

Development Management Sub Committee

Wednesday 6 March 2019

Application for Planning Permission in Principle 18/01557/PPP

**At 1 And 4 Gilmerton Station Road, Edinburgh, EH17 8RZ
Mixed Use Development comprising - Class 1 retail, class 2 professional services, class 3 (inc Sui Generis) Food and Drink, class 4 to 6 Business/ Industrial, class 7 Hotel, class 11 Assembly and Leisure, Access, Car Parking, Servicing, Bridge, Demolition and Associated Works, 1 and 4 Gilmerton Station Road, Edinburgh EH17 8RZ**

Item number	4.6
Report number	
Wards	B16 - Liberton/Gilmerton

Summary

The proposed mixed use development is contrary to retail policies Ret 6 and Ret 8; transport policies Tra 1, Tra 2 and Tra 4; and design policies Des 1, Des 2 and Des 7 of the Local Development Plan. There is not considered to be a quantitative or qualitative retail deficiency within the local area, and certainly not one that would necessitate a retail development of the size that is proposed by the application. In addition, the proposal will have a significant impact on existing centres as it will divert existing retail trade; as much as 54%, from existing retailers within a 10 minute drive and in sequentially preferable locations that are supported in policy.

The leisure element has not been assessed as part of the sequential test as required by Policy Ret 8 and cannot therefore be justified.

The proposal will result in a car-borne environment that fails to integrate with the neighbouring planned extension to the urban area and does not provide a positive edge to this part of the city.

Considering the scale of the retail offering, with restaurants and potentially additional leisure uses, it is conceivable that the site will become a retail destination attracting visitors from well beyond the catchment, most of who will travel by private car. The proposal is, in effect, an out of town retail centre that will encourage private vehicle use and is not supported in policy. It is recommended that the application should be refused.

Links

<u>Policies and guidance for this application</u>	NSGSTR, LDPP, LDEL01, LDES01, LDES02, LDES03, LDES04, LDES05, LDES06, LDES07, LDES08, LDES09, LEN08, LEN09, LEN12, LEN16, LEN21, LEN22, LEMP01, LEMP09, LEMP10, LRET01, LRET06, LRET08, LRET11, LTRA01, LTRA04, LTRA07, NSG, NSGD02, NSG,
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Report

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Bridge, Demolition and Associated Works, 1 and 4 Gilmerton
Station Road, Edinburgh EH17 8RZ**

Recommendations

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

Background

2.1 Site description

The development site, covering an area of 5.08 hectares, lies to the south east of Edinburgh and is currently occupied by industrial and agricultural uses. The site is bound by Gilmerton Road (A772) to the north and Gilmerton Station Road to the west. Beyond Gilmerton Road is agricultural land that is designated as green belt in the LDP. Part of this land is also designated as a Special Landscape Area associated with the wider Drum Estate. To the south are existing industrial uses and to the east is open countryside in agricultural use which also forms part of the green belt. A bus terminus with drivers' facilities is located at the north-west corner of the site on Gilmerton Road. There are no buildings or structures of significant interest on the site.

The site is intersected by a former railway line that has recently been laid out as a cycle path linking Lasswade and Shawfair.

The site is designated as urban area in the LDP. The site was identified in the Gilmerton and South East Site Brief as a long term redevelopment opportunity that could provide additional housing in the longer term.

2.2 Site History

2 February 2017 - Proposal of Application Notice submitted for a Mixed Use Development Comprising: Class 1 Retail, Class 2 Professional Services, Class 3 (inc Sui Generis) Food and Drink, Class 4-6 Business/Light Industrial, Class 7 Hotel, Class 11 Assembly and Leisure, access, car parking, servicing, bridge, demolition of building and associated works (application number: 1704330/PAN).

Neighbouring Sites

The site to the west (Gilmerton Station Road - HSG 24) and the north (The Drum - HSG 25) are allocated for housing in the Edinburgh Local Development Plan. Development is currently underway on both sites.

Gilmerton Station Road - HSG 24

18 January 2016 - Planning permission in principle granted for a residentially-led mixed-use development including primary school, commercial/community uses, open space, access, car parking and landscaping (application number: 14/01649/PPP). This application was granted by Scottish Ministers following an appeal against non-determination by the planning authority.

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

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

7 September 2017 - Application submitted for approval of matters specified in condition 1(g) - 1(j)ii,iii and iv of Planning Permission in Principle ref 14/01649/PPP for the first phase of development for the erection of 199no dwellings and associated works (application number: 17/04164/AMC).

The Drum - HSG 25

5 December 2016 - Planning Permission in Principle was granted for a residential development and associated works (application number: 14/01238/PPP).

Drum 2

14 June 2016 - Planning Permission in Principle refused for a Residential Development and Associated Works. This decision was subsequently upheld by the Scottish Ministers following an appeal (application number: 15/02905/PPP).

Main report

3.1 Description Of The Proposal

Planning permission in principle is sought for a mixed use development comprising retail, professional services, food and drink, business/industrial, hotel and assembly and leisure uses.

An indicative masterplan has been submitted showing how the site may be laid out. This includes a schedule of accommodation proposing:

- Two 250 sq/m units providing class 1-3;
- Four 140 sq/m units providing class 1-3;
- Two units measuring 279 sq/m and 465 sq/m operating as class 3 or sui generis hot food use;
- 1,858 sq/m class 1 foodstore;
- 2,230 sq/m class 7 hotel;
- 1,858 sq/m unit operating as a class 1 foodstore or class 11 assembly and leisure; and
- 16 class 4-6 business/industrial units with a combined floor area of 1,486sq/m.

The indicative plan shows a total of 315 car parking spaces dispersed throughout the development.

The development will have two vehicular accesses, one from Gilmerton Road and another from Gilmerton Station Road. It is also proposed to make a connection to the Shawfair-Lasswade cycleway that runs through the site.

Supporting Material

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

- Planning Statement;
- Design and Access Statement;
- Pre-application Consultation Report;
- Retail Impact Assessment;
- Transport Statement;
- Socio Economic Statement;
- Ecological Impact Assessment;
- Noise Impact Assessment;
- Cultural Heritage Impact Assessment;
- Air Quality Impact Assessment;
- Flood Risk Assessment;
- Site Investigation Report;
- Land and Visual Impact Assessment;
- Drainage Strategy Report; and
- Energy Statement.

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

The proposal was screened for EIA on 28 September 2017. It was concluded that there would be no significant impacts as a result of the development and an EIA was not required.

3.2 Determining Issues

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) the proposal is acceptable in principle;
- b) the proposal will have any transport or road safety impacts;
- c) the proposal complies with placemaking principles;
- d) there are any issues relating to archaeology;
- e) there are other material considerations, including economic benefits, which outweigh development plan policies; and
- f) representations raise issues to be addressed.

a) Principle

Scottish Planning Policy (SPP) states that development plans should adopt a sequential town centre first approach when planning for uses which generate significant footfall, including retail and commercial leisure uses. This requires that locations are considered in the following order of preference: town centre (including city centres and local centres); edge of town centre; other commercial centres identified in the development plan; and out-of-centre locations that are, or can be, made easily accessible by a choice of transport modes.

SESplan establishes a spatial strategy to guide the location of retail and commercial development. It establishes that Local Development Plans will identify and define town and commercial centres. Paragraph 99 states that LDPs are to assist in protecting and promoting town centres by promoting a sequential approach to selecting locations for retail and commercial leisure development. Unless an exception is identified through an LDP and justified by rigorous analysis, priority is to be given to town centre then edge of centre locations, then established commercial centres and finally out of centre locations.

Consistent with SESplan's spatial strategy and framework for delivery, Policies Ret 1 - Ret 6 of the Edinburgh Local Development Plan (LDP) support development that strengthens Edinburgh City Centre's role as the regional focus for shopping and maintains the vitality and viability of the existing network of centres. In particular, policies Ret 1 and Ret 6 set out the specific criteria that must be met for retail development outwith the network of centres to be acceptable. These policies provide guidance to assist the assessment of retail proposals through the application of a sequential approach consistent with that set out in Scottish Planning Policy (SPP) paragraph 68.

The application site is approximately 600 metres from the existing Gilmerton Local Centre and the various local shops and other facilities located there. As stated in para 249 of the LDP 'edge of centre' only applies to sites physically adjoining the existing boundary of the centre. Therefore, the proposal represents an out-of-centre development. The supporting text to Policy Ret 6 states that in exceptional cases, there may be retail proposals that can justify an out-of-centre location. Development will only be permitted if it has been demonstrated that:

- the proposal will address a quantitative or qualitative deficiency or will meet the needs of an expanding residential or working population within its catchment area;
- all potential sites, either within or on the edge of an identified centre, have been assessed and can be discounted as unsuitable or unavailable;
- the proposal will not have a significant adverse effect, either individually or cumulatively with other developments, on the vitality and viability of any existing centre; and
- the site is or can be made easily accessible by a choice of transport modes and will reduce the length and overall number of shopping trips made by car.

The proposal also includes leisure uses, a hotel and business/industrial units. The LDP sets out policy on entertainment and leisure developments in Policy Ret 8. The policy supports such proposals if all potential city centre, or town centre sites have been assessed and discounted as unsuitable or unavailable. Policy Ret 8 also requires that proposals should not lead to an unacceptable increase in traffic locally and are also required to be integrated satisfactorily into its surroundings with attractive frontages of high quality design that safeguards existing character.

Policy Emp 9 permits the redevelopment of employment sites in the urban area for uses other than business, industry and storage provided the introduction of non-employment uses will not prejudice the activities of nearby employment use, will contribute to the comprehensive regeneration of and improvement of the area and includes floorspace designed to provide for a range of business users.

Policy Emp 10 supports hotel development in locations within the urban area with good public transport access to the city centre.

Retail Deficiency and Impact of the Proposal

The most significant element of the proposal is the provision of new retail floorspace. This takes the form of a series of smaller retail units, and a large single food retail unit. There is a separate unit that is also identified for retail/leisure. As a result, the proposal has the potential to create up to 4,776 sq/m of gross retail floorspace.

The RIA submitted in support of the proposal suggests that the development is required as there is currently significant leakage of retail expenditure from the catchment due to a lack of competition and choice locally.

This is at odds with the findings of the 'Access to Supermarkets and Food Shopping in Edinburgh (September 2011)' study (ASFSE) which concludes that Edinburgh and the Lothians generally have a good supply of food shops, including an ample provision of supermarkets.

In a more local context, the primary catchment area as identified in the RIA is well provided for in terms of convenience shopping that includes Morrisons, Aldi, Lidl, Iceland, Tesco Express, three Scotmids and a number of other small convenience retailers mainly located within nearby local centres. In addition, there are other modern retail facilities located just outside the primary catchment area. Asda, Sainsbury's and M&S Simply Food at Straiton; Sainsbury's and Aldi at Cameron Toll and Morrisons, Tesco and Lidl at Dalkeith are all within a 10 minute drive from the application site.

It is a similar situation when looking at the number of convenience stores within 800 m (10 minute walk time). Most of the catchment population have 6-10 convenience stores within 800 metres. It is likely that this figure will be further improved by the units to be delivered as part of the Broomhills, Gilmerton Station Road and Lasswade Road developments.

The catchment area adopted in the assessment is of fundamental significance as it provides the context for the assessment of available retail expenditure and any leakage to other centres or stores. The catchment area has been drawn to extend north most of the way along Gilmerton Road as far as Inch, it takes in Danderhall to the east and the ongoing housing development at Broomhills to the west. To the south the boundary follows the Edinburgh Bypass.

The RIA advises that the catchment area was informed by a visit to the area, a review of historic RIA and an understanding of the proposal. It also considers that trade will be drawn mainly from those living locally and generally within a seven minute drive time. As a result, the catchment boundary does not include Cameron Toll to the north. Although Cameron Toll is some distance from Gilmerton Local Centre, it is still on the same public transport route with regular services. Therefore, its exclusion is unrealistic. In addition, the site is located near the bypass and therefore close to the southern boundary of the catchment area. The shopping facilities at both Straiton Commercial Hub and Dalkeith Town Centre are sequentially preferable and within a seven minute drive time of the proposal but are not included within the catchment area. The RIA indicates that at 2022, 29% of convenience shopping and 28% of comparison shopping by residents within the catchment would be at Cameron Toll or Straiton. The omission of these sites is unrealistic due to their proximity to the catchment and nearby residential areas.

The RIA suggests that retail expenditure by residents from within the catchment at stores outwith it amounts to undesirable leakage which the development will claw back. However, in some cases the facilities outwith the catchment are the nearest and most sustainable locations for residents to shop. Notwithstanding where the catchment boundary is drawn, there will be some outflow to other centres and large convenience stores and this trend is to be expected in a suburban area. However, there is also likely to be an inflow of trade from outside the catchment, in particular to the larger existing convenience stores on Gilmerton Road and potentially to local centres where they lie near the catchment boundary. Midlothian Council has commented on the application and expressed concern in respect of the scale and nature of the proposed retail provision. They expect it to trade over a wide area and provide for essentially car borne shopping which would draw significant passing trade to the detriment of Midlothian's town centres.

Cameron Toll provides convenience and comparison shopping facilities for a wide area to the south east of the city and is an existing commercial centre which the LDP supports and seeks to improve. However, the RIA notes that the proposal will draw 22% of its convenience trade from Sainsbury's at the centre as well as 23% from Morrisons within the catchment and 9% from Gilmerton Local Centre. The justification for this is that, in comparison to 'average' turnover, the impacted stores are over trading. However, the concept of 'average' turnover for a retail facility is highly subjective, and does not necessarily mean that a quantitative deficiency exists. The national averages reflect the fact that national multiple retailers have a range of store sizes in catchments of differing population sizes. It cannot be assumed that if the actual turnover of stores is in excess of these averages that there is an issue of over trading.

The RIA uses the same catchment for both convenience and comparison shopping. Customers engaging in comparison shopping can be expected to travel as far as the city centre, which is the regional shopping centre for the city region, or existing commercial centres in order to buy products. It is not reasonable to expect the same catchment area to be used for comparison shopping because it is unrealistic, and therefore references to 'retail leakage' in the assessment in this context are not accepted. However, the RIA does identify the impact of the proposal on the city centre and states that this is from where it will draw 22% of its trade. It is an objective of the LDP to sustain and enhance the city centre as the regional focus for shopping, entertainment, and commercial leisure. Therefore, the proposal is contrary to this objective.

Proposed New Town Centre

The RIA states that the proposal would 'enable a town centre to be formed (perhaps as an extension to Gilmerton Local Centre)'. However, the proposal cannot form an extension to the existing Gilmerton Local Centre due to its remoteness from it.

In terms of the formation of a new local centre, the LDP explains the complementary roles that the network of centres perform 'while their size can vary, local centres contribute to their area by providing local shops and other services within walking distance. Local centres are situated at the centre of communities and have been designed to act as a focal point within these areas'. The proposal bears no relationship to the character or appearance of Gilmerton and lacks the character of a local centre. The proposed development is similar to an edge of town retail park with a vehicle borne environment that promotes private car travel. Therefore, it is not accepted that the proposal can act as an extension to Gilmerton Local Centre or assist in the creation of a new town centre.

The RIA's justification for the new retail development is, in part, based on the volume of new residential developments in the south east area. However, recently approved housing developments at Broomhills, Gilmerton Station Road and Lasswade Road will each deliver units providing commercial space. Taken together these could potentially deliver approximately 1,858 sq/m gross retail floorspace for the developments. Moreover, the additional population from the new development at 2022 would generate £3.96 million of convenience expenditure, well below the convenience turnover of the proposal of £9.83 million.

Sequential Test

In line with Policy Ret 1 - Town Centres First sets out that retail and commercial uses that generate a significant footfall should adopt the town centre first sequential approach in the following order of preference: town centres (including city and local centres), edge of town centre, other commercial centres as identified in the plan and out-of-centre locations that are or can be made accessible by a choice of transport modes.

The RIA has considered alternative locations for the retail elements which have all been considered and discounted:

Gilmerton Local Centre The local centre has a limited number of vacant commercial properties. All of the vacant units were considered too small to accommodate the proposal and have no dedicated parking or servicing provision;

Hyvot A new commercial unit measuring 210 sq/m is proposed as part of the Hyvot phase 7 development. This has been discounted as it is not in a sequentially preferable location;

Gilmerton Station Road Commercial units measuring approximately 600 sq/m will be provided at the entrance to the Gilmerton Station Road residential development site. This has been discounted as it is not in a sequentially preferable location; and

Other Local Centres A number of small retail premises were considered within other local centres in the catchment. All of the units were considered to be constrained, limited in scale and not suitable or viable for this proposal.

The RIA states that there are no sites within the defined catchment that are capable of accommodating the amount of development proposed. While it is accepted that the applicant has shown that there are no other alternative sites that could accommodate the development, this is largely due to the inappropriate scale of the proposal and not down to any perceived retail deficiency within the area. The lack of a site capable of accommodating the proposal within a nearby local centre does not justify the provision of an unsustainable out of town development.

Other Development Proposals

Leisure Use

The RIA does not consider the leisure use separately and therefore has not applied the sequential test to this element. The applicant has not demonstrated that there are no other location options for this element of the proposal, therefore the proposal is contrary to Policy Ret 8.

Hotel Proposal

Policy Emp 10 supports hotel development in locations within the urban area with good public transport access to the city centre. The RIA advises that the hotel is aimed at the business/travel sector as well as overspill for tourists from the city centre. In this regard it compares the proposal to hotel developments taking place at the airport. However, hotel development at the airport is explicitly supported by Policy EMP 10 and is not comparable to the proposal site.

The proposal includes a significant area for car parking which is likely to encourage visitors to travel by car. Nevertheless, due to its location on a frequent and regular bus route to the city centre, the proposal is in accordance with Policy Emp 10.

Industrial/Business Units

Policy Emp 9 permits the redevelopment of employment sites in the urban area for uses other than business, industry or storage subject to various criterion. The policy aims to help meet needs of small businesses by ensuring that where large business or industrial sites are to be redeveloped for other uses, proposals must include some new small industrial/business units. In this respect the proposal is consistent with the policy as it does include some business units although it is not clear from the supporting documents what the net increase in industrial/business floorspace would be as some existing buildings would be removed. It may also make a contribution to the improvement of the wider area as the existing uses may not fit well with the expanding residential development to the north of the site.

Overall, the proposal is contrary to the LDP Policy Ret 6. There is not considered to be a quantitative or qualitative retail deficiency within the local area, and certainly not one that would necessitate a retail development of the size that is proposed by the application. In addition, the proposal will have a significant impact on existing centres as it will divert existing retail trade; as much as 54%, from existing retailers within a 10 minute drive and in sequentially preferable locations that are supported in policy.

b) Transport Impacts

LDP Policy Ret 6 sets out that out-of-centre development will only be acceptable where it can be demonstrated that the development 'can be made easily accessible by a choice of transport modes and will reduce the length and overall number of shopping trips made by car'.

In addition, Policy Tra 1 Location of Major Travel Generating Development states that for non-city centre sites, the suitability of a proposal will be assessed having regard to:

- a) The accessibility of the site by modes other than the car; and
- b) The contribution the proposal makes to Local Transport Strategy objectives and the effect on targets in respect of overall travel patterns and car use.

LDP Policy Tra 1 also sets out that out-of-centre development will only be acceptable where it can be demonstrated that the development 'will be no more reliant on car use than a town centre location'. The proposal would be served by frequent bus services and the recently formed Shawfair-Lasswade cycle path also runs through the site. However, the Transport Statement submitted in support of the application predicts that 86% of trips to the site will be by car (73% driver, 13% passenger) with 243 car trips in the AM peak and 439 in the PM peak. The level of pass-by trips indicates that over 70% of these trips would already be on the network rather than being generated by the development. Notwithstanding this, a significant number of visitors to the development will do so by private car. These visitors will be encouraged by the car-centric nature of the development and many of the pass-by trips will be drawn from other town and local centres in sequentially preferable locations. The development has not demonstrated that the location is sufficiently accessible by walking, cycling and public transport nor that there are opportunities to bring non-car accessibility up to acceptable levels and is contrary to Ret 6 and Tra 1.

The proposal is considered to be contrary to Tra 1 b) as it does not contribute to the following objectives set out in the Local Transport Strategy:

- Be green, reducing the impacts of transport on the environment, in particular playing its full part in reducing greenhouse gas emissions;
- Be healthy, promoting Active Travel, with streets appropriately designed for their functions, and with an emphasis on encouraging walking, cycling and public transport use and a high quality public realm; improving local air quality; and
- Be part of a well-planned, physically accessible, sustainable city that reduces dependency on car travel, with a public transport system, walking and cycling conditions to be proud of.

In addition, the proposed layout prioritises vehicles and compromises pedestrian/cycle movement within the site and therefore does not support the following LTS objectives:

- Be, and be perceived to be, safe, secure and comfortable, so that people feel able move around by which ever mode they choose, whenever they wish; and

- Be inclusive and integrated. Everyone should be able to get around the city regardless of income or disability.

The proposal is also considered to be contrary to Policy Tra 2 Private Car Parking which states that planning permission will be granted for development where it has 'been demonstrated through a travel plan that practical measures can be undertaken to significantly reduce the use of private cars to travel to and from the site'. Whilst it is accepted that the submitted Travel Plan (Transport Assessment dated March 2018) is only draft, it is considered that there is little scope to make those significant reductions.

The development proposes 315 car parking spaces, which is within the permitted level in the Council's standards. The applicant has indicated that cycle parking will be provided in line with Council standards

The LDP Action Programme includes work to improve the capacity of junctions affected by developments in the area. It is anticipated that the traffic impact of the proposed development will be accommodated in the proposed works.

Overall, the proposal is a car borne development on a peripheral site on the edge of the city that will encourage private vehicle use. It is contrary to LDP transport policies and does not contribute to objectives set out in the Local Transport Strategy.

c) Placemaking

Placemaking and the application of a design-led approach to development is a principal policy of SPP. These principles are supported by LDP design policies, the Edinburgh Design Guidance (EDG) and the Edinburgh Street Design Guidance (ESDG).

While the site layout is indicative at this stage, the RIA and Transport Assessment submitted in support of the application sets out the quantum of development and level of car parking proposed. The application has not been supported by any documents to demonstrate how the proposal will create a high quality place. It is clear from the scale of the buildings, land uses and the level of car parking proposed that the development will create a car dominated environment that will not produce interesting or attractive spaces, contrary to Policy Des 1, Policy Tra 4 and the EDG.

In addition, the cycleways/footways within the site are compromised by the roads and layout and will not encourage walking and cycling contrary to Des 7 and the ESDG.

The development fails to complement the neighbouring planned expansion of the city and would not form a positive edge to this part of the city. The proposal is an inward focused, car-centric retail park that does not adequately integrate with the predominantly residential areas to the north, contrary to Policy Des 2.

d) Archaeology

The site is identified as occurring within an area of archaeological potential. The City Archaeologist has advised that if planning permission is granted the following condition should be imposed: 'No demolition nor development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, analysis, reporting, publication, public engagement) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.'

e) Other Material Considerations

Economic Benefits

The applicant has submitted a Socio-Economic Statement (SES) in support of the application. This SES shows that beyond the construction phase the fully completed and occupied development will create between 236 and 358 jobs. However, when taking account of displacement and multiplier effects, the number of additional jobs will range between 115 and 161.

While the development would generate economic benefits for the local economy, this is likely to have disbenefits elsewhere. The SES shows that for the retail units and food store the displacement rate will be 75%. It is likely that an impact of this will be jobs and trade being diverted away from locations that are supported by local and national policy, including Gilmerton Local Centre, contrary to Policy Ret 6. In terms of the restaurants and hotel the displacement figure is expected to be 50% and 25% for the business units.

Overall, the job creation benefits of the scheme are not sufficient to overcome the conflict with the development plan and are likely to lead to negative employment implications elsewhere.

Air Quality Impacts

The applicant has submitted an Air Quality Impact Assessment in support of the application. Environmental Protection are satisfied that the impacts of the proposed development will be limited and have no objections to the application.

f) Public Comments

- Will provide employment opportunities - addressed in section 3.3 c).
- Loss of world war one aircraft hangar - addressed in section 2.1.
- Transport issues are a huge concern given the existing traffic issues at Drum Street - addressed in section 3.3 b).
- Additional traffic will impact on air quality - addressed in section 3.3 c).
- There is already sufficient retail provision in the area - addressed in section 3.3 a).
- Strongly objects to the inclusion of hot food units which will encourage car use - addressed in section 3.3 a) and c).

Conclusion

The proposed mixed use development is contrary to retail policies Ret 6 and Ret 8; transport policies Tra 1, Tra 2 and Tra 4; and design policies Des 1, Des 2 and Des 7 of the Local Development Plan. There is not considered to be a quantitative or qualitative retail deficiency within the local area, and certainly not one that would necessitate a retail development of the size that is proposed by the application. In addition, the proposal will have a significant impact on existing centres as it will divert existing retail trade; as much as 54%, from existing retailers within a 10 minute drive and in sequentially preferable locations that are supported in policy.

The leisure element has not been assessed as part of the sequential test as required by Policy Ret 8 and cannot therefore be justified.

The proposal will result in a car-borne environment that fails to integrate with the neighbouring planned extension to the urban area and does not provide a positive edge to this part of the city.

Considering the scale of the retail offering, with restaurants and potentially additional leisure uses, it is conceivable that the site will become a retail destination attracting visitors from well beyond the catchment, most of who will travel by private car. The proposal is, in effect, an out of town retail centre that will encourage private vehicle use and is not supported in policy. It is recommended that the application should be refused.

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

3.4 Conditions/reasons/informatives

Reasons:-

1. The proposal is contrary to the Local Development Plan Policy Ret 6 in respect of Out-of-Centre Development, as will have a significant impact on existing centres and will encourage private car use.
2. The proposal is contrary to LDP Policy Ret 8 (Entertainment and Leisure Developments - Other Locations), as the applicant has not demonstrated that there are no other location options for this element of the proposal.
3. The proposal is contrary to the LDP Policy Tra 1 (Location of Major Travel Generating Development), as the applicant has not demonstrated that the location is sufficiently accessible by walking, cycling and public transport. While there are bus services as well as cycle and footpaths within the vicinity of the development it is predicted that the vast majority of visits to the site (86%) will be by car.

4. The proposal is contrary to the Local Development Plan Policy Tra 2 in respect of Private Car Parking, as the development will lead to significant car travel to and from the site.
5. The proposal is contrary to the LDP Policy Tra 4 (Design of Off-Street Car and Cycle Parking), as the development will create a car dominated environment which detracts from urban vitality and safety.
6. The proposal is contrary to the LDP Policy Des 1 (Design Quality and Context), as the scale of the buildings, proposed land uses and volume of car parking will not produce interesting or attractive spaces.
7. The proposal is contrary to the LDP Policy Des 2 (Co-ordinated Development), as the proposal is an inward focused, car-centric retail park that does not adequately integrate with the emerging, predominantly residential, areas to the north.
8. The proposal is contrary to the Local Development Plan Policy Des 7 (Layout Design), as the cycleways/footways within the site are compromised by the roads and layout and will not encourage walking and cycling.

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 is not subject to 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 advertised on 30 April 2018. A total of 113 representations have been received. Of the representations 31 were objections, including from the Gilmerton/Inch Community Council, and 64 were in support of the proposals. A total of 18 individuals initially objected before changing their view and supporting the proposals.

Many of the initial objections referred to the loss of an existing field archery club that operates from one of the units on site. Discussions between the archery club and the site owner led to the archery club being provided with alternative accommodation, at which stage a number of the objections were withdrawn.

Reasons for support:

- Interested in the leisure provision and smaller units
- Will provide employment opportunities

Reasons for objecting:

- Loss of archery facility
- Loss of world war one aircraft hangar

Gilmerton/Inch Community Council comments:

- Public transport service is not 'excellent' as claimed
- Transport issues are a huge concern given the existing traffic issues at Drum Street
- Additional traffic will impact on air quality
- There is already sufficient retail provision in the area
- Strongly objects to the inclusion of hot food units which will encourage car use

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

25 April 2018

Drawing numbers/Scheme

01-02, 03A,

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:

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.

Relevant policies of the Local Development Plan.

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

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

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

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

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

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

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

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

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

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

LDP Policy Env 8 (Protection of Important Remains) establishes a presumption against development that would adversely affect the site or setting of a Scheduled Ancient Monument or archaeological remains of national importance.

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

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

LDP Policy Env 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 Emp 1 (Office Development) identifies locations and circumstances in which office development will be permitted.

LDP Policy Emp 9 (Employment Sites and Premises) sets out criteria for development proposals affecting business and industrial sites and premises.

LDP Policy Emp 10 (Hotel Development) sets criteria for assessing sites for hotel development.

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

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

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

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

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

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

LDP Policy Tra 7 (Public Transport Proposals and Safeguards) prevents development which would prejudice the implementation of the public transport proposals and safeguards listed.

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.

Relevant Non-Statutory Guidelines

Appendix 1

Application for Planning Permission in Principle 18/01557/PPP

**At 1 And 4 Gilmerton Station Road, Edinburgh, EH17 8RZ
Mixed Use Development comprising - Class 1 retail, class 2
professional services, class 3 (inc Sui Generis) Food and
Drink, class 4 to 6 Business/ Industrial, class 7 Hotel, class
11 Assembly and Leisure, Access, Car Parking, Servicing,
Bridge, Demolition and Associated Works, 1 and 4 Gilmerton
Station Road, Edinburgh EH17 8RZ**

Consultations

Archaeology

Further to your consultation request, I would like to make the following comments and recommendations in response to this application for mixed use development comprising - Class 1 retail, Class 2 professional services, Class 3 (including Sui Generis) food and drink, Class 4-6 business / industrial, Class 7 hotel, Class 11 assembly and leisure plus access, car-parking, servicing, bridge, demolition and associated works.

As outlined in the accompanying Cultural Heritage Impact assessment the site is bisected by a Victorian Railway line with a 19th century sandstone quarry across the north of the site and evidence for 19th -20th century mining associated with the adjacent Gilmerton Colliery situated across the western and southern parts of the site. The current paddock in the centre of the site from map evidence has remained free from development. Earlier remains are also possible with the A772 thought to follow the line of the Roman Road Dere Street.

As such the site has been identified as containing occurring within and area of archaeological potential. Accordingly, this application must be considered under terms Scottish Government's Our Place in Time (OPIT) and Scottish Planning Policy (SPP), Historic Environment Scotland's Policy Statement (HESPS) (2016) and Archaeology Strategy and also CEC's Edinburgh Local Development Plan (2016) Policy ENV9. The aim should be to preserve archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.

Buried Archaeology

Although parts of the site have been affected by the construction of the current commercial premises and service yards, the proposals will require significant ground breaking works in regards to the construction and demolitions. Such works will have significant impacts upon any surviving archaeological remains, expected to range from those associated with the 19th/20th century Gilmerton Colliery through to potentially Roman and prehistoric.

Given the potential for significant archaeological resources to occur across the proposed area, it is essential that, if consent is granted for this scheme that an archaeological mitigation strategy is undertaken prior to submission of any further detailed (FUL/AMC) applications or demolition. In essence this strategy will require the undertaking of phased programme of archaeological investigation, the first phase of which will be the undertaking of archaeological evaluation (min 10%) linked to a 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 and analysis of any surviving archaeological remains during each phase of development.

In consented it is essential therefore that a condition be applied to any consent if granted to secure this programme of archaeological works based upon the following CEC condition.

'No demolition nor development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, analysis, reporting, publication, public engagement) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.'

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

Coal Authority

Mixed Use Development comprising - Class 1 retail, class 2 professional services, class 3 (inc Sui Generis) Food and Drink, class 4 to 6 Business/ Industrial, class 7 Hotel, class 11 Assembly and Leisure, Access, Car Parking, Servicing, Bridge, Demolition and Associated Works; 1 And 4 Gilmerton Station Road, Edinburgh, EH17 8RZ

Thank you for your consultation letter of 25 April 2018 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 for Business, Energy & Industrial Strategy. As a statutory consultee, The Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas.

The Coal Authority Response: Material Consideration

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.

The Coal Authority records indicate that three mine entries (shafts) are within, or within 20m of the application site. Our records also indicate that the site is likely to have been subject to historic unrecorded underground coal mining at shallow depth and that the sites potentially affected by thick coal seam outcrops.

The applicant has obtained appropriate and up-to-date coal mining information for the proposed development site; including a Coal Mining Report, OS historical mapping and BGS geological mapping. This information has been used to inform the Desk Study Report (January 2018, prepared by NPL Environmental Ltd), which correctly identifies that the application site may have been subject to past coal mining activity.

Based on a review of the existing mining information, the Report discounts any significant risk to the development posed by the recorded mine entries due their location and treatment. Notwithstanding this, the Report does confirm the potential risks to the development posed by potential shallow coal mine workings and concludes by making appropriate recommendations for intrusive site investigation works, to establish any areas where shallow coal mine workings may pose a risk to the development. The findings of these intrusive site investigations should inform any mitigation measures which may be required in order to ensure the safety and stability of the proposed development.

The applicant should ensure that the exact form of any intrusive site investigations are agreed with The Coal Authority's Licensing and Permitting Department as part of their permit application. The findings of these intrusive site investigations should inform any mitigation measures which may be required in order to ensure the safety and stability of the proposed development.

The Coal Authority Recommendation to the LPA

The Coal Authority concurs with the recommendations of the Desk Study Report (January 2018, prepared by NPL Environmental Ltd); 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 commencement of development. In the event that the site investigations confirm the need for remedial works to treat areas of shallow mine workings 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 undertaking of an appropriate scheme of intrusive site investigations;*

- * The submission of a report of findings arising from the intrusive site investigations,*
- * The submission of a scheme of remedial works for the shallow coal workings for approval;*
- * The implementation of those remedial works.*

The Coal Authority considers that the content and conclusions of the Desk Study Report (January 2018, prepared by NPL Environmental Ltd) are sufficient for the purposes of the planning system and meet the requirements of the NPPF 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 or conditions to secure the above.

Please do not hesitate to contact me if you would like to discuss this matter further.

General Information for the Applicant

Under the Coal Industry Act 1994 any intrusive activities, including initial site investigation boreholes, and/or any subsequent treatment of coal mine workings/coal mine entries for ground stability purposes require the prior written permission of The Coal Authority, since such activities can have serious public health and safety implications. Failure to obtain permission will result in trespass, with the potential for court action. In the event that you are proposing to undertake such work in the Forest of Dean local authority area our permission may not be required; it is recommended that you check with us prior to commencing any works. Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property

Disclaimer

The above consultation response is provided by The Coal Authority as a Statutory Consultee and is based upon the latest available coal mining data on the date of the response, and electronic consultation records held by The Coal Authority since 1 April 2013. The comments made are also based upon only the information provided to The Coal Authority by the Local Planning Authority and/or has been published on the Council's website for consultation purposes in relation to this specific planning application. The views and conclusions contained in this response may be subject to review and amendment by The Coal Authority if additional or new data/information (such as a revised Coal Mining Risk Assessment) is provided by the Local Planning Authority or the Applicant for consultation purposes.

In formulating this response The Coal Authority has taken full account of the professional conclusions reached by the competent person who has prepared the Coal Mining Risk Assessment or other similar report. In the event that any future claim for liability arises in relation to this development The Coal Authority will take full account of the views, conclusions and mitigation previously expressed by the professional advisers for this development in relation to ground conditions and the acceptability of development.

Economic Development

The following are comments from the City of Edinburgh Council's Economic Development service relating to planning application 18/01557/PPP for the development of 5,520 sqm of class 1/2/3 space, 1,486 sqm of class 4/5/6 space, and a 60-bedroom hotel at 1, 3 Gilmerton Station Road, Edinburgh.

Commentary on existing use

The application relates to a 5.08-hectare brownfield site. To the northwest of the site is the Gilmerton Station Road housing site allocated by the Local Development Plan (LDP), on which development has now commenced. To the northeast and southeast of the site is agricultural land designated as green-belt in the LDP. To the southwest of the site are a small number of residential units and a depot. The site is bifurcated by the now-closed line of the Edinburgh, Loanhead and Roslin Railway. There is another housing site as allocated by the LDP, The Drum, a short distance to the northwest.

The LDP designates the site as urban area. There is a safeguarded Orbital Bus Route running along the former railway line with a strip of land designated as a Local Nature Conservation Site on either side. The Gilmerton & South East Site Brief identifies the site in question as a 'long term redevelopment opportunity' and proposes the planting of new woodland along the eastern edge of the site.

The site in question was originally a sandstone quarry, later becoming a colliery. In the late-19th century the Edinburgh, Loanhead and Roslin Railway was built through the site and Gilmerton Station was opened to service the colliery. The station closed in 1959 and the line in 1989. Since 1961, the site has been owned and occupied by the scrap merchant and plant hire firm Bernard Hunter, which intends to continue trading on land to the south of the application site.

There are two properties on the site: 1 Gilmerton Station Road, a 487 sqm depot complex, and 4 Gilmerton Station Road, a 628 sqm workshop, along with a yard and a paddock. Based on a median employment density for light industrial units of one employee per 47 sqm (net), this 1,115 sqm of space could, if fully occupied, be expected to directly support approximately 24 full-time equivalent (FTE) jobs ($1,115 \div 47$). Based on a median GVA per worker for employees in the manufacturing sector in Edinburgh of £93,000 per annum, this could be expected to directly add approximately £2.23m of GVA (2015 prices) to the economy of Edinburgh per annum ($24 \times £93,000$). Multiplier effects could be expected to support a further 22 FTE jobs and £1.80m of GVA (2015 prices) per annum for a total impact of 46 FTE jobs and £4.03m of GVA (2015 prices) per annum. This does not take into account economic impacts associated with the yard and paddock but these are not anticipated to be substantial.

As the site is an employment site is over one hectare, policy EMP 9 of the LDP will apply; this policy requires, among other things, the inclusion of "floorspace designed to provide for a range of business users" within any new development.

Commentary on proposed uses

The application proposes the "Gilmerton Gateway": a mixed-use development comprising 5,520 sqm of class 1/2/3 space; 1,486 sqm of class 4/5/6 space; and a 60-bedroom hotel.

- Class 1/2/3/11 - Shops / financial, professional and other services / food and drink / assembly & leisure.

The development as proposed would deliver 5,520 sqm of class 1/2/3/7 space comprising a terrace of six small units (four of 140 sqm and two of 250 sqm); two larger standalone hot food units of 279 sqm and 465 sqm each; and two large units of 1,858 sqm each, one of which is proposed to be either class 1 or class 11. Based on an indicative ratio of gross-to-net internal area for units of this nature of 90%, it is estimated that this would represent a total net internal area of approximately 4,968 sqm. Based on a median employment density for retail/food and drink units of one employee per 17.5 sqm (net), this could, if fully occupied, be expected to directly support approximately 284 full-time equivalent (FTE) jobs ($4,968 \div 17.5$). Based on a median GVA per worker for employees in the retail and food and beverage service sectors in Edinburgh of £31,176 per annum, this could be expected to directly add approximately £8.85m of GVA (2015 prices) to the economy of Edinburgh per annum ($284 \times £31,176$). Multiplier effects could be expected to support a further 69 FTE jobs and £3.98m of GVA (2015 prices) per annum for a total impact of 353 FTE jobs and £12.83m of GVA (2015 prices) per annum.

The Planning Statement submitted by the applicant indicates that the six small retail units and the two hot food units would provide "neighbourhood type retail and service uses", while the two large units would comprise a food-store and another retail units or a leisure/gym complex.

It is noted that there is an existing local centre in Gilmerton a short distance to the northwest. The 15 class 1/2/3 units making up the local centre have a net internal area of approximately 3,167 sqm, making the proposed development at Gilmerton Gateway approximately 75% larger than the existing local centre at Gilmerton. It is recognised however that there is major variation in size between local centres with (for example) the 8,496 sqm supermarket at Waterfront Broadway being designated a local centre.

It is noted from the LDP that local centres are intended to serve "a local retail function" within walking distance of residents. The application's Transport Statement, however, indicates that 86% of journeys to the development are predicted to be made by car. The class 1/2/3/11 units within the development would have a total of 301 parking bays. The development as proposed does not appear to meet the definition of a local centre.

It is noted that detailed planning consent has been granted (16/04382/AMC) for the development of 600 sqm of retail/commercial space at Drum Street as part of the wider Gilmerton Station Road development in line with the Gilmerton & South East Site Brief. These units could be expected to absorb an element of any additional demand arising from the housing development at Gilmerton Station Road.

It is suggested that there is a risk that a larger, more modern retail hub with superior parking could divert patronage away from the existing Gilmerton local centre. The applicant's Retail Impact Assessment shows Gilmerton local centre and other local centres as being within the development's catchment and projects that the development would reduce the annual turnover of Gilmerton local centre by £1.23m (10%), with a further loss of custom to retail units in Gilmerton outwith the designated local centre (i.e. Morrisons and Aldi) of £4.27m. The applicant's position is that Gilmerton local centre is currently overtrading, i.e. receiving more custom than the retail offer warrants, by £1.66m per annum and that there is therefore surplus demand.

Based on the average turnover per employee of workers in the retail sector of Edinburgh - £109,956 (2015 prices) - a fall in the annual turnover of Gilmerton local centre of £1.23m could be expected to result in 11 job losses, while a fall in the annual turnover of the out-of-centre retail units of £4.27m could be expected to result in a further 39 job losses, giving a total projected loss of 50 jobs. Based on a mean GVA per worker for employees in the retail sector of Edinburgh of £30,116 per annum, this could be expected to reduce the GVA of Edinburgh associated with the local centre and out-of-centre retail units in Gilmerton by £1.51m (2015 prices) (50 × £30,116).

- Class 4/5/6 - Business / general industrial / storage or distribution

The development as proposed would deliver up to 1,486 sqm of class 4/5/6 space (gross) in the form of two terraces of eight units of 93 sqm. Based on an indicative ratio of gross-to-net internal area for units of this nature of 95%, it is estimated that this would represent a net internal area of approximately 1,412 sqm. Based on a typical employment density for light industrial units of one employee per 47 sqm (net), this could, if fully occupied, be expected to directly support approximately 32 full-time equivalent (FTE) jobs (1,486 ÷ 47). Based on a median GVA per worker for employees in the manufacturing sector in Edinburgh of £93,000 per annum, this could be expected to directly add approximately £2.98m of GVA (2015 prices) to the economy of Edinburgh per annum (32 × £93,000). Multiplier effects could be expected to support a further 30 FTE jobs and £2.41m of GVA (2015 prices) per annum for a total impact of 62 FTE jobs and £5.39m of GVA (2015 prices) per annum.

There is a growing shortage of light industrial space in Edinburgh due to a combination of limited new development and ongoing loss of existing space to redevelopment. The development of 1,486 sqm of new space would help address this shortage. Units of the scale being proposed are in high demand as evidenced by the success of the recently developed East Hermiston Business Park. This area of Edinburgh is not an established industrial area in the sense of areas such as Bankhead or Bonnington, but it benefits from proximity to the City Bypass which would be attractive to occupiers requiring access to the trunk road network. Industrial units here would complement the Bernard Hunter operation to the south which is proposed to remain in place.

- Class 7 - Hotels and hostels

The development as proposed would deliver 1,846 sqm of class 7 space (gross) in the form of a 60-bedroom hotel. Based on an average employment density for mid-scale hotels of one employee per three bedrooms, this could, if fully occupied, be expected to directly support approximately 20 full-time equivalent (FTE) jobs (60 ÷ 3). Based on the average GVA per worker for employees in the accommodation sector in Edinburgh of £27,033 per annum, this could be expected to directly add approximately £0.54m of GVA (2015 prices) to the economy of Edinburgh per annum (20 × £27,033). Multiplier effects could be expected to support a further 5 FTE jobs and £0.22m of GVA (2015 prices) per annum for a total impact of 25 FTE jobs and £0.76m of GVA (2015 prices) per annum.

These figures do not include the impact of expenditure by visitors to Edinburgh staying in the hotel on items other than accommodation (for example, transport, recreation, and shopping) due to a lack of the raw data required to model this impact robustly.

This area of the city is not an established visitor area. However, it is less than 100m walk from the Gilmerton Terminus, where between Service 3 and Service 29 there are at peak times eight buses per hour offering a 20 minute bus ride into the city centre, and therefore offers good access to the amenities of the city centre. The hotel is also well-located to serve motorists moving north or south who are opting to break their journey in Edinburgh. The development of a hotel in this location could help relieve pressure on the city centre. The Gilmerton Cove visitor destination is located a short walk to the northwest and could potentially benefit from increased visitor numbers due to the hotel.

Overall economic impact

As set out above, it is estimated that the existing buildings on the site could, if fully occupied, directly support 24 FTE jobs and £2.23m of GVA (2015 prices) per annum. By comparison, it is projected that the proposed development could directly support 336 FTE jobs and £12.37m of GVA (2015 prices). This represents a projected increase of 312 FTE jobs and £10.14m of GVA. However, it is estimated that 50 jobs and £1.51m of GVA (2015 prices) could be lost within Gilmerton local centre and out-of-centre retail units in Gilmerton.

MKA Economics has prepared a socio-economic report on the proposed development on behalf of the applicant. The report suggests that the development would directly support 218 to 297 jobs, falling to 100 and 142 jobs when the impact of displacement and multipliers are accounted for. MKA Economics also suggests that the development would safeguard 58 jobs at Bernard Hunter.

SUMMARY RESPONSE TO CONSULTATION

It is estimated that the development as proposed could, if fully occupied, directly support 336 FTE jobs and £12.37m of GVA (2015 prices) - a projected increase of 312 FTE jobs and £10.14m of GVA on the existing uses. These are gross figures and do not account for multiplier effects or for displacement - the loss of economic activity elsewhere in Edinburgh due to competition from the development.

The development of new retail units in this location may divert expenditure from the existing Gilmerton local centre, as acknowledged by the applicant's Retail Impact Assessment. The development as proposed is considerably larger than the existing Gilmerton local centre and will have far greater parking. Based on data from the Retail Impact Assessment, it is estimated that 50 jobs and £1.151m of GVA could be lost from Gilmerton local centre and out-of-centre retail units in Gilmerton.

The development of 16 new industrial units would address the growing shortage of industrial space in Edinburgh. While the site is not an established industrial area, it has good proximity to the City Bypass and, by extension, the national trunk road network. Units of the scale proposed are in especially high demand in Edinburgh. An industrial development here could complement the Bernard Hunter depot to the south.

The site is not an established visitor area but benefits from regular, rapid public transport links to the city centre and good proximity to the City Bypass. The development of a hotel in this location could relieve pressure on the city centre where demand for visitor accommodation is concentrated. The Gilmerton Cove visitor attraction could potentially benefit from the development of a hotel in this location.

This response is made on behalf of Economic Development.

Environmental Protection

The application is for Planning Permission in Principle; however, the application does include very detailed plans of what is proposed. The proposal is to include a number of different uses including a mix of commercial, retail and leisure uses comprising Food and Non-food Supermarkets, Fast Food Outlets, a Hotel and a new transport hub, as well as a Start-up Business park.

The site is located at land off Gilmerton Station Road which forms the western boundary, with Gilmerton Road to the north. This is a triangular, brownfield parcel of land which is substantially within industrial use with existing businesses.

To the north west there is the new build development South Gilmerton Brae currently under construction by Miller Homes, this will see 1000 new families to the area. Gilmerton Station Road runs the length of this aspect. Gilmerton Road and agricultural fields make the north-east boundary. The Gilmerton bus terminus is also on this edge. Tree lined agricultural land runs the length of the south-east boundary along with the existing site entrance to the Bernard Hunter Offices and yard. There is a residential unit located to the south of the development site which is accessed from Gilmerton Station Road.

The applicant has submitted various supporting materials including a noise and local air quality impact assessment. The applicant has submitted a site investigation report which is currently being assessed by Environmental Protection. Until this has been completed Environmental Assessment recommends that a condition is attached to ensure that contaminated land is fully addressed.

A supporting Noise Impact Assessment has been submitted in support of the application. The objectives of the assessment were to identify and describe any likely significant noise effects on key receptors during the operational phase of the proposed development.

The applicants noise impact assessment identifies the current baseline characteristics of the application site and the surrounding area, as well as the predicted impacts. This allows for the identification of potential noise impacts and recommendation of mitigation measures. Mitigation measures have been proposed in the form of a 2m high acoustic barrier to the south of the retail food store to protect the amenity of the existing residential property.

Plant details have not yet been determined and, consequently, it was not possible to have a specific assessment of plant noise impact submitted at this stage. Environmental Protection will recommend a condition and informative is attached to ensure this is addressed at the detailed planning stage.

Furthermore, at the detailed design stage, a new noise impact assessment will be required to demonstrate that the development can meet the limit sound level outlined in submitted noise impact assessment and confirm that the proposal is compliant with all the required noise criteria stipulated by Environmental Protection. Environmental Protection will recommend planning conditions to ensure a noise impact assessment is submitted at the detail planning stage to address noise breakout from the specific uses proposed.

It is noted that if developed out the development will include the removal of the scaffolding company and the Flo Gas building. This is likely to reduce the existing baseline levels slightly; however, it is noted that the dominant noise in the area is from the road.

Odour

The PPP aspect of the application may propose Use Class 3, 7 & 11 premises which are likely to include cooking operations. Ventilation is likely to be required to adequately deal with kitchen effluvia from these premises and ensure that they reach an appropriate height. Therefore, the siting of such premises will require to be fully assessed at the AMC stage to ensure that odours from food operations do not impact upon residential amenity.

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.

The applicants air quality impact assessment considered the potential adverse impacts on local air quality as consequence of vehicle exhaust emissions from road traffic generated by the proposed development. The applicant has prepared an Air Quality Impact Assessment for the proposed development and this is submitted as part of the application. Predicted increases in traffic flows are detailed within the report however it is not clear what level of committed development has been included.

The main increase in road traffic generated by the scheme has been identified as being on Drum Street, between Gilmerton Station Road and the Newtofts/ Ferniehill Drive junction. The results from Planning's air quality monitoring indicate that air quality currently complies with the EC annual mean Limit Value within that study area. The applicants air quality impact assessment predicts contribution to the annual mean nitrogen dioxide measurements is of slight adverse significance, or less, at all sensitive receptors considered within the study area. The predicted contribution from the proposed development to the annual mean particulate measurements is of slight adverse significance, or less, at all sensitive receptors considered within the study area.

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

Environmental Protection have 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 will only exacerbate this.

The proposal includes a considerable number of car parking spaces and Environmental Protection had recommended previously 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 recommend that 7Kw (type 2 sockets) charging provision will be required for all spaces with a number rapid 50Kw electric vehicle charging points installed to charge taxis, service vehicles and possibly buses. Information on chargers is detailed in the Edinburgh Design Standards -Technical Information Design Standards.

Environmental Protection are satisfied that the impacts of this proposed development on it 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 also advised the applicant that any energy centres must comply with the Clean Air Act 1993 and that Environmental Protection will not support the use of biomass.

Environmental Protection would not object to this application with regards to local air quality subject to conditions on EV Infrastructure being included to serve all the car parking spaces proposed as a condition.

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, Environmental Protection on balance offer no objection subject to the following conditions.

Conditions

Site in General

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

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

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

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

2. A minimum of 3 Electric vehicle (50 Kw rapid) chargers shall be installed throughout the development site serving Unit 9, Units 1-6 and Unit 10 and 11 parking areas must be operational prior to occupation.

3. All car parking spaces not served with a rapid charger must have a 7Kw (Type 2 socket) electric vehicle charging point serving them and fully operational prior to occupation.

4. The following noise protection measures to the proposed development, as defined in the Neo Environmental 'Noise Impact Assessment' dated 29/03/2018:

A 2m acoustic fence with a minimum surface density in of 10kg/m² shall be erect as per drawing number NEO00492/0081/A dated 01/02/2018. The acoustic fence will have a closed surface without large gaps or cracks including at the ground.

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

Foodstore (20,000sq.ft.) Class 3, 7 and 11 uses proposed as per PPP application

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

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

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

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

Informative

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

Prior to occupation of the development, details demonstrating that noise from all plant complies with NR25 within the nearest existing and committed residential property (with window partially open for ventilation purposes) shall be submitted for written approval by the Head of planning and Building Standards.

Should you wish to discuss the above, please do not hesitate to contact me on 0131 5160.

Flood Prevention

No objections

Gilmerton/Inch Community Council

GICC objections to the following Application for Mixed Use Development 1 and 4 Gilmerton Station Road. Application 18/01557/PPP.

Transport issues are a huge concern. GICC wishes to express huge doubts re the reference to the 'excellent' transport service in this area. The number 3 and the number 29 are the only services running into the centre of Edinburgh - including the express versions of the 2 buses which only run at peak times. The other PRIVATE bus service only goes as far as the Royal Infirmary. So the public transport for this size of development - Mixed Use Development comprising - Class 1 retail, class 2 professional services, class 3 (inc Sui Generis) Food and Drink, class 4 to 6 Business/ Industrial, class 7 Hotel, class 11 Assembly and Leisure, Access, Car Parking, Servicing, Bridge, Demolition and Associated Works, 1 and 4 Gilmerton Station Road - is woefully inadequate given that there will be a Morrison's sized supermarket + another similarly sized retail unit as well as a hotel and workshop units. Access from other areas in Edinburgh will have to be by car and the Transport Assessment given by Bernard Hunter's is based on an average of an extra 1,000 cars per day. Given the widely acknowledged traffic issues on Drum Street and its feeder routes, the existing extremely difficult situation will be exacerbated not only by the addition of 1,000 aprox cars from this development but also from the 900 aprox residential units being currently built on the opposite side of Gilmerton Station Road + the 200 + residential units also currently being built beside Candlemaker's Park. This amount of additional traffic will clearly have a detrimental effect on the Air Quality and Noise Impacts in this area, especially on Drum Street. If the decision goes in favour of this development, GICC strongly advises that these particular areas are monitored closely. Also, GICC doubts the need for further large retail units in this area, given that Gilmerton is surrounded by Morrisons, Lidl, ALDI, Iceland with other smaller retail units in addition.

Infrastructure issues are a huge concern in this area, given the aforementioned addition of well over a 1,000 new residential units. Could this development offer a Doctor's Surgery and a Dentist? GICC recommends that this is taken into account if the CEC agrees to this proposal.

GICC recommends that this development incorporates more landscaping in the form of trees and shrubs into the development particularly on Gilmerton Station Road and on the roundabout, should the CEC agree to this proposal.

GICC objects strongly to the inclusion of Hot Food Units in this proposal. This will encourage car use. Gilmerton already has significant Hot Food outlets, some unfortunately within Gilmerton Conservation Village. The rubbish which ensues has an extremely negative effect on the environment.

GICC would like to emphasise that, should this proposal go ahead, Bernard Hunter's family retain this development as a family business as part of the local Gilmerton Community.

GICC asks the City of Edinburgh Council to object to this proposal.

Midlothian Council

Thank you for consulting Midlothian Council on this application by Bernard Hunter Ltd. for Gilmerton Station Road.

Midlothian Council has concerns in respect of the scale and nature of the retail provision proposed, expecting it would trade over a wide area and provide essentially for car-borne shopping. Given the proximity to the Edinburgh City Bypass and main routes out of Edinburgh and the strong journey to work flows from Midlothian to Edinburgh, this Council would expect significant passing trade from Midlothian residents to be attracted to the development, to the detriment of Midlothian's town centres.

It is noted that Table 3 in the Retail Impact Assessment appears twice and there does not seem to be a table setting out convenience floorspace and turnover of the existing stock in the catchment. If the City Council is content to accept quoted diversion figures, it will wish to make a judgement as to whether these are acceptable, which would need consideration of the current health of local centres. Midlothian Council is in a position to submit further evidence in respect of the health of Bonnyrigg and Dalkeith town centres.

Workload pressures have not allowed a consideration of the Transport Assessment, however Midlothian Council would invite you to ensure that consideration is given to committed development in the Midlothian Council local authority area.

All development within the 'catchment' of Gilmerton junction on the City Bypass could have an impact of the capacity of the junction. Midlothian Council suggests that developer contributions are sought towards improvement of the junction.

Roads Authority Issues

The application should be refused.

Reasons:

- 1. The proposal is considered to be contrary to Policy Tra 1 Location of Major Travel Generating Development which states that for non-city centre sites, the suitability of a proposal will be assessed having regard to:
 - a. The accessibility of the site by modes other than the car;*
 - b. The contribution the proposal makes to Local Transport Strategy objectives and the effect on targets in respect of overall travel patterns and car use.**

The proposal is considered to be contrary to a. above as it is estimated to lead to 86% of trips being by car (73% driver, 13% passenger) with 243 car trips in the AM peak and 439 in the PM peak (Transport Assessment dated March 2018). Subsequent clarification of the likely level of pass-by trips indicates that over 70% of trips would already be on the network, rather than being 'generated' by the development. Notwithstanding this, the development is not considered to have demonstrated that the location is sufficiently accessible by walking, cycling and public transport nor that there are opportunities to bring non-car accessibility up to acceptable levels. It is noted that, despite the site being served by regular and frequent bus services, car-based trips are expected to account for 86% of all trips.

LDP Policy Tra 1 also sets out that out-of-centre development will only be acceptable where it can be demonstrated that the development "will be no more reliant on car use than a town centre location";

2. The proposal is considered to be contrary to b. above in that it does not contribute to the following objectives set out in the Local Transport Strategy:

- Be green, reducing the impacts of transport on the environment, in particular playing its full part in reducing greenhouse gas emissions.*
- Be healthy, promoting Active Travel, with streets appropriately designed for their functions, and with an emphasis on encouraging walking, cycling and public transport use and a high quality public realm; improving local air quality.*
- Be part of a well planned, physically accessible, sustainable city that reduces dependency on car travel, with a public transport system, walking and cycling conditions to be proud of;*

3. In addition, the proposed layout is considered to not support the following LTS objectives:

- Be, and be perceived to be, safe, secure and comfortable, so that people feel able move around by which ever mode they choose, whenever they wish.*
- Be inclusive and integrated. Everyone should be able to get around the city regardless of income or disability;*

4. The proposal is also considered to be contrary to Policy Tra 2 Private Car Parking which states that planning permission will be granted for development where it has "been demonstrated through a travel plan that practical measures can be undertaken to significantly reduce the use of private cars to travel to and from the site". Whilst it is accepted that the submitted Travel Plan (Transport Assessment dated March 2018) is only draft, it is considered that there is little scope to make those significant reductions. It is noted that the proposed level of car parking has been reduced from the original level of 490 spaces to 315 which is within the 380 maximum permitted under the Council's 2017 standards;

5. The Council's LDP Action Programme includes work to improve the capacity of junctions affected by development in the area and it is anticipated that the traffic impact of the proposed development will be accommodated within the proposed works.

SEPA

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

1. Summary

1.1 We request that the following condition is attached to the consent requiring an Energy Statement to be submitted as part of any Application for Matters Subject to Conditions. If this is not attached, then please consider this representation as an objection. Please see Section 2 below for details.

2. Energy Statement

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

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

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

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

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

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

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

2.8 Creating links between heat producers and heat users is essential to create heat networks and accords with guidance in SPP. In order to deliver the Scottish Government's targets for 40,000 homes to be heated through heat networks, new developments need to be designed to incorporate district heating. Where substantial new developments are planned, the opportunity arises for providing a heat network within the site and for this to be required and designed in at the earliest stages.

New developments have a role to play in not only establishing and creating these networks, but also in connecting to networks to make use of heat that is being captured.

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

3. Flood risk

3.1 Having reviewed the information provided (Site Masterplan; Drainage Strategy Plan (Goodsons Associates, 5th March 2018), we have no objection to the proposed development on flood risk grounds. Notwithstanding this we would expect Edinburgh Council to undertake their responsibilities as the Flood Prevention Authority.

3.2 Review of the SEPA Flood Map indicates that the site, or parts thereof, lies within the 0.5% annual probability (or 1 in 200-year) flood extent and may therefore be at medium to high risk of flooding. The source of flooding identified at this location is from surface water only and we hold no further details on the flooding at this location. A small watercourse lies to the southeast of the site and appears to be at a higher elevation than the site. However, LiDAR information would indicate that should any flows exceed the capacity of the channel they would likely flow toward the existing depot they are adjacent to rather than to the site.

3.3 Given the only source of flood risk identified is from surface water, we have no objection to this application. Surface water is a matter for Edinburgh Council to consider and they should determine how surface water will be managed on site and whether any mitigation measures are appropriate. We do note however that the development site is proposed around 4m higher than the disused railway line where much of the surface water flooding is identified.

4. Water environment

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

Surface water

4.2 We expect surface water from all developments to be treated by SUDS in line with Scottish Planning Policy (Paragraph 268) and, in developments of this scale, the requirements of the Water Environment Controlled Activities Regulations (CAR). SUDS help to protect water quality and reduce potential for flood risk. Guidance on the design and procedures for an effective drainage system can be found in Scotland's Water Assessment and Drainage Assessment Guide.

4.3 The proposed SUDS should accord with the SUDS Manual (C753) and the importance of preventing runoff from the site for the majority of small rainfall events (interception) is promoted. The applicant should use the Simple Index Approach (SIA) Tool to ensure the types of SUDS proposed are adequate.

4.4 Construction phase SUDS should be used on site to help minimise the risk of pollution to the water environment. Further detail with regards construction phase SUDS is contained in Chapter 31 of SUDS Manual (C753).

4.5 Comments should be requested from Scottish Water where the SUDS proposals would be adopted by them and, where appropriate, the views of your authority's roads department and flood prevention unit should be sought on the SUDS strategy in terms of water quantity and flooding issues.

Waste water

4.6 The waste water to be connected to public sewer is acceptable. The applicant should consult with Scottish Water (SW) to ensure a connection to the public sewer is available and whether restrictions at the local sewage treatment works will constrain the development.

4.7 We recommend that the applicant keeps in regular contact with SW to ensure such a connection is available at the time of development of the site, as SW facilities may have accepted discharge from other developments before construction commences at this site.

4.8 It should be noted that should a connection to the public sewer not be achievable then we would be required to be re-consulted as any private waste water discharge would require authorisation under Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR). Given the size of the development SEPA would have concerns over such an authorisation, which could in turn potentially constrain development at the site.

5. Sustainable waste management

5.1 Scottish Planning Policy Paragraph 190 states that "All new development including residential, commercial and industrial properties should include provision for waste separation and collection to meet the requirements of the Waste (Scotland) Regulations." In accordance with this policy, the relevant Local Development Plan and the Scottish Government Planning and Waste Management Advice, space should be designated within the planning application site layout to allow for the separation and collection of waste, consistent with the type of development proposed. This includes provision to separate and store different types of waste, kerbside collection and centralised facilities for the public to deposit waste for recycling or recovery ("bring systems"). Please consult the council's waste management team to determine what space requirements are required within the application site layout.

Scottish Planning Policy (Paragraph 192) states that planning authorities should consider requiring the preparation of sites management plans for construction sites. In the interests of seeking best practice and meeting the requirements of Scottish Planning Policy, we recommend that a site waste management plan (SWMP) is submitted, showing which waste materials are going to be generated and how they are going to be treated and disposed.

5.2 All wastes should be handled in accordance with the "waste management duty of care" - residual contamination should be dealt with through the local authority planning and contaminated land departments.

6. Contaminated land

6.1 Advice on land contamination issues should be sought from the local authority contaminated land specialists because the local authority is the lead authority on these matters under Part IIA of the Environmental Protection Act 1990 except for matters relating to radioactively contaminated land or special sites.

7. Air quality

7.1 The local authority is the responsible authority for local air quality management under the Environment Act 1995, however as an air quality impact assessment is available for this application, we have provided the following comments.

7.2 The City of Edinburgh Council (CEC) currently have six Air Quality Management Areas (AQMA's) due to exceedances of NO₂ and PM₁₀ objectives. Five of these AQMA's are due to transport emissions. CEC's air quality monitoring indicates that NO₂ levels within the vicinity of the proposed development are compliant with the air quality objectives, however, according to dispersion modelling some areas (Gilmerton Rd and Drum St) could be considered close to the objective concentrations.

7.3 The air quality impact assessment submitted in support of this application follows best practice principals including the use of 5 years of Met data to ascertain the worst case reporting year (2014). The model also assumed no improvements in vehicle technology for the 2023 scenario. In doing this a sufficient level of confidence can be placed within the predicted pollution concentrations, as no assumption has been made regarding future improvement in vehicle emissions. We support this approach to the assessment.

7.4 The assessment concluded that the predicted contribution to the annual mean NO₂ as a consequence of the proposed development is of slight adverse significance or less at all sensitive receptors, however, concentrations of NO₂ and particulates are predicted to remain below the relevant air quality objectives with the development in place.

7.5 The design and access statement suggests that the site is accessible via public transport and active travel (cycling and walking). The provision of secure cycle storage should be considered to encourage users to access the site via the cycle path. The provision of electric vehicle charging points is also highly recommended to encourage low emission vehicle use, offsetting the impact of the predicted increase traffic on local roads. Studies have shown that 88% of all NO_x in Edinburgh originates from road vehicles.

7.6 We strongly recommend that good practice to reduce emissions and exposure is incorporated into the proposed development. EPUK and IAQM guidance; Land Use Planning and Development Control Planning for Air Quality provides a section on 'Principles of Good Practice'. The section outlines examples of good practice for air quality mitigation in the design and operational phases of development.

7.7 The required improvements in air quality in the City of Edinburgh Council's area will only be achieved through the promotion of more sustainable modes of transport, for example walking, cycling and public transport which will help reduce the number of private car journeys associated with development.

Detailed advice for the applicant

8. Flood risk

8.1 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. For further information please visit <http://www.sepa.org.uk/environment/water/flooding/flood-maps/>

8.2 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.

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

9. Energy Statement

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

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

9.3 The Scotland Heat Map is available and includes information on heat demand and potential heat supply, as well as existing and in-development heat networks.

9.4 Through Stratego, Scottish Futures Trust have been providing information on funding models for developing district heating networks. Information on the relevant presentation can be found here.

9.5 Scottish Enterprise may also have useful information or contacts on this matter which can be viewed here and here.

9.6 The Chartered Institute of Building Services Engineers (CIBSE) published a Code of Practice document which outlines essentially a project management approach towards developing a district heating network. It details every stage from design and layout of the network, product and material choice to ongoing maintenance and management of an operational network.

10. Other

10.1 Please note the other advice provided in the sections for the Planning Authority.

Regulatory advice for the applicant

11. Regulatory requirements

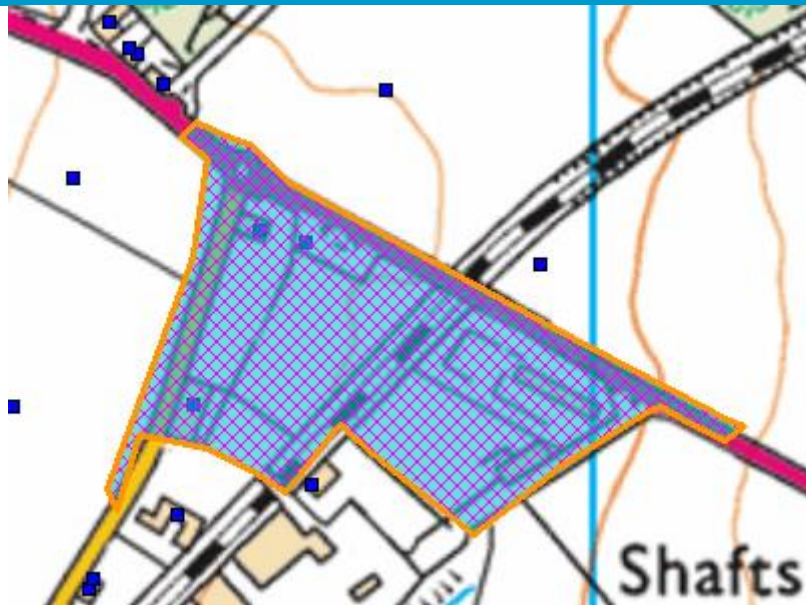
11.1 Authorisation is required under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR) to carry out engineering works in or in the vicinity of inland surface waters (other than groundwater) or wetlands. Inland water means all standing or flowing water on the surface of the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

11.2 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.

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

11.4 Details of regulatory requirements and good practice advice for the applicant can be found on the Regulations section of our website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the regulatory team in your local SEPA office at:
Edinburgh Office Silvan House SEPA 3rd Floor 231 Corstorphine Road Edinburgh EH12 7AT.

Location Plan



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