOPMENT' establish design criteria for road and parking layouts.

Appendix 1

Application for Planning Permission 18/02817/FUL At 27 Lanark Road, Edinburgh, EH14 1TG. Demolition of existing public house and erection of building comprising residential apartments and associated development (as amended).

Consultations

Archaeology

The site is located within historic village of Slateford which, as the name suggests, grew up around the historic ford across the Water of Leith at this point. Occupation around such an important ford is likely to have occurred prior to the first reference to the settlement here in the mid-17th century (Stuart Harris Place Names of Edinburgh, 1996) with the road forming main medieval route between Edinburgh & Lanark. Little is accurately known about the pre-19th century layout of Slateford, though the 17th and 18th century maps suggest that its main focus was split between the site of its mill on Logie Green Road and on the eastern bank of Water of Leith (the site of the current public house subject to this application). By the mid-19th century settlement on the western bank had developed with a range of buildings shown on the 1st edition OS map.

Mills have existed on the Water of Leith at Slateford from probably the medieval period, with Slateford Waulk Mill first recorded in 1659. This 17th century mill stood on the opposite side of the Lanark Road, too the south of the Union Canal Aqueduct. The development site incorporates the eastern terminus of a stone weir which is thought to date at least in part to the 17th century, given its association with Slateford Mill.

The site is therefore regarded as occurring within an area of archaeological importance both in terms of late-medieval and post-medieval development of Slateford and its associated milling heritage. Accordingly, this application must be considered therefore under terms the Scottish Government Historic Environment Policy (SHEP), Scottish Planning Policy (SPP), PAN 02/2011 and also Edinburgh Local Development Plan (2016) ENV8 & ENV9. The aim should be to preserve archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.

Historic Buildings

The proposed scheme will see the demolition of the current public house, parts of which date back at least to the first half of the 19th century. However, it is possible that the building may retain earlier upstanding fabric. Although unlisted the building is considered to be of local archaeological and historic interest and therefore its demolition is considered as having an adverse impact. However although significance overall its loss is considered to have an acceptable moderate archaeological impact provided that appropriate mitigation is undertaken to provide a permanent archaeological record.

Accordingly, if permission is granted by the planning authority it is essential that prior to and during demolition that a detailed historic building survey is undertaken. This will require the production of surveyed phased plans and elevation (interior and exterior) along with detailed descriptions and photographic analysis /survey.

Buried Archaeology

As stated this site occurs within the limits of the historic settlement of Slateford and is regarded as being of archaeological significance. The proposed development will require extensive excavations in terms of demolition and construction of new buildings, utilities etc. Accordingly, it is recommended that a programme of archaeological excavation is undertaken prior to demolition / development.

In essence this will see a phased archaeological excavation. The initial phase will be an archaeological evaluation up to a maximum of 10% of the site following the demolition of the existing buildings to ground level. The results of which would allow for the production of appropriate more detailed mitigation strategies to be drawn up to ensure the appropriate protection and/or full excavation, recording and analysis of any surviving archaeological remains affected.

Archaeological Public Engagement

Further given the potential importance of these remains in terms of the local Slateford Area and the Water of Leith, it is recommended that the programme of archaeological works contain a programme of public/community engagement (e.g. site open days, viewing points, temporary interpretation boards) the scope of which will be agreed with CECAS.

Accordingly, it is essential that the following condition is attached to this consent to ensure that undertaking of the above elements of archaeological work are undertaken.

'No demolition/development shall take place on the site until the applicant has secured and implemented a programme of archaeological work (historic building survey, conservation, public engagement, excavation, reporting and analysis and publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.'

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

Environmental Protection

The applicant seeks planning permission to erect residential apartments in place of an existing public house. The site is bordered to the north by the busy A70 and by the Water of Leith and associated parkland to all other aspects.

Environmental Protection has concerns regarding the level of amenity that will be experienced by residents due to the noise generated by road traffic. The agent has submitted a noise impact assessment with this application which supports these concerns and proposes mitigation measures in the form of enhanced double glazing and trickle ventilation. A condition is recommended.

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. This is underpinned by a range of actions to expand the charging network including developers incorporating charging points into proposals.

The applicant has proposed the installation of 2 electric vehicle charging points. It should be noted that the requirements stipulated in the Edinburgh Design Guidance must be achieved. To ensure that the infrastructure required by the growing number of electric vehicles users is delivered, one of every six parking bays should include a fully connected and ready to use electric vehicle charging point. In developments where ten or more car parking spaces are proposed. Electric vehicle parking spaces should be counted as part of the overall car parking provision and not in addition to it. As a minimum Environmental Protection would recommend that 7Kw charging provision will be required for all residential properties. A condition is recommended.

Due to the history and unknown condition of the site a condition is recommended to ensure the suitability for the proposed use. Environmental Protection has no objections to this proposed development, subject to the following conditions:

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. The enhanced glazing and ventilation specification detailed on drawing number 1756 (PL) 004 (as recommended in section 4 of the RMP noise impact assessment '27 Lanark Road, Edinburgh (Technical Report No. R-8105-ST-MI), dated 4th April 2018') shall be implemented in full before the first residential use of the property.

3. All parking spaces to be served by 7Kw electric vehicle charging sockets shall be installed and operational prior to the development being occupied.

Roads Authority

The application should be continued.

Reasons:

- 1. The applicant proposed 54 secure cycle parking and 3 visitor cycle parking for the proposed development; however, the application lacks information relating to type and design of cycle parking. The Council's 2017 Parking Standards requires the applicant to provide a minimum of 54 secure, quality and easy to use cycle parking provision for the proposed development (1&2 bedroom(21); 3bedroom(12)). The 2010 cycling by design (revised 2011) requires the applicant to provide cycle parking facility that is convenient, visible, accessible, convenient and easy to use. The applicant is required to submit type of cycle parking and design that meets the above criteria;*
- 2. The applicant is required to provide dropped kerb at the north-west footway to the access road as required by 'Edinburgh Street Design Guidance'*
- 3. The footway north of the proposed development leading to the proposed building has pinch point between the building and the proposed car park. The applicant is required to widen it to at least 1.5 m and the proposed footway should be a minimum of 2m wide. The applicant is required to demonstrate by design how to prevent vehicles on the proposed parking overhanging on the footway.*
- 4. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (including electric cycles), secure cycle parking, public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport;*
- 5. All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the 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;*
- 6. The applicant proposes 2 electric vehicle charging bays for this development. It should be at least ducted to allow electric charging facility to be readily accommodated in the future;*

Note:

The applicant proposes 16 parking spaces of which 2 are accessible parking spaces and complies with the Council's 2017 parking standards for Zone 2 which allows for a maximum of 25 parking provision for the proposed development.

Affordable Housing

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

- The AHP makes the provision of affordable housing a planning condition for sites over a particular size. The proportion of affordable housing required is set at 25% (of total units) for all proposals of 12 units or more.*
- This is consistent with Policy Hou 6 Affordable Housing in the Edinburgh Local Development Plan.*

2. Affordable Housing Provision

This application is for a development consisting of 25 homes and as such the AHP will apply. There will be an AHP requirement for a minimum of 25% (6) homes of approved affordable tenures.

Affordable Housing Proposals - Golden Share

The applicant has provided a summary of discussions on affordable housing 12th October. This report states that "From the outset Thistle was aware of its affordable housing obligations and instructed that tenure blind affordable housing, preferably by the 'golden share' method."

Golden Share Proposal

The developer's own assessment of market values identifies there are only five properties with potential market value within the £214,000 threshold for Golden Share. There were no pre-app discussions held with this department on the viability of this proposal for golden share. Had there been it would have been confirmed that proposal for five x1 bedroom flats at a golden share value of £200,000 would not be considered to be an affordable product. The ESPC shows a recent resale of a one bedroom property in the same ward, further up Lanark Road at £125,000.

Affordable Housing Proposals - RSL Housing

This design for golden share housing was taken to three RSLs who have confirmed it is not a viable project for them. The applicant states this is for two reasons; layout and cost.

In relation to cost, the properties being offered to RSLs are significantly above the space standards that are practical for an RSL build. Across the city RSLs provide high quality homes but operate within tight financial margins and therefore seek to keep the designs to minimum space standards. Homes larger than the usual RSL space standards are likely to be unaffordable for an RSL

In addition to this, RSLs seek consolidation of properties within a single stairwell. This allows them to meet their obligations to tenants to organise repairs and maintenance of their homes. RSLs have confirmed this point as one of the reasons, along with cost, which makes this specific project unviable.

The application did not consult with this department, or with an RSL in the design process, and as such consideration was not made for affordable housing provision. Therefore the proposals that were presented to the RSLs was not something that would be viable for an RSL build. In addition to this, it was clear from the outset that the value of the homes would be prohibitively high for Golden Share.

Should the planning consent be granted it is recommended that the affordable housing contribution be made by way of commuted sum. The applicant will be required to enter into a Section 75 Legal Agreement to this effect. This sum payable will be based upon a valuation for commuted sum undertaken by a District Valuer and will be payable on the commencement of development as defined in the Planning Act. This valuation has been carried out by the District Valuer and has been accepted by both the Council and the applicant. On this basis, the contribution required will be 6.25 units at £45,000 which produces a commuted sum of £281,250.

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:

20 Flats (5 one bedroom)

This site falls within the 'Firhill Education Contribution Zone'.

Using the pupil generation rates set out in the Council's Supplementary Guidance on 'Developer Contributions and Infrastructure Delivery', the development of 20 flats is expected to generate at least one additional primary school pupil but not at least one additional secondary school pupil.

The Supplementary Guidance states that if a development is expected to generate at least one primary school pupil but less than one secondary school pupil, only a contribution towards new primary school infrastructure may be required.

As school roll projections indicate that there is sufficient capacity within existing primary schools to accommodate the anticipated pupil growth from this development, no contribution towards new education infrastructure is required.

Flood Planning

From a flooding point of view this addresses all our previous comments. One thing I would note is that the filter trench is not shown on the drainage layout drawing however it is mentioned in the report text. Perhaps a condition could be applied to ensure that this is picked up in the detailed design?

SEPA

Thank you for your consultation email which SEPA received on 19 September 2018. Comments made in our response dated 18 July 2018 relating to drainage are still applicable to this planning application.

Advice for the planning authority

We withdraw our objection and now have no objection to this planning application. Please note the advice provided below.

1. Flood risk

1.1 We previously responded to this application on the 18 July 2018 when we objected due to a lack of information and requested a detailed Flood Risk Assessment (FRA) was submitted in support of the application.

1.2 An updated FRA (Curtins; dated 19 September 2018) has been submitted in support of the application which includes correspondence from Kaya Consulting including information from the FRA titled 'Land at Lanark Road, Edinburgh, FRA July 2017'. We have previously accepted the results from the 2017 Kaya FRA and therefore we accept a 1 in 200 year plus climate change water level of 59.28mAOD.

1.3 Section 4.2.3 states that the minimum ground level on site is approximately 60.47mAOD, which is above the Kaya predicted 1 in 200 year plus climate change water level. Finished floor levels are proposed at 60.9mAOD which we support and strongly recommend that all built development is above existing ground levels. The site is not at risk from the Water of Leith and therefore, we are now in a position to remove our objection on flood risk grounds.

Detailed advice for the applicant

2. Flood risk

2.1 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.

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

2.3 The advice contained in this letter is supplied to you by SEPA in terms of Section 72 (1) of the Flood Risk Management (Scotland) Act 2009 on the basis of information held by SEPA as at the date hereof. It is intended as advice solely to 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.

Regulatory advice for the applicant

3. Regulatory requirements

3.1 Authorisation is required under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR) to carry out engineering works in or in the vicinity of inland surface waters (other than groundwater) or wetlands. Inland water means all standing or flowing water on the surface of the land (e.g. rivers, lochs, canals, reservoirs).

3.2 Management of surplus peat or soils may require an exemption under The Waste Management Licensing (Scotland) Regulations 2011. Proposed crushing or screening will require a permit under The Pollution Prevention and Control (Scotland) Regulations 2012. Consider if other environmental licences may be required for any installations or processes.

3.3 A Controlled Activities Regulations (CAR) construction site licence will be required for management of surface water run-off from a construction site, including access tracks, which:

- is more than 4 hectares,
- is in excess of 5km, or
- includes an area of more than 1 hectare or length of more than 500m on ground with a slope in excess of 25 degrees.

See SEPA's Sector Specific Guidance: Construction Sites (WAT-SG-75) for details. Site design may be affected by pollution prevention requirements and hence we strongly encourage the applicant to engage in pre-CAR application discussions with a member of the regulatory services team in your local SEPA office.

3.4 Below these thresholds you will need to comply with CAR General Binding Rule 10 which requires, amongst other things, that all reasonable steps must be taken to ensure that the discharge does not result in pollution of the water environment. The detail of how this is achieved may be required through a planning condition.

Edinburgh Airport

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

Submission of a Bird Hazard Management Plan

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

- monitoring of any standing water within the site temporary or permanent

- sustainable urban drainage schemes (SUDS) - such schemes shall comply with Advice Note 3 'Wildlife Hazards' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>)
- management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds - the management plan shall comply with Advice Note 3 'Wildlife Hazards'
- reinstatement of grass areas
- maintenance of planted and landscaped areas, particularly in terms of height and species of plants that are allowed to grow
- which waste materials can be brought on to the site/what if any exceptions e.g. green waste
- monitoring of waste imports (although this may be covered by the site licence)
- physical arrangements for the collection (including litter bins) and storage of putrescible waste, arrangements for and frequency of the removal of putrescible waste
- signs deterring people from feeding the birds.

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

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

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

Submission of SUDS Details

Development shall not commence until details of the Sustainable Urban Drainage Schemes (SUDS) have been submitted to and approved in writing by the Planning Authority. Details must comply with Advice Note 3 'Wildlife Hazards'. The submitted Plan shall include details of:

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

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

Reason: To avoid endangering the safe movement of aircraft and the operation of Edinburgh Airport through the attraction of Birds and an increase in the bird hazard risk of the application site. For further information please refer to Advice Note 3 'Wildlife Hazards' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>)

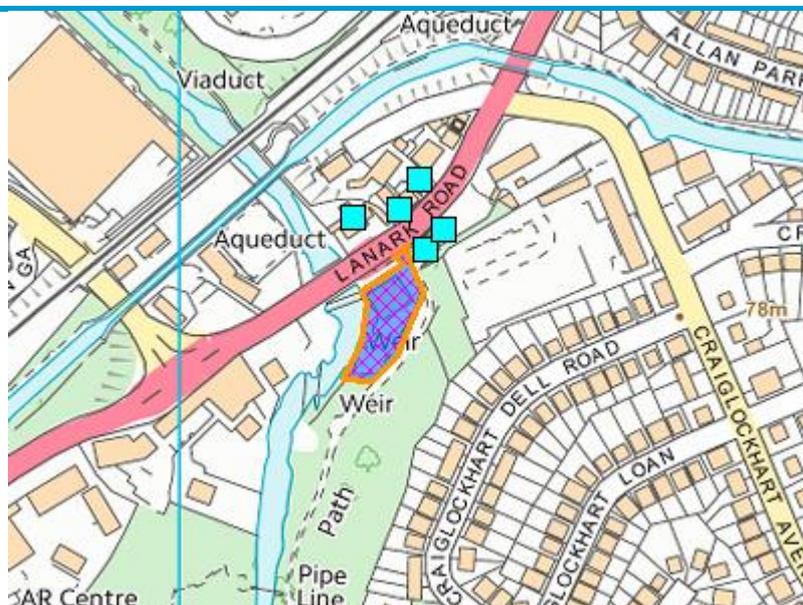
We would also make the following observations:

Lighting

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

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

Location Plan



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