

Approval of Matters Specified in Conds 12/03027/AMC

at

**Fairmilehead Water Treatment Works
55 Buckstone Terrace
Edinburgh
EH10 6XH**

**Development Management Sub-Committee
of the Planning Committee**

1 Purpose of report

To consider application 12/03027/AMC, submitted by CALA Management Ltd And David Wilson Homes East Scotland.. The application is for: **Proposed residential development**

It is recommended that this application be **Granted** by Committee.

2 The Site and the Proposal

Site description

The application site, which measures approximately 13.3 hectares, has recently been decommissioned as the Fairmilehead Water Treatment Works. The site contains several open air and underground tanks and a series of small industrial buildings. There are two vehicular accesses into the application site from Buckstone Terrace. The application site does not include the main office building for the treatment works. This building fronts Buckstone Terrace and will remain operational.

There is a B-listed single storey Edwardian filter house close to the southern boundary (listing reference 03/00944/B). The wall and gate posts which form the southern part of the western boundary also form part of this listing.

There is a wooded strip along part of the north eastern boundary of the site, edging playing fields which serve the local primary school. These trees are covered by a tree preservation order. A cluster of tall mature trees and a large telecommunications mast is situated close to the eastern boundary of the site, to the north west of the playing fields. The mast will be removed. New apparatus will be installed near the existing office block but will be subject to a separate application.

The site is within a predominately residential area with neighbouring properties to the north, east and south. The main office building for the treatment works is adjacent to the south western boundary of the site and the Tusitala public house/restaurant is at its western corner.

Site History

24 August 2012 - Planning permission in principle was granted for a residential development with associated roads, parking, landscaping and access (Application reference - 11/00188/PPP).

There is also an extensive planning history relating to the commercial operations of the water treatment works.

Pre-Application Process

Although not formally required, the applicants provided a presentation to Fairmilehead Community Council on 5 June 2012. A two day public exhibition was also held in Fairmilehead Parish Church on 8-9 June 2012. The event was attended by approximately 300 visitors.

Issues raised at the event included overlooking, traffic volumes, school capacity, building heights, trees, boundary treatments, community facilities and footpath links.

A copy of the Pre-Application Consultation report is available to view via Planning and Building Standards Online Services.

Description Of The Proposal

Approval is sought for the erection of 275 residential units with associated access roads and open space.

The breakdown of accommodation is as follows:

- Affordable units (73 in total)
- three bed, terrace house x 14
 - three bed, semi-detached house x 3
 - two bed, flats (2-storey, four-in-a-block) x 8
 - two bed, flats (4-storey block) x 48

Private units (202 in total)

- two bed flats x 18
- three bed flats x 24
- two bed terrace house x 10
- three bed terrace house x 12
- three bed townhouse x 14
- four bed townhouse x 1
- four bed detached house x 80
- five bed detached house x 43

The height of the proposed development will be predominantly 2-storeys. The only exceptions will be 3 affordable flatted blocks at 4-storeys, 4 private apartment blocks at 3-storeys and 6 townhouses at 3-storeys. The materials will primarily be dry dash render, reconstituted stone and concrete roof tiles.

The detached housing will all have driveways. Some of the house types will have garages either internal or external. The terraced housing and flatted blocks will have communal parking courts. The houses will all have private gardens and the flatted blocks will have semi-private, defensible open space.

There will be a large area of public open space located at the centre of the site, which will include a children's play area. There will also be smaller areas of open space in the north-west and south-west corners of the site and adjacent to the affordable flatted blocks.

Vehicular access will be from Buckstone Terrace at the northern end. The southern access point will be restricted to emergency vehicles only but will also function as a pedestrian/cycle route.

In support of the application, the following documents have been submitted:

- design & access statement;
- sustainability statement;
- landscape appraisal;
- pre-application consultation report;
- tree survey;
- ecology survey; and
- bat survey.

These are available to view via the Planning and Building Standards Online services.

Scheme 1

The main changes are as follows:

- the height and massing of the private apartment blocks has been reduced;
- the layout of the affordable apartment blocks has been revised;
- the entrance block has been remodelled and surrounding space defined;
- the second pedestrian/cycle link to Buckstone Howe has been removed;
- the security fence adjacent to the playing field has been removed;
- building lines have been realigned; and
- the south-west site entrance has been better defined.

3. Officer's Assessment and Recommendation

Determining Issues

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?

ASSESSMENT

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

- a) the principle of the proposals is acceptable;
- b) the scale, design and layout of the proposals are appropriate;
- c) the proposals raise any implications for road safety;
- d) the proposals will adversely affect residential amenity;
- e) the proposals are acceptable in terms of landscape impact and trees;
- f) the proposals are acceptable in respect of infrastructure requirements and affordable housing provision;

g) the proposals meet the Council's requirements in respect of sustainability;
and

h) there are any other material considerations.

a) The application site is allocated within the Edinburgh City Local Plan for housing development. In line with planning policy, outline planning permission was granted for a residential development comprising a maximum of 300 dwellings on the application site. The granting of that permission, which remains valid, establishes the principle for residential development on the site.

The existing water tanks and grassed areas within the site provide an attractive outlook and sense of openness to properties overlooking the site. However, it is not a greenfield site and the principle of development has already been established by the development plan. No part of the site has been classified as open space within the Edinburgh Open Space Audit as it does not accord with the definitions set out in Scottish Government's PAN 65: Planning and Open Space.

In summary, the principle of residential development is previously established and accords with the development plan.

b) The height of the proposed development will primarily be 2-storeys, which is wholly consistent with properties in the surrounding area. There is a small element of the proposals that will extend to 3 and 4-storeys, which is not typical of the area. However, there will be a significant change in ground levels following the removal of the tanks and a visual analysis submitted in support of the application demonstrates that the additional height will not have an adverse impact upon key city views or glimpsed local street views. Within the site, the change in heights adds visual interest to the roofscape. The entrance block is not designed to be a 'landmark' building. The height is less than the neighbouring office block, which marks the south side of the site entrance and sets an appropriate urban form should the adjacent restaurant site be redeveloped in the future.

The proposed layout has been designed to conform to the national policy document *Designing Streets*. That document promotes a greater 'sense of place' and greater emphasis on pedestrian and cycle movement. Part of this includes a move away from cul-de-sac type layouts typical of modern developments in favour of streets that are permeable.

Within the site, a hierarchy of streets is established with the creation of a central boulevard and a series of secondary streets that will be a shared surface. The current layout proposes a back-garden to back-garden arrangement along the site boundaries, which is a good urban form and is consistent with the wider area. There will be a large central area of open space that will include children's play facilities and smaller areas of open space spread across the development. The orientation of buildings will provide a strong frontage to the new streets and will help activate the new

open spaces. The proposed built form, open space, street layout and parking provision represents an appropriate quantum of development for the site.

The general building design is consistent across the site with several variations of a central theme tied together by the commonality of building materials. The design represents a contemporary interpretation of the established housing in the wider area and is acceptable in this location.

Boundary treatments across the site will be a mix of timber fencing, walls and hedging, which is typical of the area. However, the exact treatment for each particular plot has not been set out at this stage. This matter can be suitably controlled by a planning condition.

In summary, the proposed scale will sit comfortably within the townscape; the layout conforms with national policy, and the built form is consistent with the local area.

c) There are concerns within the local community that a single point of vehicular access for a development of this size is insufficient and that the level of traffic entering a 40mph zone will pose a road safety hazard. There is also concern over the ability of the road network to accommodate the additional traffic. However, the impact of up to 300 units using a single point of access has already been assessed as part of the application for planning permission in principle. As part of that permission, it was agreed that the junction with Buckstone Terrace will be re-engineered to accommodate a left and right exit lane to help traffic flow. As the access arrangements were agreed at that stage, it is unreasonable to seek traffic signals at this junction now. There is sufficient capacity within the road network to accommodate the proposed development.

Parking within the development complies with the Council's parking standards. Specific provision has also been made for visitor parking across the site to help discourage indiscriminate parking. The flats will have dedicated secure cycle stores to help encourage sustainable travel.

There is a concern expressed in representations that the absence of a footpath on a small stretch of Buckstone Howe immediately adjacent the proposed pedestrian/cycle link will pose a road safety hazard. However, the affected area will have limited vehicle movements, and due to the road layout, such movements will be slow moving and thereby reduce the risk of conflict. Transport Planning has raised no objections to this arrangement.

In summary, the proposed access arrangements have been previously agreed; the level of car parking accords with the Council's guidelines and there are no road safety implications.

d) Due to a difference in site levels, the proposed properties situated beside the site boundary will sit slightly higher than the existing, neighbouring properties. This has raised concern for neighbours that there will be increased overshadowing and a loss of privacy. However, all the properties

along the boundary will be 2-storeys and given the proposed garden depths (minimum 10 metres), overshadowing will only affect a small area of garden ground along the northern boundary for a limited part of the day. Overshadowing along the eastern boundary will be contained within the proposed deeper gardens (minimum 15 metres). There will be no loss of daylight to any neighbouring windows. In respect of privacy, there will be a minimum of 18 metres between opposing windows of properties set deep within their plots and considerably greater separation between the remaining properties. The proposals comply with the Council's guidelines in respect of privacy and overshadowing.

There has been concern raised in representations that the proposals will result in an increase in noise and disruption. However, the proposed development is entirely residential in nature and is wholly compatible with a residential area.

The proposed pedestrian/cycle link has also raised amenity concerns. It has been suggested that the link will increase the amount of activity around the playing field, some of which could be anti-social, and thereby reduce the security of the field for existing users. However, access to the playing field is currently unrestricted and there is no evidence to suggest that new family housing will result in an increase of any such problems. New lighting will be introduced to provide a secure link but will be designed to solely light the path and will not disrupt neighbouring residents or illuminate the pitch.

Future residents will all have private or semi-private garden ground and easy access to generous areas of open space. There will be sufficient distance between properties as to prevent overlooking. Any overshadowing from the higher blocks will fall on a parking courtyard or a public road. Given the proximity of residential units to the existing office block and the Tusitala restaurant there is potential for noise disruption. However, there are measures available such as acoustic glazing that can be used and a planning condition is recommended to control this matter.

In summary, the level of privacy and overshadowing complies with Council guidelines and the overall proposal is compatible within a residential area. The level of amenity afforded to future residents is acceptable.

e) There is a line of mature trees, protected by a Tree Preservation Order that separate the site from the 'waterboard field'. The proposed layout will not compromise these trees as the existing stone boundary wall will be retained to form the rear boundary of the nearest housing plots. To avoid the trees being barricaded on three sides, the existing security fence abutting the playing field will be removed following the completion of construction works. This will provide direct access for the wider community to the trees.

Concern has been raised over the proposed removal of a collection of trees near the north-east boundary. These trees, which are entirely sycamore with the exception of a single oak tree, have been surveyed and found to be generally in a poor condition. Problems have arisen from close planting

resulting in slender trunks and small, suppressed crowns providing inferior tree quality. The trees, apart from the oak tree, in their current form would have limited life expectancy. The retention of the oak tree has been considered but the removal of surrounding trees will render it unstable and cannot feasibly be retained.

The extent of replacement tree planting is substantial. Whilst not focussed in the area where it is lost, the layout of the tree planting is appropriate. We would not encourage a row of tree planting between back gardens as this would potentially result in disputes over maintenance, security and amenity. The proposed tree planting emphasises the sense of a 'boulevard' and acts as a wayfinder for the key pedestrian/cycle routes.

With the removal of trees, there is a concern expressed in representations that the proposals will have an adverse impact upon wildlife. A bat survey has been carried out and there is no evidence of bats roosting within any trees or buildings on the site. Ground conditions within the site are not regarded as an exceptional wildlife habitat and no protected species will be adversely affected by the proposals. The enhancement of green links within the site both north-south and east-west has the potential to enhance biodiversity within the site.

The proposed pedestrian/cycle link to Buckstone Howe will curve around the northern edge of the playing field. The applicants have shown that a full size football pitch can still be accommodated once the path is in place. A second possible link to the south-west of the playing field has been removed to prevent people walking across the grass and reducing the quality of the pitch.

In summary, protected trees will be preserved; other trees will be compensated through replacement planting, and the proposals will help enhance biodiversity.

f) Residents are concerned that the level of family housing proposed will put added pressure on local schools. However, the impact of the development on education requirements has already been assessed as part of the application for planning permission in principle. A substantial financial contribution has been secured to address accommodation pressures at Buckstone Primary School and help fund a replacement Boroughmuir High School.

The new housing will help support local facilities such as doctor and dental surgeries. With this in mind, it is not required to provide these uses on site. Whilst there is concern that such facilities will be put under pressure, no evidence has been submitted to suggest that they will be unable to cope with demand.

It is recognised that the new housing may put further pressure on public transport. Whilst an increase in bus capacity/frequency is a commercial decision for operators and cannot be controlled through planning legislation, a financial contribution has been secured as part of the planning permission in principle towards improving waiting facilities.

There have been suggestions that the proposals do not provide any community gain. In this regard, the pedestrian link to Buckstone Howe will provide wider residents with a more direct route to Buckstone Primary School, public transport and open space. Additionally, the proposals will provide the wider community access to the protected trees for the first time that will enhance the quality of the 'waterboard field'. The applicants also propose that the listed filter house will be utilised for community use but will be subject to a separate planning application.

The application site is not at risk of flooding from any identified watercourse. Limited information has been provided in respect of surface water run-off but this matter can be suitably controlled by the use of planning conditions.

In relation to affordable housing, the approach taken by the applicants is fully supported by Housing & Regeneration. The proposals include a mix of flats, semi-detached and terraced housing, which are to be either maintained by a housing association in perpetuity or marketed by the developers with a price cap.

In summary, the impact upon education infrastructure has been addressed; the approach to affordable housing is supported, and local facilities will be supported.

g) The applicant has submitted a sustainability statement in support of the application.

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

Desirable Elements

In addition the applicants have provided a commitment to further sustainability measures as set out in the desirable elements. Additional measures include using locally sourced timber and promoting passive design.

In summary, the proposal complies with the requirements of Parts A and B of the Edinburgh Standards for Sustainable Buildings.

h) The application site is identified within an area of archaeological significance. Of particular interest are remains associated with prehistoric occupation and development of the municipal water industry. Given the potential for significant archaeological remains, it is appropriate to impose a condition requiring a programme of archaeological work in accordance with a written scheme of investigation prior to the commencement of development.

The site has long been established as a commercial site. Given the previous use, it is appropriate to impose a condition requiring a site investigation to determine whether there are any ground contaminants that would prejudice the proposed use on the site.

The impact of the proposal upon the water and waste water network has been considered. Both Rosebery Water Treatment Works and Edinburgh PFI Wastewater Treatment Works may have capacity to serve the development. There may be a need for the developer to fund works on the local network to ensure no loss of provision to existing users. However, Scottish Water does not object to the proposals and is satisfied that the capacity issues can be addressed outwith the planning process.

Fairmilehead Community Council

The Community Council has commented on the proposals. Full details can be found in Appendix A.

Conclusion

In conclusion, the principle of the proposed development accords with the development plan. The scale and design is appropriate and residential amenity will not be adversely affected. The impact on road safety has been assessed and is considered acceptable. There are no other material considerations that outweigh this conclusion.

It is recommended that the Committee approves this application subject to conditions in respect of archaeology, contamination, boundary treatments, drainage, landscaping, play equipment, noise and bin/cycle stores.

REASON FOR DECISION

The principle of the proposed development accords with the development plan. The scale and design will not have an adverse impact upon the wider townscape and conforms with national policy. Access arrangements have been agreed as part of the planning permission in principle; there are no road safety implications. The level of overshadowing and privacy distances conform to the Council's guidelines; residential amenity will not be adversely affected. The trees that will be lost are in poor condition and substantial replanting will help encourage biodiversity. There are no other material considerations that outweigh this conclusion.

David R. Leslie
Acting Head of Planning & Building Standards

Contact/tel	Andrew Trigger on 0131 529 3931
Ward affected	A08 - Colinton/Fairmilehead
Local Plan	Edinburgh City Local Plan
Statutory Development Plan Provision	Housing Proposal
Date registered	31 August 2012
Drawing numbers/ Scheme	1-28,29a-30a,31,32b,33a-36a,38-39,40a-42a,43,44c,45b,46-58 Scheme 2

Advice to Committee Members and Ward Councillors

The full details of the application are available for viewing at [Planning and Building Standards online services](#)

If you require further information about this application you should contact the following Principal Planner, Elaine Robertson, 0131 529 3612, e.robertson@edinburgh.gov.uk

Application Type Approval of Matters Specified in Conds
Application Address: Fairmilehead Water Treatment Works
55 Buckstone Terrace
Edinburgh
EH10 6XH

Proposal: Proposed residential development
Reference No: 12/03027/AMC

Consultations, Representations and Planning Policy

Consultations

Fairmilehead Community Council

We recognise that planning permission in principle has already been granted for up to 300 houses under 11/00188/PP and that many conditions were attached which have formed the subject of a legal agreement.

We offer the following comments/objections on the current application.

Traffic

The traffic assessment which was submitted with the original planning application was dated March 2011. As we commented in our submission to the planning application in principle we felt that it was severely flawed in its conclusion. Traffic on Comiston Road/Buckstone Terrace has increased since the survey was undertaken.

We still consider this to be the case. The current application states that there will be 587 parking spaces on the estate. There is to be only one entrance/exit onto the site and this is through the existing entrance to the Tusitala restaurant and Scottish Water office premises.

There are over 100 employees at the Scottish Water offices and if all the staff there decided to leave at the same time as all the vehicles on the housing estate then the existing junction, even if it is 3 lanes, will not be able to cope with nearly 700 vehicles. This does not include all the Scottish Water service and other vehicles that exit and arrive at their car park at all times.

It is suggested that some form of junction control is required. Unfortunately the road is too narrow for a roundabout therefore the only solution appears to be to install automatic traffic signals.

This would solve several issues that have been raised by the community.

- *It would allow vehicles to exit safely from the offices and the site.*
- *If a pedestrian phase was also installed it would assist pedestrians, particularly children, to cross safely from the new estate to the bus stop on the west side of Buckstone Terrace which is opposite the site entrance.*
- *Concerns were raised by a small number of people about the existing 40mph limit at the locus. ATS as proposed would help to control traffic speeds on the A702 without the need to reduce the speed limit and increase road safety.*

It has been suggested that to have ATS at this proposed junction is not suitable as they would be too close to the ATS at the Fairmilehead junction or the pedestrian crossing at Buckstone Gardens. We dispute this premise and can provide many examples, including some nearby, where ATS are very close together and actually hinder the traffic flow rather than assist as our proposal would.

The Community Council are prepared to enter discussion with the Planning Department and/or Transport Planning regarding this issue.

Play Areas

There appears to be adequate open space in the new development to comply with the relevant guidelines. However there do not appear to be any play areas on the site. It is suggested that a condition be attached to the application for the provision of suitable play equipment.

Suggested locations are on the large central 'park' area in front of the two blocks of flats/apartments (plots 33 to 70) which appears to be the main open space area; the area in front of the block of flats (plots 218-219) on the north side of the entrance; and in the open space between plots 1 and 202. Due to the size of the areas the latter two are suggested as 'pocket parks' or areas for limited play equipment.

Number of Parking Spaces

According to the application there are to be 587 parking spaces provided.

Parking is determined under the provisions of Parking Standards Guidelines. Based on the car parking standards our calculations are that just under 500 spaces are required. This is 87 spaces less than applied for. We can see no justification for the provision of additional spaces which would only increase the traffic problems mentioned above.

Design Changes

At the June 2012 Community Council meeting the developers displayed a proposed plan of the layout of the site. This proposal was acceptable to the meeting but it was accepted that minor changes might be made.

When the layout plan was lodged in connection with this application it was entirely different from that which had been displayed. The previous plan had several cul-de-sacs which made for a well balanced estate. This was similar to the adjoining Buckstone estate which has many cul-de-sacs and works well and helps to reduce through traffic and increase road and personal safety.

The removal of the cul-de-sacs at the apparent insistence of the Planning Department is in our opinion a retrograde step. This gives a linear array of houses along the boundary rather than the previous staggered layout. As a result of this enforced change it has led to a lot more houses along the boundary line which has caused concern to the existing householders.

Secured by Design states that: "Cul-de-sacs that are short in length and not linked by footpaths can be very safe environments in which residents benefit from lower crime.

Dwellings should be positioned to face each other to allow neighbours to watch over each other and to create the conditions which will make the potential offender feel vulnerable to detection.

Larger schemes should incorporate a mix of dwellings, enabling greater potential for homes to be occupied throughout the day. This gives increased opportunity for natural surveillance, community interaction and environmental control."

The original configuration would have assisted in this aim as well as increase road safety. It is felt that the proposed layout is more orientated towards vehicle traffic rather than pedestrian safety and crime prevention.

It should also be noted that the original proposals show a straight line along the northern existing boundary of the playing field commonly known as the 'waterboard field' which is owned by Children and Families Department.

On the currently submitted proposals this boundary has changed into a 'dogleg' and encroaches onto the field rather than running along it edge. This appears to have been done to squeeze an extra house into plot 18.

Boundary Treatment

Existing householders round the boundary of the site have a mixture of structures in their rear gardens to mark their boundaries. These are a mixture of hedges, plants, walls and fences.

There no proposals in the application as to how the delineation between the existing property boundaries and those of the application site will be dealt with. Without this detailed information it is difficult for the community to make comment although this is Part 1(j) of the existing legal agreement.

It is suggested that a condition be attached that a low maintenance metal fence, or similar, be installed on the boundary of the application site prior to

any construction work commencing. This will clearly delineate between the existing and the new properties.

The Community Council are prepared to enter into consultation with the developer about the boundary treatment.

Path(s) From New Development To Buckstone Howe

We accept that there is a legal agreement in place for non-vehicular access to be provided from the new development to Buckstone Howe and that Children and Families have given permission for a path(s) to be installed through the area commonly known as the "Waterboard Field". This field is owned by Children and Families.

Although owned by Children and Families this area is at present used by the existing residents as open space and a sports facility when not required by the school. This informal arrangement has existed since the purchase of the field by Children and Families many years ago although we recognise that Children and Families could restrict, or stop, access at any time if they so wished.

However it is suggested that a condition be attached that a distinct boundary be installed between the path(s) and the remainder of the field. This would achieve the purpose of allowing the majority of the field to be used for its existing purposes and confine and restrict pedestrian traffic to the paths. Otherwise if the area was left open pedestrians would just go direct across the field and not bother about any paths.

The Community Council are prepared to enter into consultation with the developer regarding the location of the paths and protection for the existing area.

It should also be pointed out that there is no footpath or pavements in parts of Buckstone Howe particularly at the exit to the field where the proposed paths would be. We note that in the Committee report submitted in respect of the PPP application Transport Planning requested a condition that £15,000 be allocated for Safer Routes to Schools. We request a further condition that this allocated sum be used for the provision of any necessary requirements for additional footpaths or pavements in Buckstone Howe.

Landscaping

We note that tree surveys have been undertaken both in relation to this application and the PPP application. We agree with the broad recommendations contained within the surveys that the majority of trees can be removed apart from those that are subject to TPOs.

It is noted that to date no proposals for landscaping of the site have yet been produced. It is suggested the proposals be produced as soon as possible, at least in draft form, so that the overall environmental benefits can be assessed.

This would also indicate the proposals for the replacement, or otherwise, of any trees that are removed.

Access to Scottish Water Car Park

We note that between proposed plots 133 and 134 there is a wide area or gap which appears not be designated as anything. While we would have no objection to this being a pedestrian link due to its apparent width it could be used for other purposes.

This path connects with the existing Scottish Water car park and appears wide enough to accommodate a vehicle. In the event that the existing Scottish Water offices and/or car park are sold at some future time it may be a simple matter to form this 'gap' into a vehicle access to the proposed site.

We would suggest that a condition be imposed so that this area or gap has permanent bollards or fencing in perpetuity to restrict access only to pedestrians or cycles.

Transport Planning

No objections to the application but the following conditions should be added:-

Conditions

- a) The main access to the development will be designed to accommodate three lanes. (minimum lane width 2.75 metres)*
- b) SUDS for the development will be agreed with the Development Control Section, Scottish Water and SEPA.*
- c) All roads within the development site will be built to an adoptable standard and will be subject to a Road Construction Consent (RCC) application.*
- d) Development to be limited to 300 units.*

Prior to issuing of the planning consent the applicant to enter into a suitable legal agreement to make provision for the following:

- a) Provide £10,000 to adjust the signals at the Frogston Road / Biggar Road / Comiston Road / Oxgangs Road junction.
(Reason:- To mitigate the traffic flows as identified in the Transport Statement)*
- b) Upgrade or provide new bus shelters on Comiston Road. (£24,000)
(Reason:- To encourage the use of public transport in line with the Council's Local Transport Strategy LU2 & PT3)*
- c) Provide a Bus Tracker information sign (£15,000)
(Reason:- To encourage the use of Public Transport in line with the Council's Local Transport Strategy LU2 & PT3)*
- d) The Council's Safer Routes to School programme. (£15,000)
(Reason:- To encourage walking and cycling to school Transport in line with the Council's Local Transport Strategy ST4)*

Informative

1) *All roads within the development site will be built to an adoptable standard and will be subject to Road Construction Consent (RCC) applications and will require to be subjected to a Road Safety Stage 2 Audit.*

Housing & Regeneration

Services for Communities has worked with Planning to develop a methodology for assessing housing requirements by tenure, which supports an Affordable Housing Policy (AHP) for the city.

- *The AHP makes the provision of affordable housing a planning condition for sites over a particular size. The proportion of affordable housing required is set at 25% (of total units) for all proposals of 12 units or more.*
- *This is consistent with Policy Hou 7 Affordable Housing in the Finalised Edinburgh City Local Plan.*

There are three key requirements of an affordable housing contribution. The AHP homes should be:

- (i) of approved affordable housing tenures (contained within the Council's policy document on Developer Contributions & Affordable Housing and in PAN 2/2010);*
- (ii) these homes should meet an identified affordable housing need in the city; and*
- (iii) they should provide for an integrated and mixed sustainable community to emerge from this development, taking into account the location, the housing mix and the range of sizes of the affordable housing contribution, and ensuring it is not delivered last.*

As this application is seeking Planning Permission for 277 homes, the AHP will apply. 25% of the units will be required to be of approved affordable housing tenures, as those are found in PAN2/2010 and within the Council's Affordable Housing Policy. The applicant has proposed 73 of the 277 homes as approved affordable tenures, which is 26% of the overall total.

Furthermore, the applicant has submitted a proposed layout map which is consistent with the Section 75 Agreement for this site. It identifies two separate plots, which will each deliver different tenures of affordable housing, ensuring that there is a successful level of integration and a range of approved tenures (guarding against a concentration of any particular tenure).

Where the affordable housing is left until last in a development, there is a risk that the development will lack an element of integration, making a mixed sustainable community more difficult to achieve. We may be fully confident that that situation will not arise here. It is more likely that the affordable housing will kickstart this development and actually be delivered first, before (or at the same time as) the first market units are being constructed.

This has all been secured through the Section 75 agreement, which was framed to reflect that Plot 1 for affordable housing will comprise of affordable homes constructed by the developers at their own expense, and marketed at their own expense (without any recourse to public subsidy). These homes in

Plot 1 will be marketed as an approved affordable housing tenure with a price cap, making the homes affordable to persons in identifiable affordable housing need. A second affordable housing plot (identified as Plot 2) will be a land transfer, at nil value, to a housing association. This ensures that on a site of this considerable size there will be affordable housing in perpetuity that meets a range of identified affordable housing needs, with approved affordable housing tenures, in a way that makes best use of Edinburgh's increasingly scarce public subsidy resources.

The developer may be commended for the proposed range of property types and sizes. There are 8 different property types and sizes within the affordable housing contribution, ranging from flats to cottages to semi-detached and terraced dwellings. This is a commendable mix.

Therefore, for all of these reasons, this proposal clearly meets the requirements of the Affordable Housing Policy and the AHP clauses contained within the existing Section 75 Agreement which governs the land.

The Department supports this proposed development, which will make a significant and timely contribution to meeting Edinburgh's affordable housing needs.

Archaeology

Fairmilehead Water Treatment Works are a site of historic importance containing several listed buildings principally the B-listed Filter House and Pump House (designed by J Leslie and A Reid) constructed in 1910 and the listed entrance gates and boundary walls. In addition the unlisted tanks and other treatment work infrastructure also provide important evidence of the development of municipal water industry. One further listed structure attached to the site is the c-listed mile stone, inscribed with the number '3', located on Comiston road to the north of the sites entrance.

The Fairmilehead works also occur within an area of significant prehistoric occupation. Although most of the evidence derives from 18th and 19th antiquarian reports the evidence suggests this low summit including the neighbouring Caiy Stane & Mortonhall area was the centre for an extensive area of Neolithic and Bronze Age funerary and ritual activity. The scheduled Caiy Stane prehistoric standing stone located c.200m to the west of the site (within the 20th century housing suburb) is along with the Galachlaw Cairn c.500m to the east are important visible survivors of this occupation. Eighteenth and 19th century accounts of the construction of Comiston Road at Fairmilehead describe the discovery of large numbers of cist burials with accompanying cinerary urns and weaponry stretching over a mile. Accounts also record the location of an upstanding circular banked enclosure, probably a later prehistoric Hillfort, in this area prior to its removal by agriculture in the 18th century.

Therefore this application must be considered under terms of the following Scottish Government policies Scottish Planning Policy (SPP), PAN2/2011 and

SHEP and also under CEC's Edinburgh City Local Plan (2010) policies; ENV4, ENV8 & ENV9. The aim should be to preserve archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.

Buried Archaeology

As stated above, the existing evidence indicates that the site occurs within an area of archaeological significance principally relating to both prehistoric funerary and ritual activity but also in terms of the industrial heritage of these early municipal water works. Having assessed the likely impact of developing this site it is clear that the construction and operation of the water treatment works has had an impact upon the potential for survival of earlier prehistoric remains. Nevertheless significant prehistoric remains including burials may survive on site, furthermore any development is likely to seek to demolish the majority of the treatment works tanks and other infrastructure which are regarded as having local significance in terms of industrial archaeological and must therefore be recorded prior to their demolition.

It is therefore recommended that the site is investigated prior to the submission of any subsequent detailed/reserved matters planning applications and or demolitions, in order that any archaeological remains encountered are fully excavated and recorded where preservation in situ is not possible. In essence this will see a phased archaeological programme of works. The initial phase will require the undertaking of an archaeological evaluation (5-10%) and survey of the site in conjunction with a historic building assessment of the associated water treatment work structures. The results of which would allow for the production of appropriate mitigation strategies (including possible design changes to allow for preservation insitu) to be drawn up to ensure the protection and/or the excavation and recording of any surviving archaeological remains during subsequent phases of development.

Historic Buildings

Any future development of the site must also see to retain, conserve and reuse the listed buildings and structures occupying the site namely the B-listed Pump House, Filter House, Gateway & boundary wall and the C-listed milestone. In conjunction with the above 'below ground' evaluation it is essential that an historic buildings assessment of these listed structures is undertaken. The results of which will allow for the production of appropriate mitigation strategies to be agreed for their protection, archaeological recording and appropriate reuse prior to development.

It is essential therefore that a condition be applied to any consents granted to secure this programme of archaeological works. A condition based upon the model condition stated in PAN 42: Planning and Archaeology, para 34 should be used, as follows;

'No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (historic building survey, excavation, analysis & reporting, publication) in accordance with a

written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.'

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

Flood Prevention

With reference to this application a surface water management plan should be issued.

The surface water management plan should deal with flood risk from surface water, ensuring that flood risk elsewhere is not made worse by runoff from the development. The main elements of the surface water management plan should be analysed up to the 1;200yr (0.5%AEP) event with an allowance for climate change and include as follows:

Discharge Point

- 1. Discharge point(s) for the drainage system must be identified, and the approval in principle from the owner, or Scottish Water in the case of a sewer, for the discharge to that point must be demonstrated.*
- 2. If the drainage system discharges to a watercourse, directly or indirectly, it must be served by SUDS in accordance with the SUDS manual, and SUDS for roads where applicable. The treatment methods must be approved by SEPA. Maximum discharge rates should not exceed 4.5l/s/ha or the 2yr greenfield rate, whichever is the lower. Attenuation volume must be designed for the full capacity of the drainage system.*

Flow Paths

- 1. Surface water should be dealt with by analysing the existing and proposed flow paths and depths for surface water runoff. This should include runoff from outwith the site, from unpaved areas within the site, and from paved areas in events which exceed the capacity of the drainage system.*
- 2. New buildings in the development must not be at risk of flooding as a result of these flow paths and depths*
- 3. Where runoff from the site could increase flood risk elsewhere, the increased runoff from paved surfaces, relative to greenfield runoff, (up to the 1;200yr event) should be attenuated on site.*
- 4. If the development alters existing flow paths in a way which increases flood risk to existing property, additional attenuation or other measures may be required.*

SUDS Maintenance

- 1. Details of the organisation taking on the responsibility of the proposed SUDS, the size of SUDS retention ponds along with GIS co-ordinates is required.*

Scottish Water (SW)

In terms of planning consent, SW does not object to this planning application. However, please note that any planning approval granted by the Local Authority does not guarantee a connection to our infrastructure. Approval for connection can only be given by SW when the appropriate application and technical details have been received.

Due to the size of this proposed development it is necessary for SW to assess the impact this new demand will have on our existing infrastructure. With any development of 10 or more housing units, or equivalent, there is a requirement to submit a fully completed Development Impact Assessment form. Development Impact Assessment forms can be found on our website.

Rosebery Water Treatment Works may have capacity to service this proposed development.

The water network that serves the proposed development may be able to supply the new demand.

Water Network - Our initial investigations have highlighted there may be a requirement for the developer to carry out works on the local network to ensure there is no loss of service to existing customers. The developer should discuss the implications directly with SW.

Edinburgh PFI Waste Water Treatment Works may have capacity to service this proposed development.

The waste water network that serves the proposed development may be able to accommodate the new demand.

Waste Water Network - Our initial investigations have highlighted there may be a requirement for the developer to carry out works on the local network to ensure there is no loss of service to existing customers. The developer should discuss the implications directly with SW.

In some circumstances it may be necessary for the developer to fund works on existing infrastructure to enable their development to connect. Should we become aware of any issues such as flooding, low pressure, etc the developer will be required to fund works to mitigate the effect of the development on existing customers. SW can make a contribution to these costs through Reasonable Cost funding rules.

SW is funded to provide capacity at Water and Waste Water Treatment Works for domestic demand. Funding will be allocated to carry out work at treatment works to provide growth in line with the Local Authority priorities. Developers should discuss delivery timescales directly with us.

If this development requires the existing network to be upgraded, to enable connection, the developer will generally meet these costs in advance. SW can make a contribution to these costs through Reasonable Cost funding rules. Costs can be reimbursed by us through Reasonable cost funding rules.

A totally separate drainage system will be required with the surface water discharging to a suitable outlet. SW requires a sustainable urban drainage system (SUDS) as detailed in Sewers for Scotland 2 if the system is to be considered for adoption.

SW's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements installed, subject to compliance with the current water byelaws. If the developer wishes to enquire about SW's procedure for checking the water pressure in the area then they should write to the Customer Connections department.

It is possible this proposed development may involve building over or obstruct access to existing SW infrastructure. On receipt of an application SW will provide advice that we will require to be implemented by the developer to protect our existing apparatus. Contact must be made with SW by the developer regarding the location of infrastructure at our Property Searches Department.

Representations

The application was advertised on 7 September 2012. There have been 28 letters of representation received, including from the Cockburn Association, objecting to the proposals. There has also been an online petition submitted containing 244 signatories.

The main points of objection/concern are:

- a) Issues relating to scale and design, addressed in assessment b);
 - scheme is too dense,
 - proposed flats are too high and out of keeping with surroundings,
 - architectural style and materials lack local, distinctive character,
 - house types do not maximise density,
 - height of proposed houses should reflect neighbouring properties,
 - lack of children's play areas,
 - changes to layout since consultation,
 - concept of landmark building inappropriate,
 - proposals for boundary treatments.

- b) Issues relating to road safety, addressed in assessment c);
 - access difficulties due to 40mph speed limit,
 - access difficulties due to one point of entry for over 200 units,
 - increased traffic on the road network,
 - lack of footpath on Buckstone Howe.

- c) Issues relating to infrastructure and local services, addressed in assessment f);
- proposal will add pressure to nursery, primary and secondary schools,
 - proposal will pressurise local services including doctor, dentist and public transport,
 - proposals do not provide any community gain,
 - increased flood risk,
 - proposals do not provide any local amenities.
- d) Issues relating to landscape and trees, addressed in assessment e);
- removal of mature trees,
 - loss of wildlife habitat, including bats,
 - loss of wind break,
 - reduction in size and quality of the 'Waterboard Field'.
- e) Issues relating to residential amenity, addressed in assessment d);
- loss of privacy,
 - loss of daylight and sunlight,
 - light pollution from new footpath,
 - potential anti-social behaviour,
 - noise and disruption,
 - loss of security to 'Waterboard Field'.
- f) Issues relating to the principle of development, addressed in assessment a);
- loss of green areas for housing.

Other issues raised, including the impact upon property values, loss of private views and construction issues, are not material to the assessment of this application.

Representations are available to view in the document list at [Planning & Building Standards online services](#).

Planning Policy

The application site is identified in the Edinburgh City Local Plan as a housing proposal (HSG 20).

Relevant Policies:

Relevant policies of the Edinburgh and Lothians Structure Plan Policy HOU2 supports the development of suitable urban brownfield sites for housing through re-use, redevelopment or conversion.

Relevant policies of the Edinburgh City Local Plan.

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

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

Policy Des 3 (Development Design) sets criteria for assessing development design.

Policy Des 4 (Layout Design) sets criteria for assessing layout design.

Policy Des 5 (External Spaces) sets criteria for assessing landscape design and external space elements of development.

Policy Des 6 (Sustainable Design & Construction) sets criteria for assessing the sustainable design and construction elements of development.

Policy Des 10 (Tall Buildings) sets out criteria for assessing proposals for tall buildings.

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

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.

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.

Policy Env 11 (Landscape Quality) establishes a presumption against development which would adversely affect important landscapes and landscape features.

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

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

Policy Env 17 (Flood Protection) sets criteria for assessing the impact of development on flood protection.

Policy Env 18 (Air, Water and Soil Quality) sets criteria for assessing the impact of development on air, water and soil quality.

Policy Os 3 (Open Space in New Development) sets out requirements for the provision of open space in new development.

Policy Hou 1 (Housing Development) supports housing on appropriate sites in the urban area, and on specific sites identified in the Plan.

Policy Hou 2 (Housing Mix) requires the provision of a mix of house types and sizes in new housing developments.

Policy Hou 3 (Private Open Space) sets out the requirements for the provision of private open space in housing development.

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

Policy Hou 7 (Affordable Housing) requires 25% affordable housing provision in residential development of twelve or more units.

Policy Com1 (Community Facilities) sets requirements for the provision of community facilities associated with large scale residential development, and the protection of existing community facilities.

Policy Com2 (School Contributions) sets the requirements for school contributions associated with new housing development.

Policy Tra 1 (Major Travel Generating Development) supports major travel generating development in the Central Area, and sets criteria for assessing major travel generating development elsewhere.

Policy Tra 4 (Private Car Parking) requires private car parking provision to comply with the parking levels set out in supplementary planning guidance, and sets criteria for assessing lower provision.

Policy Tra 5 (Private Cycle Parking) requires cycle parking provision in accordance with levels set out in supplementary guidance.

Policy Tra 6 (Design of Off-Street Car and Cycle Parking) sets criteria for assessing design of off-street car and cycle parking.

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

Relevant Non-Statutory Guidelines

Non-statutory guidelines 'The Edinburgh Standards for Housing' sets out principles and guidance whose aim is to achieve high quality, successful and sustainable residential developments.

Non-statutory guidelines on Edinburgh Standards for Urban Design sets criteria for the quality of design in new development to maintain and improve the visual image and identity of Edinburgh.

Non-statutory guidelines 'The Edinburgh Standards for Streets' sets out principles and guidance whose aim is to achieve a coherent and enhanced public realm.

Non-statutory guidelines 'The Edinburgh Standards for Sustainable Building' sets principles to assess the sustainability of major planning applications in Edinburgh.

Non-statutory guidelines on BIODIVERSITY sets objectives for habitat creation and enhancement, lists protected species and how developments can make provision for these, and lists the sites of national and local nature conservation interest.

Non-statutory guidelines 'DAYLIGHTING, PRIVACY AND SUNLIGHT' set criteria for assessing proposals in relation to these issues.

Non-statutory guidelines on 'QUALITY OF LANDSCAPES IN DEVELOPMENT' sets detailed design principles for hard and soft landscaping, including the retention of existing features, and relates these principles to different types of development.

Non-statutory guidelines The Protection of Key Views guideline aims to safeguard public views to those features which define Edinburgh's character. In order to achieve this, a number of key views have been specifically identified for protection. View cones for each key view have been separately defined. The impact of any proposed development on a key view will be assessed in terms of its effect on the view. While there will be a presumption in favour of protecting the views, it is recognised that the Edinburgh skyline has been formed by generations adding to and evolving the skyline. Positive additions to the skyline tend to be elegant and slender - spires and towers.

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

Non-statutory guidelines on 'PARKING STANDARDS' set the requirements for parking provision in developments.

Non-statutory guidelines on the 'SETTING OF LISTED BUILDINGS' supplement local plan conservation and design policies, providing guidance for the protection and enhancement of the setting of listed buildings.

Non-statutory guidelines on "Trees and Development" provides guidance on the information required to support planning applications in respect of tree protection, the retention of trees of landscape, biodiversity or amenity significance, and encourages new tree planting where appropriate.

Non-Statutory guidelines Draft 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 and landscape, in Edinburgh.

Appendix B



Application Type Approval of Matters Specified in Conds
Application Address: Fairmilehead Water Treatment Works
55 Buckstone Terrace
Edinburgh
EH10 6XH

Proposal: Proposed residential development
Reference No: 12/03027/AMC

Conditions/Reasons associated with the Recommendation

It is recommended that this application be Granted by Committee, subject to any conditions, reasons and informatives stated below.

Conditions:-

1. Prior to the occupation of any development on any part of the site, access enhancements to Buckstone Terrace shall be completed, as detailed in figure SK_102 of the Revised Transport Assessment (March 2011).
2. The approved landscaping scheme shall be fully implemented within six months of the completion of the development, and thereafter shall be maintained by the applicants and/or their successors to the entire satisfaction of the planning authority; maintenance shall include the replacement of plant stock which fails to survive, for whatever reason, as often as is required to ensure the establishment of the approved landscaping scheme.
3. Fully detailed proposals for work to manage or remove trees, planting to mitigate losses and to protect remaining trees, including the following details, shall be submitted to and approved in writing by the Head of Planning before work is commenced on site: -
 - i. Details of measures to protect trees that are to remain during construction in accordance with BS 5837: 2005: 'Code of Practice for Trees in Relation to Construction'.
 - ii. Details of road and path construction, service runs and changes in level that may affect tree root systems.
 - iii. Details of contractor's compounds, fences and storage, which may affect trees.

The proposals for protecting the woodland and trees are to be implemented before any other work is carried out on site.

4. No development shall take place until a scheme for protecting the residential development hereby approved from noise from the public house/restaurant, office plant and pump station has been submitted to and

approved in writing by the Head of Planning; all works which form part of the approved scheme shall be completed to the satisfaction of the Head of Planning before any part of the development is occupied.

5. i) Prior to the commencement of construction works on site:
a) A site survey (including intrusive investigation where necessary) must be carried out to establish to the satisfaction of the Head of Planning and Building Standards, 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 Head of Planning and Building Standards.
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 to the satisfaction of the Head of Planning and Building Standards.

6. No development shall take place until the applicant has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Head of Planning and Building Standards, having first been agreed by the City Archaeologist.

7. Prior to the commencement of any works, a scheme detailing surface water and drainage arrangements shall be submitted and agreed by the planning authority, in consultation with SEPA. The scheme shall be in accordance with an agreed surface water management strategy and include two levels of sustainable drainage (SUDS) surface water treatment. All work shall be carried out in accordance with the approved scheme prior to occupation of the development. The scheme shall be developed in accordance with the technical guidance contained in The SUDS Manual (C697) and should incorporate source control.

8. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Head of Planning and Building Standards before work is commenced on site; Note: samples of the materials may be required.

9. Prior to the commencement of development, details of all boundary treatments (overall site and individual plots) shall be submitted to and agreed by the Head of Planning.

10. Prior to the commencement of work on any flatted block, details of the bin and cycle stores shall be submitted to and agreed in writing by the Head of Planning.

11. Prior to the occupation of the first dwelling, details of the proposed play equipment and programme for implementation shall be submitted to and agreed in writing by the Head of Planning.

Reasons:-

1. In order to safeguard the interests of road safety.
2. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
3. In order to safeguard protected trees.
4. In order to protect the amenity of the occupiers of the development.
5. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.
6. In order to safeguard the interests of archaeological heritage.
7. To ensure the site is adequately drained and to prevent pollution of watercourses.
8. In order to enable the Head of Planning & Building Standards to consider this/these matter/s in detail.
9. In order to enable the Head of Planning & Building Standards to consider this/these matter/s in detail.
10. In order to enable the Head of Planning & Building Standards to consider this/these matter/s in detail.
11. In order to enable the Head of Planning & Building Standards to consider this/these matter/s in detail.

Informatives

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of two years from the date of this consent or from the date of subsequent approval of matters specified in conditions, or three years from the date of planning permission in principle, whichever is the later.

2. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.

3. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.

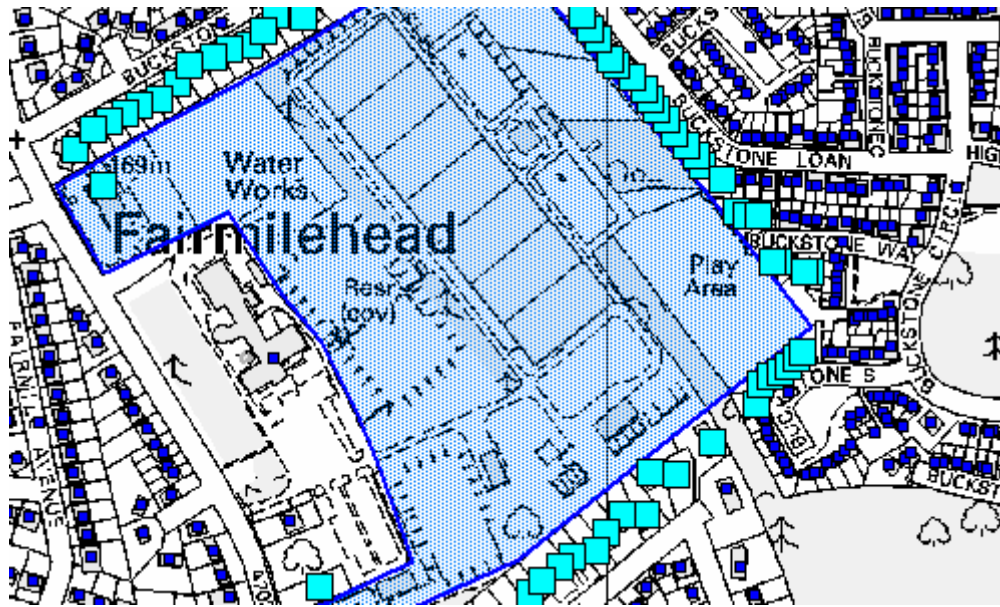
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Appendix C

Application Type Approval of Matters Specified in Conds

Proposal: Proposed residential development

Reference No: 12/03027/AMC



Location Plan

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