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**Sent:** 24 May 2018 12:48

**To:** Nicola Orr <[Nicola.Orr@edinburgh.gov.uk](mailto:Nicola.Orr@edinburgh.gov.uk)>

**Cc:** Neil Gardiner <[Neil.Gardiner@edinburgh.gov.uk](mailto:Neil.Gardiner@edinburgh.gov.uk)>; Ross Wilkinson (C&BCC); Ian Williamson (C&BCC); Graham Hutchison <[Graham.Hutchison@edinburgh.gov.uk](mailto:Graham.Hutchison@edinburgh.gov.uk)>; Kevin Lang <[Kevin.Lang@edinburgh.gov.uk](mailto:Kevin.Lang@edinburgh.gov.uk)>; Louise Young <[Louise.Young@edinburgh.gov.uk](mailto:Louise.Young@edinburgh.gov.uk)>; Norman Work <[Norman.Work@edinburgh.gov.uk](mailto:Norman.Work@edinburgh.gov.uk)>

**Subject:** Application 18/01755/FUL: Community Council's Further Request for Deferral

Dear Nicola (cc. Almond Councillors, Convenor of Development Management Sub-Committee)

**Application 18/01755/FUL – Cammo**

As Cramond & Barnton Community Council has statutory consultee status for planning purposes, the Community Council wishes this e-mail to be recorded as an initial consultation response, as its contents and the Council's subsequent responses may be referred to in any future review as to how the Council has processed and consulted on this planning application.

**The Community Council requests that planning officers review their decision of 23 May 2018 not to defer current assessments on the application, as requested in the Community Council's e-mail and accompanying paper of 23 May** (attached to this e-mail). The Council's response was that the Community Council should provide any submissions by 8 June and that ... *The Council has already requested further information from the developer, and is likely to request more once all of the consultation responses are received. If required, once further information is received there may be an additional period for comments to be made on this application.*

The above response accepts that the information supporting the application is deficient and provides no certainties to the Community Council or wider community as to how the Council proposes to notify interested parties of the new information, or whether a new consultation programme will be initiated. This is unsatisfactory and strengthens the Community Council's case for deferral of a decision on the application, as –

- a. The above response confirms that the Council has identified deficiencies in supporting information which it will continue to seek from the developers. This is in addition to the over 65 documents submitted by the developers and added to the planning portal between the validation date of 2 May and 23 May. This drip-feed of supporting material, much of which is essential to assessments of the proposals is unacceptable and indicates deficiencies in the validation process and need for a further consultation programme once full documentation is publicly available.
- b. The developers and Council cannot provide the Community Council and wider community with any certainties as to the funding or timing of delivery of essential infrastructure to support the needs of future residents and overcome the impacts of traffic generated by this development and other developments within the West Edinburgh SDA and beyond. An infrastructure implementation plan is required.
- c. The Community Council's e-mail of 23 May raised issues relating to the accuracy of the site boundaries shown on the plans and potentially the validity of the Land Certificate. This matter requires to be resolved before any planning decisions and burdens (e.g. planning obligations) can be completed.
- d. The Community Council's previous e-mail has identified substantial deficiencies in the supporting documentation, which are required to enable a full assessment of the application by the Community Council and wider community. This includes significant deficiencies in, for example –
  - the scope, data content and extent of assessments within the transport assessment

- assessments of the landscape impacts of the 3- and 4-storey apartment blocks
  - drainage proposals and assessments, as affecting northern boundary
  - assessment of traffic-generated air quality impacts, in an area where EU/UK standards are exceeded.
- e. The Community Council and others have identified a number of potential layout and design modifications which would enhance the quality and utility of the development. A deferral period would enable modification of the proposals, without necessarily, the need for re-submission of the application.

**In conclusion, the Community Council is seeking a review of the Planning Services decision to reject its previous request for deferral of assessments of this planning application.**

Best regards

## CRAMOND & BARNTON COMMUNITY COUNCIL

### REQUEST FOR DEFERRAL OF ASSESSMENTS AND DECISION ON CAMMO APPLICATION (18/01755/FUL)

While accepting that the Cammo site is allocated for residential development in the LDP, Cramond and Barnton Community Council (CC) are seeking deferral of the assessment and decision on the above planning application, until the following substantive issues have been resolved, –

- a. lack of clarity over **land ownership boundaries** on the northern edge of proposed development, with legal consequences for developers and residential property owners at Cammo Gardens and Cammo Grove
- b. uncertainties over **the delivery of infrastructure** essential to support the proposed development
- c. **landscape impacts of 3- and 4-storey flats** along Mauseley Park corridor and Maybury Road.
- d. **deficiencies in traffic assessments** supporting the application and concerns that the proposals will significantly exacerbate existing traffic issues in the local and wider areas.
- e. **drainage issues** along northern boundary, arising from the developers' proposals and above-mentioned ownership issues.

The Community Council would also wish the opportunity to seek modifications to specific design and layout aspects of the development, in ways which would enhance the development, but not necessarily require the submission of a new application. The above issues and potential amendments to the application are set out in more detail below and representatives of the Community Council will be pleased to discuss these with the developers and planning officers.

#### a. **Property Boundary Issues along Northern Boundary**

Since at least the PAC stage of the current proposals, and throughout the development of the previous proposals, representatives of the Community Council and Cammo Residents Association and property owners have emphasised issues arising from the lack of clarity and discrepancies between property boundaries shown on plans and those demarcated on the ground by fences, hedges, etc.. In some cases, boundaries have been extended beyond those in the residents' title deeds; however, the developers' have kindly indicated that they would be flexible and accept the *de facto* boundaries, rather than reverting precisely to property owners' deeds.

While appreciating the developers' acceptance that some proprietors may have extended their boundaries into the field margins, it is apparent to residents that reliance on an informal agreement is unsatisfactory and could lead to legal and planning issues; for example -

- a. any planning permissions, conditions and obligations would apply to all land within the 'red line' boundaries shown on the plans accompanying the application. However, such 'straight line' boundaries do not precisely reflect residential proprietors' title deeds and may not include parcels of land which may have been incorporated within their boundaries over a long period of occupation and may be covered by legal provision for prescription. **It is unacceptable to residential owners along the Cammo Gardens and Cammo Grove boundary that any parcels of their land may inadvertently be incorporated within land covered by planning decisions, conditions or obligations resulting from the current application.**
- b. where land has been possessed by residential neighbours and the developers are prepared to accept the on-the-ground boundaries, it is not sufficient for this to rely on a 'gentleman's agreement', as the current or a new owner of the development site could challenge this in future. Residential owners have concerns also regarding issues which may arise from uncertainties over the extent of their ownership/occupation of land in legal events, such as the sale of their property.

The above issues are not insurmountable and the Community Council has proposed consultations between the residents and developers to enable demarcation of mutually agreed boundaries for subsequent registration in the Scottish Land Registry. **Any planning decision should be deferred until property boundary issues along the northern boundary have been resolved.**

## **b. Implementation of Infrastructure to Support Development**

The Local Development Plan and Action Programme highlight some of the key infrastructure required to support this development (e.g. roads/junction improvements, schools, drainage) and the developers have emphasised their preparedness to comply with planning obligations to provide financial contributions towards essential infrastructure. However, discussions with Council staff have highlighted a current lack of Council commitment to the funding and provision of infrastructure for which the Council will be directly responsible. For example, insofar as the CC is aware –

- No timescale has been identified to improvements to Barnton Junction, other than improved signals control and provision for pedestrians and cyclists, as outlined in the LDP Action Programme, with the statement ... *Timescale to relate to nearby development*. Council officers have indicated that re-design of Barnton Junction, will not be undertaken until a study of Queensferry Road is completed (not scheduled) and any re-design ... *will not proceed unless there is a budget to do so*.
- While local GP practices are operating at/over capacity, the Action Programme states that a new West Edinburgh practice is still at the *exploring options stage*, with no delivery timescale.
- The Action Programme indicates *delivery dates of August-22* for a new West Edinburgh Secondary School and new Maybury primary/nursery school. However, the planning, design and development stages of these developments are at such an early stage that the community has no confidence of delivery by 2022 for either project. Hence, temporary accommodation is being proposed at existing schools, which are outwith acceptable walking distances and operating near/over capacity for their sites.

LDP policy Del 1 states ... *Development should only progress subject to sufficient infrastructure already being available or where it is demonstrated that it can be delivered at the appropriate time*; however, Senior Planning staff have indicated that ... *timeous provision of infrastructure is the ultimate aim, but cannot always be guaranteed* (note of CBCC/CEC/developer meeting, 22.2.18).

**The development should not be granted planning permission, until an infrastructure implementation plan has been agreed between the developers and City Council, which matches the funding and delivery of essential infrastructure to the phasing of key stages in the Cammo development and thereby provides the community and in-coming residents with confidence that LDP policy Del 1 will be upheld and the Cammo development will only proceed in phase with provision of essential infrastructure.**

## **c. Landscape Impacts of 4-/3-Storey Apartment Blocks**

The LDP brief for HSG 20 respects the importance of views of the Pentland Hills from the site and Maybury Road and views from the north through the site to the treed Craigs Road ridge and Pentland Hills are highly valued features of the landscape for Cammo residents, who along with the CC have argued for the safeguarding of such views throughout consultations on the LDP and previous/current planning applications.

The current proposals for substantial 4- and 3- storey apartment blocks along much of the northern and south-western edges of the Mauseley Park corridor, which comprises much of the highest ground within the site, will effectively 'close-off' medium-distance views of Craigs Road ridge and longer-distance views of the Pentlands from residential areas to the north.

The illustrative photomontages provide inadequate representation of wider landscape impacts and the CC has asked Cala to provide a topographical cross-section of the site from a high point within existing housing at Cammo (e.g. Cammo Parkway) across the site, showing heights of land and buildings along the Mauseley Park corridor to the Craigs Road ridge and including a representation of the Pentland Hills. This would illustrate the extent, if any, of views which may be retained across the site from north to south and beyond. In addition, a helium balloon test would demonstrate likely landscape impacts of the 3- and 4- storey buildings. **Without such information, the landscape effects of the development cannot be fully assessed and permission should be deferred, as the recommended assessments may demonstrate the need to relocate the apartment blocks from the northern side of Mauseley Park to a less prominent position, or a reduction in house numbers through reducing the apartment blocks to 2-storeys in height.**

While the developers have 'pulled back' the 4-storey apartment blocks from the edge of Maybury Road, these and the steep landscape/acoustic bund on the east side of Maybury Road will create a 'canyon' effect along northern sections of Maybury Road. Additionally, the noise assessments reveal that residents of these flats will suffer excessive noise intrusion, when in their gardens or using balconies facing Maybury Road. Hence, **the Community Council continues to advocate that apartment accommodation along Maybury Road should be restricted to 3-storeys in height.**

#### **d. Inadequacies in Traffic Assessments**

Traffic impacts of the proposed development, and the cumulative impacts of major new developments in North and West Edinburgh and beyond, comprise a principal basis for the community's objections to the proposals. The CC with support from transport engineers has assessed the Transport Assessment (TA) and found it inadequate in scope, basic data and assessments – especially assessments of traffic flows, congestion levels and time delays on key arterial roads and junctions which will be impacted by the development. Key deficiencies are highlighted in the Appendix below. Hence, **assessments of the planning application should be deferred until a more robust and comprehensive TA, which the community and Council's Planning Service can have confidence in, is completed.**

#### **e. Deficiencies in Air Quality Assessments**

The air quality assessments are deficient and largely derived from estimates/forecasts of average traffic speeds on key traffic corridors. They do not assess the air quality impacts of queuing traffic during saturation traffic flows at Barnton, Maybury and other junctions and crossings. As a result of the sensitivity of these junctions, any increase in volumes, however small, will exacerbate congestion and create disproportionate increases in exhaust gases and particulates emissions which are hazardous to health.

Data from the air quality monitor on Queensferry Road, east of Barnton Junction, shows PM10 particulate matter concentrations exceeding EU/UK regulation standards 8 times and NO<sub>2</sub> exceedances twice in 2017 ([www.scottishairquality.co.uk](http://www.scottishairquality.co.uk)). Additional traffic from the Cammo development, and cumulative traffic volumes generated by developments in West Edinburgh and beyond, along with new junctions and crossings on Maybury Road, will exacerbate traffic volumes and queuing on Maybury, Queensferry, Whitehouse and Glasgow Roads, with associated traffic generated pollution.

These issues should be of concern to the City Council in exercising its duties to ensure pollution levels do not exceed permitted health standards and to reduce exceedances where these occur. **More comprehensive assessments are required of the air pollution and health impacts of future traffic volumes, congestion and queuing at key junctions and traffic arteries in the vicinity of the proposed development.**

#### **f. Drainage Issues along Northern Boundary**

The *Flood Risk Assessment* (Kaya Consulting Ltd., 2018) refers to the redundant ditch along the northern boundary and suggests that this ditch along with the proposed 5m landscape buffer will be ... *more than sufficient* .. to pass any surface flows able to reach the ditch and ... *In this way an appropriate flow pathway will be maintained along the northern edge of the site, in the event of flooding from the ditch/culvert or from any of the Scottish Water services flowing along the edge of the site.* Similarly, a later statement indicates that ... *an appropriate flow pathway should be provided along the northern edge of the site to route flows emerging from sewers along the site boundary without flooding properties, within or outside of the site. Any water emerging from the sewers would flow along the low-lying ground along the northern edge of the site.* Sections of the lowest-lying ground along the northern boundary are in the ownership of adjacent property owners.

**Proposals to incorporate the redundant ditch as a flow pathway for flood water and sewerage overflows are totally unacceptable to owners of adjacent properties**, as property titles for many of the private homes along the northern boundary show their boundaries comprise the width of the ditch, some properties have incorporated all the ditch within their boundaries beyond the ditch, and the ditch has been filled-in along most of its length.

**Deferral of any planning decisions is required until suitable flood flow arrangements (storm and foul water flows) along the northern boundary of the site have been identified, which do not impinge on neighbouring properties in Cammo Gardens and Cammo Grove.**

**Minor modifications to layout, design and phasing of development** – the following small-scale recommendations should be able to be incorporated in amendments to the planning proposals without triggering the need for resubmission of a revised application.

- i. **Modifying the proposed Maybury Road foot-/cycle-path to create a segregated path** – the safety of users of the proposed joint-use path, set-back from and running parallel to Maybury Road, may be enhanced by construction of a segregated route, with raised footway and lower level cycleway. This may require a wider specification (e.g. 2m footway; 2.5/3m cycleway).
- ii. **Relocation of link path to Cammo Estate with associated parking area** – the proposed link path to Cammo Estate should be realigned to a more southerly location on Cammo Walk, north of the 90° bend in the road, and linking directly to the existing field entry within the Estate. This path realignment would reduce potential for disturbance to home owners on Cammo Walk, avoid the need to construct/maintain a bridge over the Bughtlin Burn, and reduce the likelihood of walkers creating a desire line entry into the Estate. In addition, experience suggests that some residents and professional dog walkers serving the new homes will use cars to access the Estate. As an alternative to driving to the Estate car park, which is frequently full and overflowing onto Cammo Walk, a small parking layby for 6-10 cars, with dedicated disabled parking, should be provided within the development, near where the link path exits the development.
- iii. **Review of proposed species for landscape buffer on northern boundary** – Consultations amongst adjacent owners have indicated concern over proposed planting of relatively large trees along the northern boundary (e.g. Cherry: >24m; Birch: >24m), which may over-shade their gardens, result in excessive root spread, etc.. A mix of native shrub species with some moderate sized trees would be preferred. It is suggested that the developers consult residents on species.
- iv. **Northern boundary treatment of Hub car park** - Construction of a wall rather than hedge between the Hub car park and properties in Cammo Gardens/Grove would provide a solid barrier; thereby enhancing security, while reducing potential noise and lighting nuisances.

Representatives of the Community Council will be happy to discuss this request for deferral of the planning application until deficiencies in the supporting assessments and other issues of concern to the local community are resolved. **As the deadline for submissions is 8 June, an early decision by Planning staff on this request would be appreciated, so that the Community Council can ensure that the community's views on this proposal are fully and appropriately represented.**

Best regards,

Ian Williamson, Secretary, Cramond & Barnton Community Council ([cramton17@gmail.com](mailto:cramton17@gmail.com))

Peter Scott, Planning Representative, Cramond & Barnton Community Council ([ps@scottplanning.co.uk](mailto:ps@scottplanning.co.uk))

## Appendix

### GRAMOND AND BARNTON COMMUNITY COUNCIL

#### REVIEW OF PROPOSED RESIDENTIAL DEVELOPMENT, CAMMO (HSG20): TRANSPORT ASSESSMENT (SWECO, 2018)

This initial review has been undertaken by Cramond & Barnton Community Council (CC) with support from professional traffic engineers. It has exposed a number of apparent deficiencies in the Traffic Assessment (TA), which result in the CC and its advisers having concerns over the comprehensiveness and reliability of the TA. As the Community Council has not, so far, been able to access the City of Edinburgh Council's (CEC) Scoping Report (omitted from Appendix A of TA) and advice on intended coverage of the TA, it has been unable to ascertain whether perceived shortfalls in the TA are a consequence of the Council's guidance on the scope of the TA, or deficiencies in SWECO's assessments.

#### Key Issues:

- a. **Scope of TA** - Current and future traffic volumes and characteristics are dependent on traffic volumes, roads and junctions capacities, etc., beyond those relating directly to the HSG 20 development, Maybury Road and its approaches to Barnton and Maybury Junctions, and development sites assessed in the WETA Study. The TA fails to adequately assess, for example, traffic volumes, congestion, etc. on Queensferry Road and Whitehouse Road - all of which have implications for traffic flows, queuing, etc. through Barnton Junction and beyond and knock-on effects on traffic flows and congestion on Maybury Road. In particular, **the assessments ignore data within the SESplan Cross Boundary Report relating to traffic generated by out-of-town developments on the A90 corridor and Barnton Junction, which the Cross Boundary Report identifies as operating in excess of capacity – currently and in traffic forecasts.** CBCC sought assurances at meetings with the Consultants and CEC staff that the TA would assess Cross Boundary traffic issues, in addition to those relating to West Edinburgh.
- b. **Strategic Importance of Maybury Road and Queensferry Road Corridors** – Recent reports have highlighted the scale and economic costs of congestion in Edinburgh. The TA ignores the strategic role of Maybury Road which is essentially a *de facto* extension of the City Bypass. **There are no data on the costs of traffic congestion and delays associated with the development of numerous new junctions and pedestrian crossings associated with the Cammo and Maybury developments, or the effects of additional traffic generated by the developments on congestion and delays on the Queensferry Road corridor, where traffic backs up to Telford Road in the evening peak.**
- c. **Reliance on WETA traffic data, without validation of WETA data and calibration of traffic model to take account of local traffic patterns** – The TA indicates data used for modelling traffic flows and junction capacities on Maybury Road and at the site access points were derived from the WETA study. There is no indication that –
  - the data were validated against on-the-ground surveys of traffic volume, queuing and time delay data for the northern section of Maybury Road, or key junctions (e.g. Barnton, Cammo Gardens, East Craigs/Bughtlin and Maybury Junctions), or that the traffic models were calibrated against such locally derived data. A related example, of discrepancies between the WETA information and observed reality are the peak traffic times (s. 7.3), as daily observations indicate that peak evening traffic flows are 17.00-19.30, not 17.00-18.00.
  - the assessments took account of the cumulative effects of the proposed new junctions and pedestrian crossings on traffic flows and congestion.

The modelling assessments in Figs. 7.2 and 7.3 are further flawed, as the calculations for the southern approaches to the two new junctions assume that continuing traffic flows along Maybury Road northwards towards Barnton will not be obstructed. However much of the time the Barnton Junction is over-capacity (as shown in Cross Border Study) and traffic is backed-up southwards on Maybury Road often as far as the location of the proposed southern access to the Cammo development, and certainly as far as the northern access point. Traffic turning in and out of Cammo Gardens further exacerbates traffic volumes and delays on this section of road (not assessed in TA).

In the above situations, traffic would not flow through the junctions, to clear the queues estimated in Figs. 7.2 and 7.3 and these would further build-up over time along with congestion and travel delays/costs on this strategic travel route. **Consequently, the data in Figs. 7.2 and 7.3 for traffic travelling northwards towards Barnton Junction are patently misleading, as these do not take account of queuing when traffic routes and junctions are at/near saturation levels.** Further data on queue lengths and time delays in the wider network – especially throughout Maybury Road and on Queensferry Road and Whitehouse Road - are required as part of the TA.

**Due to the deficiencies in baseline data and subsequent assessments, and, in particular, the lack of detailed traffic impact assessments for the northern section of Maybury Road and Barnton Junction and redesign requirements for the key junctions (see above), the community has little confidence in the assessments in section 7 of the TA.**

- d. **Issues of community severance have not been assessed** – Transport Scotland's *Transport Assessment Guidelines* (s. 5.19) state that transport assessments should identify any effects which a proposed development may have on ... *creating a barrier to access within the community ... and ... whether the level of traffic ... using nearby roads make links between parts of the community more difficult.*

CBCC's Barnton Junction Discussion Paper (provided to developers and CEC) highlights access/egress issues and roads safety hazards relating to the Cammo Gardens/Maybury Road and Pinegrove Gardens/ Maybury Road junctions. These issues have not been assessed and will be exacerbated by traffic generated by the Cammo development, unless traffic signal controls are installed to cover these junctions. Again, the CC brought such issues to the Consultants and CEC's attention and asked that these be considered in the TA.

- e. **Distance from schools and implications for travel modes** - The TA (Fig 4.2) shows that Cramond Primary School and the Royal High School – the interim schools serving the Cammo development prior to the new Maybury Primary and West Edinburgh High Schools being developed (still at early planning stage) – are some 2.4km/30 minute adult walking time, excluding major road crossings from the mid-point of the Cammo site. It is unrealistic to expect most primary pupils and many secondary pupils to walk such distances to school and PAN 75: Planning for Transport (Scottish Government) states that ... *A maximum threshold of 1600m for walking is broadly in line with observed travel behaviour. It is the case also that parents are unlikely to undertake two 4.8km (1 hour) return journeys to take primary pupils to/ collect pupils from Cramond Primary, which has current issues of parking congestion and road safety hazards associated with children drop-offs/collection.*

In respect of future schools' provision, Figure 4.2 illustrates that the site of the proposed Maybury Primary School (as shown in the LDP Brief) will be outwith the 1.6km threshold and potential sites mentioned for a new West Edinburgh High School are much more than 1.6km from the development site. Thus, **the TA's conclusion (s. 4.2.1) that ... the site is within a 1.6km (20 minute) walk of a range of amenities, such as schools ..., misrepresents reality and will prevent intended modal shift from car travel to schools being met.**

- f. **Provision for emergency services** – Currently, the hatched sections of Maybury Road are the only means whereby emergency service vehicles can bypass queuing traffic and speedily and safely travel along northern sections of Maybury Road, which is a strategic travel route in emergencies at the Airport, City Bypass, etc.. **The proposed removal of this non-traffic corridor and placement of new traffic islands, crossings and junctions will significantly reduce emergency response times. This issue has not been taken account of in the TA.**
- g. **Air quality issues** – there is no assessment of the impacts of additional traffic volumes and congestion on air quality on Maybury and Queensferry Roads. In the latter case NO<sub>2</sub> pollution exceeds acceptable standards due to congestion. The CC seeks further assessment of this important health issue in the Air Quality assessments.

## **Comprehensive Audit of the Transport Assessment**

In an e-mail dated 17.5.2018, Nicola Orr (CEC Planning) indicates that ... *The developer chose not to seek a Scoping Opinion from the Council ... and stated that they would rely on the work undertaken in the EIA associated with the previous PPP ... Therefore there is no Scoping Report for this current application.* **It is evident from the CC's assessment, that SWECO has been selective in the scope of the TA and data utilised, resulting in the TA being unreliable in scope and content. Consequently, the Community Council suggests that a comprehensive and independent audit of the TA be undertaken and that fuller and more reliable data be provided as a basis for the assessment of the planning application.**