

CITY OF EDINBURGH COUNCIL (PORTOBELLO PARK) BILL

OBJECTION 46 – DUDDINGSTON CRESCENT RESIDENTS – JENNIFER PETERS AND 33 OTHERS

We, the undersigned as residents of Duddingston Crescent wish to object to the above Bill being promoted by City of Edinburgh Council. Our objection(s) are set out below.

We object in the strongest terms to this Bill which aims to change the status of Portobello Park so as to permit the City of Edinburgh Council to appropriate it for the purposes of the Council's functions as an education authority. CEC council have themselves, in their own reports, identified alternative sites, therefore there is no justifiable reason that this park needs to be used as the site for this school.

We object to the loss of the park as a valuable asset to the community one of the few freely available places available for our children to play, play football, walk, run, etc. It is questionable whether the benefit of building the school on the Park outweighs the loss of such an important open space. Our objection also relates to the way in which the park has been arrived at as the most appropriate site for the school. James Gillespie's (approx 1100pupils) is currently being rebuilt on its existing 2 hectare site and Boroughmuir (approx 1100pupils) has been allocated a 1 hectare section of a much larger ex-industrial site for its new build. CEC have already acknowledged that a rebuild on the existing site 2.9 hectare site is possible for Portobello High School (1400 pupils), so why have they caused years of delay and legal costs in order to build on a seemingly extravagant 6.4 Hectare site? **We have strong concerns that it will set the precedent that will allow all other common good land in Scotland to be developed.**

We object strongly to the principle that if councils do not like the rule of law, they have it overturned with a Bill. Where will this end and what message does it give out?. We have strong concerns over the precedent this will set for the rest of Scotland; already some common good land has been developed as a result of communities not understanding their rights or acting on it.

City of Edinburgh Council's **Policy OS1 Open Space Protection** states that:

Proposals involving the loss of open space will not be permitted unless it is demonstrated that:

- a) there will be no significant impact on the quality or character of the local environment*
- b) the open space is a small part of a larger area or of limited amenity or leisure value and there is a significant over-provision of open space serving the immediate area and*
- c) the loss would not be detrimental to the wider network including its continuity or biodiversity value and either*
- d) there will be a local benefit in allowing the development in terms of either alternative equivalent provision being made or improvement to an existing public park or other open space or*
- e) the development is for a community purpose and the benefits to the local community outweigh the loss.*

They have not demonstrated this.

The whole park is lost, if not for the school building itself, then for the car park and astroturf pitches which will not be freely available to all despite what CEC say. The suggestion that the small green space that is left is open to all is misleading. Most schools do not permit general public on campus during school hours.

is this really to be encouraged? The reality is that this whole site is no longer available to the whole community.

We object to the use of the consultation process carried out by CEC being used as evidence for the Bill. This process was heavily flawed.

- Duddingston Crescent is directly affected by the proposal yet we were 5 weeks in to an 8 week consultation process before we received any information from CEC.
- The literature when it did arrive was misleading and biased towards the result the council wanted. There were no details of the alternative sites
- The literature states that this Bill will 'absolutely not' affect other parks and open spaces. This is in itself true, but misleading because it is the precedent the Bill sets that will affect other parks and open spaces, not this Bill itself. Many in the community took this reassurance at face value and have therefore been misled
- The inclusion in the consultation material of the question asking what people want the replacement green space to be is irrelevant to a consultation on the Private Bill. It was clearly there to mislead and entice support for the Bill.
- Allowing children to vote where there can be no verification of these children's' existence invalidates the responses from all. These children were told nothing of the alternative options even if they were at a stage where an informed decision could have been given
- The consultation was carried out in the catchment area only and significant campaigning for yes votes was permitted in school playgrounds
- It is now widely presented that 76% voted in favour of the Bill. The reality is it is only 76% of the people who voted (includes the unverified children). Many in our community who don't own computers or don't have kids of school age were unaware a consultation was going on. The actual percentage of the whole community who support this Bill is a significantly lower figure
- The consultation meetings held were allowed to descend into personal comment and argument between those with opposing views and CEC did not discourage this.

With regard to the proposals to build the school on Portobello Park, **we object** to this as it will result in a significant impact on the locality (as acknowledged in the appropriate sections of the Environmental Statement dealing with Townscape and Visual Impacts). The change in character from a large open expanse along one of the main routes into the city to a space occupied by buildings, artificial pitches, car parking and all the congestion that comes with that is a significant change to the character of this section of Milton Road which has not been adequately assessed or mitigated against.

We object to the loss of up to 14 mature trees if the proposed development is allowed to go ahead. What will happen to the wildlife that currently inhabits or visits the park? Bats, woodpeckers, redwings, thrushes, sparrowhawks, squirrels and many more will all be affected.

Over the last 6 years we have seen a significant decline in the maintenance of this park, to a level that at times it became unusable even for dog walking as the grass was so high. CEC have not allowed events to be held on the park due to 'health and safety' reasons and the goalposts were removed, resulting in the local football teams disbanding or finding alternative pitches.

We object to the light pollution that will result from the school and floodlit playing fields in such a residential area.

We object to the increased level of traffic that will inevitably come from parents 'dropping off' on what is already a heavily congested main artery road. There are strong concerns around the appropriateness of this site given the traffic and congestion issues. Crossing this road or cycling along it will be a safety challenge for school children. CEC are yet to provide solutions to a significant number of safety concerns raised at the initial planning consultations held 2 years ago and re-raised at the recently held planning re-application consultations. We were advised that these issues would be considered at a future planning stage. Surely safety is

fundamental in the earliest stages of planning any school. **Please see attached note on road safety and traffic issues.**

We object to the loss of our views over the Firth of Forth towards Fife.

We all believe our interests would be adversely affected by the Bill. The significant loss of amenity, the increase in traffic movement and congestion, the potential light pollution will make this a less desirable place to stay and this will result in a reduction in the value of properties around the park.

We urge you to stop this Bill as early in the process as possible so that CEC know they are not above the law and common good land is not a bonus in their development fund.

21 June 2013

MILTON ROAD SAFETY AND TRAFFIC ISSUES

The A1 (Milton Road) is a Greenway & District Distributor Road (DDR). Key route for all users to & from east Edinburgh, East Lothian, Midlothian and the South(A1, A68).

CEC and Scottish Ministers have invested tens of millions of pounds on Newcraighall and Brunstane Stations, P&R and A1 Quality Bus Corridor.

New access onto A1 must be discouraged as it will increase congestion and increase accident potential to school pupils.

At AM & PM peaks & school (1500 – 1600) A1 is single carriageway because of bus lane operation and will have to cope with 1300 vehicles per hour and new trips including right turns & new Toucan crossing – this will result in congestion and accident risk to school pupils and other road users. It will also significantly devalue the multimillion investment in the public transport infrastructure.

School development will increase congestion and increase potential for accidents on A1 Greenway & District Distributor Road (DDR).

School Run brings 21% of children to school every day, therefore for a 1400 school this means 294 pupils. There is no safe provision for dropping off/picking up pupils and therefore on cold wet days there will be congestion on Milton Road caused by pupils being dropped off outside new school. This will also lead to increase likelihood for accidents for school children and local residents.

Developers should ensure new developments provide adequate accessibility for people with disabilities. There are existing narrow footways, and no safe harbour area or central reserve refuge areas at crossing points etc.

Parking provision only for teachers and limited visitors. No provision for parents, night school classes or users of sports facilities. This will lead to congestion and confusion on adjoining streets which are not appropriate for traffic of this nature and will lead to accident risk to pupils and other road users.

New Pedestrian Access with Toucan Crossing on Milton Road is proposed around Duddingston Crescent, this would create unsafe access and egress to adjacent properties and cause confusion and accident risk to pupils and other road users. **No road safety audit has been carried out to assess this hazard.**

Width of footway on north side of Milton Road between Park Avenue and Duddingston Park is very narrow, less than 4ft at streetlight. There are also 2 vehicular accesses for Park Avenue and Duddingston Park. School proposal will generate significant pupils (>500) using this footway going to and from school in morning, lunchtime to shops and afternoon. When bus lane is in operation 2 lane eastbound traffic is competing for outside lane. This is very dangerous situation for pedestrians. **No road safety audit has been carried out to assess this hazard.**

During peak periods when bus lanes are in operation on Milton Road and Duddingston Park these roads are heavily congested and the bus lanes are regularly abused. This will make it very dangerous for cyclists on Milton Road and Duddingston Park.

There is a lack of right turn ghost island safe storage areas for traffic turning right from or into Milton Road at Hope Lane (**substandard**), Baillie Place (**substandard**) and Park Avenue (**nil**). There is also substandard visibility to the east at Hope Lane. The additional traffic movements will lead to congestion at peak hours and the likelihood of increased accident potential.

New Main Access for proposed new school onto Milton Road - good roads design practice recommends that there should be no direct access from major developments onto Key Strategic Route, namely A1 Milton Road. Increased traffic movements will lead to additional congestion at peak times, AM, school, PM. During AM peak A1 westbound traffic into city is stationary and queued back past the proposed school access from Duddingston Park traffic signals. This will lead to increased congestion, dangerous manoeuvres and abuse of bus lanes leading to very high accident risks. New access is also opposite vehicular access to Duddingston Crescent – this would be very dangerous. **No road safety audit has been carried out to assess this hazard.**

A 20mph speed limit on Milton Road along the proposed school frontage is not appropriate on a 4 lane strategic route. It will encourage further abuse of the bus lanes, and rat running through Magdalene, Hope Lane and Park Avenue – none of these roads will be regularly policed and this will inevitably lead to accidents.