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**Decision date: 19 December  
2017**

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS  
DEVELOPMENT MANAGEMENT PROCEDURE (SCOTLAND) REGULATIONS 2013**

Demolition of existing industrial/office building and erection of a care home for the elderly (class 8) with associated parking and landscaping (as amended)  
At 100 Telford Road Edinburgh EH4 2NF

**Application No: 17/02440/FUL**

**DECISION NOTICE**

With reference to your application for Planning Permission registered on 19 June 2017, this has been decided by **Local Delegated Decision**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **Granted** in accordance with the particulars given in the application.

Any condition(s) attached to this consent, with reasons for imposing them, or reasons for refusal, are shown below;

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

- a) A site survey (including intrusive investigation where necessary) must be carried out to establish, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and
- b) Where necessary, a detailed schedule of any required remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Planning Authority.

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

#### **Reasons:-**

1. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.

#### **Informatics:-**

It should be noted that:

1. Planning permission should not be issued until the applicant has entered into suitable planning obligations or made payment to contribute the sum of £2,000 towards a suitable order to stop up sections of road.
2. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
3. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
4. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.
5. The design and installation of any plant, machinery or equipment shall be such that any associated noise complies with NR25 when measured within any nearby living apartment, and no structure borne vibration is perceptible within any nearby living apartment.
6. The kitchen shall be ventilated by a system capable of achieving 30 air changes per hour, and the cooking effluvia shall be ducted to a suitable exhaust point to ensure that no cooking odours escape or are exhausted into any neighbouring premises, all to the satisfaction of the Planning Authority
7. The applicant must inform the Head of Planning if he intends installing a Combined Heat and Power plant (CHP), what fuel type will serve the CHP and what the power inputs/outputs will be. Any CHP must be compliant with the Clean Air Act 1993. As combined Heat and Power (gas) units are now common we recommend applicants to submit a chimney height application if they are installing any CHP or heating that is bigger than 366Kw output at the planning stage. This will ensure they comply with the Clean Air Act and provides planning with upfront details on how high the flue/chimney

will be. When available the applicant shall provide details of all the boilers to Environmental Protection to ensure compliance with the Clean Air Act 1993. Environmental Protection do not support the use of biomass. If the CHP/energy plant is bigger than 1Megawatt then the energy plant must be fitted with secondary abatement technology.

8. It is highlighted in Edinburgh's Local Transport Strategy 2014-2019 that the Council seeks to support increased use of low emission vehicles and support the extension of the network of Electric Vehicle (EV) charging points. The City of Edinburgh Parking Standards for Development Management also now encourages the use of EVs. It states that the Council is likely to introduce a requirement for EV charging infrastructure which depends on how charging technology evolves this includes:

- o Dedicated parking spaces with charging facilities.
- o Ducting and infrastructure to allow electric vehicles to be readily accommodated in the future.

Developers should now consider the potential for EV charging as they develop their proposals. Based on currently available technology Environmental Protection recommends that the site is served by at least one electric vehicle charging outlet and should be of the following standard;

70 or 50kW (100 Amp) DC with 43kW (64 Amp) AC unit. DC charge delivered via both JEVs G105 and 62196-3 sockets, the AC supply by a 62196-2 socket. Must have the ability to be de-rated to supply 25kW to any two of the three outlets simultaneously.

Grants may also be available for the installation of EV charge points more information can be found at;

<http://www.energysavingtrust.org.uk/scotland/Organisations/Transport/Electric-vehicles/Electric-Vehicle-Charge-Point-Funding>

We encourage the developer to work with this service to produce a Green Travel Plan which should incorporate the following measures to help mitigate traffic related air quality impacts;

1. Car Club facilities (electric and/or low emission vehicles).
2. Provision of electric vehicle charging facilities.
3. Public transport incentives.
4. Improved cycle/pedestrian facilities and links.

Environmental Protection also advise the applicant that all energy systems must comply with the Clean Air Act 1993 and that Environmental Protection will not support the use of biomass. Electric vehicle Charging outlet(s) should be of the following standard:

70 or 50kW (100 Amp) DC with 43kW (64 Amp) AC unit. DC charge delivered via both JEVs G105 and 62196-3 sockets, the AC supply by a 62196-2 socket. Must have the ability to be de-rated to supply 25kW to any two of the three outlets simultaneously.

Electric vehicle charging points should be installed in accordance with Transport Scotland's Switched On Scotland: A Roadmap to Widespread Adoption of Plug-in

Vehicles (2013). When available the applicant shall provide details of all the boilers to Environmental Assessment to ensure compliance with the Clean Air Act 1993.

9. Any works affecting the road must be carried out under permit and in accordance with the specifications. See Road Occupation Permits  
[http://www.edinburgh.gov.uk/downloads/file/1263/apply\\_for\\_permission\\_to\\_create\\_or\\_alter\\_a\\_driveway\\_or\\_other\\_access\\_point](http://www.edinburgh.gov.uk/downloads/file/1263/apply_for_permission_to_create_or_alter_a_driveway_or_other_access_point)

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

Please see the guidance notes on our [decision page](#) for further information, including how to appeal or review your decision.

Drawings 1-3, 4A-10A, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

The reason why the Council made this decision is as follows:

The proposal complies with the adopted Edinburgh Local Development Plan and the Council's non-statutory guidance. The principle of a care home on the site is acceptable. The scale, design and materials are satisfactory and there will be no unacceptable loss of residential amenity to existing residents. There are no road safety or car parking issues. There are no other material considerations which outweigh this conclusion.

This determination does not carry with it any necessary consent or approval for the proposed development under other statutory enactments.

Should you have a specific enquiry regarding this decision please contact Jennifer Zochowska directly on 0131 529 3793.

D R Leslie

David R. Leslie  
Chief Planning Officer

## NOTES

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months beginning with the date of this notice. The Notice of Review can be made online at [www.eplanning.scot](http://www.eplanning.scot) or forms can be downloaded from that website. Paper forms should be addressed to the City of Edinburgh Planning Local Review Body, G.2, Waverley Court, 4 East Market Street, Edinburgh, EH8 8BG. For enquiries about the Local Review Body, please email [localreviewbody@edinburgh.gov.uk](mailto:localreviewbody@edinburgh.gov.uk).
2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.