CITY OF EDINBURGH COUNCIL (PORTOBELLO PARK) BILL

OBJECTION 29 – IAN ROSS

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I am objecting to the Portobello Park Private Bill, which is being promoted by the City of Edinburgh Council. I object to the whole of the bill.

My reasons are as follows:

Three senior judges of the Court of Session ruled last year that Portobello Park cannot be built on as it is inalienable common good land. City of Edinburgh Council should not be pursuing a private bill to get around this ruling. The law has spoken and they should abide by it.

The park deed clearly says that the land should be kept for public recreation purposes for the people of Edinburgh in perpetuity and this original purpose should be retained.

The council has identified other suitable sites for the rebuild of the school, i.e. the current site and Baileyfield at Portobello High Street, both brownfield land. One of these options should be progressed instead of trying to build on public parkland that belongs to us all.

This bill, if successful, would set an example for other councils to follow and take common good land to develop for inappropriate purposes. This could set a precedent that would put common good land and green space across Scotland under threat.

My interests would be seriously affected and I have listed these below.

Green Space

I have lived in Park Avenue for the past 30 years. My family have enjoyed the fantastic amenities of the park throughout this time. My 4 children all learned to ride their bikes in the safe environment of the park before venturing on to the road network. They all used the full facilities of the park, playing games such as football, rugby, golf, running, training etc. We have also enjoyed the flora and fauna of the park environs and many of the family school projects were based on life in the park. Our dog also benefits from being walked every day in the park – this is good exercise for both the dog and the walkers! Many long lasting friendships have been established for all members of the family through playing games and sport and meeting like-minded families in Portobello Park. Access to green space is proven to have significant health benefits and a precedent being set could put at risk my parks and green space, which I use regularly. This would lead to a reduction in my amenity and have a negative impact on my health, both physical and mental.
The park facilities have helped to keep all our family fit and in good health. The park has also helped to shape the career of my family and indeed my daughter [redacted] and son [redacted] went on to Moray House and achieved PE degrees. [redacted] is now a Lecturer in Sports, Leisure and Exercise Science at [redacted] and [redacted] is a professional rugby player and has won over 20 caps for Scotland. I strongly believe that the facilities in Portobello Park have hugely contributed to their career development. I am sure that thousands of other families in and around Portobello have benefitted and enjoyed the facilities of the park over the last 100 years and more after it was handed over to residents of Edinburgh for recreation purposes.

Portobello Park and Golf Course is one of the most significant open spaces in the Portobello area and should be protected through the policy of the Edinburgh and Lothian Structure Plan.

The park is part of the overall space which forms the golf course and the park. The Open Space Strategy developed by ECC does not indicate an over provision for this part of the city. The loss of the park as a flat, green, accessible grassed area will not be compensated for. The ability to use the space as a flat formal or informal kickabout pitch for all varieties of sport would not be replaced.

The loss of Portobello Park to the school development would severely compromise the integrity and function of this space to make it unusable as a park. The Golf Course should remain however this is deemed to be an inaccessible open space as defined by Edinburgh City Council in the Open Space Strategy. The proposed school development would also result in the loss of 50% of the Millenium planting as well as a significant number of mature trees.

If the proposed school is built in Portobello Park the existing amenity (25% of Portobello’s parkland) would be lost forever and this will be a sad loss for the residents of Portobello and all current and future users of the park. There has already been green space loss in the Portobello area in recent years with Meadowbank and Jock’s Lodge.

**Transport Assessment**

I am a practicing Civil Engineer with over 40 years (38 years Chartered) experience and have throughout this time worked in the Roads and Transportation sector. I worked for 28 years with Scottish Executive (now Transport Scotland). Before leaving in 1999 I was Director of the trunk road Network Management Division and was responsible for the management and maintenance of the Scottish Trunk Road network – this involved road and bridge design and maintenance as well as setting up the safety unit and commenting on major and minor development applications adjacent to the trunk road network.

In 1999 I joined [redacted], a multidisciplinary consultancy, and became its Roads and Transportation Director in Scotland. [redacted] provide consultancy services to Transport Scotland and to a large number of Scottish Local Authorities. [redacted] developed the ‘Safer Routes to Schools’ Travel Plans in Hertfordshire around 2001 and rolled these techniques throughout the UK. Since 2005 I have been heavily involved in winning for Scotland Transerv ([redacted]) the contracts for the Management and
Maintenance of the North and SouthWest Units for Transport Scotland. Before becoming a consultant to Scotland Transerv in October 2010 I was Technical Director for these contracts. I was responsible for 70 technical staff including a Transportation and Road Safety team which includes 3 Team Leader Safety Auditors.

I carried out a detailed review of the new Portobello High School Transport Assessment carried out by Edinburgh City Council, (see attached Executive Summary and Key Findings) which provides detailed comments and challenges the statements, findings and recommendations.

The Transport Assessment does not address the wider transport issues of the east and south of the city, nor does it address the congestion and significant road safety issues on the adjoining road network which would be created if the major development of the New Portobello High School was to be constructed on the Portobello Park site.

These issues were again raised in May 2013 at a Public Meeting in Portobello Town Hall – the City Council Management Team could not provide satisfactory answers to any of these traffic and road safety issues. The independent Chairman (an ex Deputy Police Constable of Lothian and Borders Police) was clearly concerned that the Management Team could not satisfactorily address the traffic and road safety issues and they were advised to ‘go back to the drawing board’.

The Executive Summary and Key Findings (and the attached Summary of Traffic and Road Safety Issues) clearly prove that the existing road network and improvements proposed as part of the school development would not provide appropriate access and transport provision to support the sustainable operation of the new school on the proposed site and the proposed new school should not be constructed on Portobello Park.

The evidence is so overwhelming that no mitigation measures to address the traffic and road safety issues could be put in place to address the serious shortcomings of the proposed school development on Portobello Park.

**Design and Visual Impact of Proposed New School**

I believe that the quality of the building design and layout would not be of a standard suitable for this prominent, highly visible location on a main artery into the city. The 5 metre high fence surrounding the school would also provide a very unwelcoming visual impact to local residents and visitors to the school and the park. The protected view to Arthur’s Seat and views to the Forth and Fife will be lost. In addition the whole development will be lit and the football pitches will be floodlit into the evening cause unwelcome noise and light pollution to the local residents.

I hope that you will give careful consideration to objection and reject this bill.

21 June 2013
EXECUTIVE SUMMARY AND KEY FINDINGS

A detailed review of the new Portobello High School Transport Assessment has been carried out and the attached table provides detailed comments and challenges the statements, findings and recommendations.

The Transport Assessment does not address the wider transport issues of the east and south of the city, nor does it address the congestion and significant road safety issues on the adjoining road network which would be created if the major development of the New Portobello High School was to be constructed on the Portobello Park site.

This summary will address 4 issues namely public transport infrastructure, traffic impact assessment on adjoining road network, travel plans and conclusions.

Public Transport Infrastructure

A199 Milton Road is a Greenway & District Distributer Road (DDR) and is the strategic route for all users into and out of the city 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, Park & Ride and A199 Quality Bus Corridor.

The new school proposal clearly does not meet the aims, objectives and policies of the City of Edinburgh Local Transport Policy 2007-2012 (LTP).

‘The LTP recognises congestion as a significant problem in Edinburgh and is unquestionably one that has the potential to worsen significantly – a particular problem is the school run. To facilitate reliable and convenient access to the city and movement within it, in particular reducing congestion – continue the development of bus priority measures.’
Planning ‘Good Practice’ advises planning authorities to consider the effects of congestion and road safety when considering major planning applications particularly when they affect strategic routes.

The proposed development of Portobello High School with a direct vehicular access and pedestrian access onto A199 Milton Road would cause severe congestion on the public transport infrastructure including the quality bus corridor. This would devalue the multimillion pound public transport infrastructure funded by CEC and the Scottish Ministers. There would also be a severe accident risk to pupils and other vulnerable road users walking along and crossing the A199 as a result of significant additional trips and turning manoeuvres on the A199 Milton Road and adjoining road network.
Traffic Impact Assessment

The A199 Milton Road is a 4 lane carriageway, however it acts as a single carriageway when the bus lanes are in operation. During the AM peak (around 0800 -0900 hours) the westbound (city) traffic is constantly queued back east of the proposed new access to the school to the pedestrian crossing at Hope Lane and often to the Milton Link from the Milton Road/Duddingston Park traffic signals.

The additional trips generated by the proposed school together with pedestrian demands at the proposed new Toucan crossing and the constant additional demand for pupils wishing to cross the A199 at the crossing points at Hope Lane and Duddingston Park would cause additional congestion and queues back to the A1 Milton Link. This would result in traffic chaos in the morning peak for traffic from the east and south heading towards the city centre and north Edinburgh.

There are similar eastbound queues back to Park Avenue on the A199 Milton Road during the PM peak when the bus lanes are in operation. Again the proposed school development would generate additional trips and right turning manoeuvres which would significantly increase the congestion and create a severe accident risk.

The proposed new vehicular access would be immediately opposite the vehicular accesses to numbers 17 and 16 Duddingston Crescent and the proposed Toucan crossing would be immediately opposite the vehicular accesses to numbers 12 (Ayntrree Guest House) and 11 Duddingston Crescent. This would clearly be unsafe and would not be approved by a competent safety auditor.
The recent planning application to turn a house into a nursery at 26 Duddingston Crescent was correctly refused by CEC on the grounds of road safety – the proposal for the new vehicular access and Toucan crossing to serve the proposed new school would result in a significantly more serious road safety situation.

There is a proposal for a part time 20mph speed limit on the A199 Milton Road along the site frontage. Speed limits only operate successfully when drivers identify hazards and understand need. Drivers will not recognise need for 20mph on 4 lane strategic bus corridor. The proposal to extend the timing of the bus lane from 1500-1600 will increase congestion and encourage further abuse of the bus lanes and inevitably lead to potential accident risks.

Abuse of bus lanes during peak AM hours

Park Avenue is a General Access Road and it has houses on the west side only. However on the section of Park Avenue between Milton Road and Park Lane, only 5 of the 25 house have off street parking and there is therefore parking on both sides of Park Avenue. Visitors to Duddingston Crescent also park at the top of Park Avenue. With parking on both sides of Park Avenue the road is not wide enough for 2 way traffic.

Existing parking on Park Avenue prohibits 2 way flow

Existing parking on Hope Lane prohibits 2 way flow

Hope Lane is a General Access Road which serves the 300 houses in the Christian Estate and acts as a link road via the golf club house to Stanley Street. Hope Lane is narrow and a single parked car would prohibit 2 way flow.
Off street parking and drop off/pick up areas for the proposed new school are proposed in Park Avenue and Hope Lane. The Transport Assessment predicts that 14% of pupils will be taken to school by car and with a 1.4 occupancy this would equate to an additional 140 trips in morning and afternoon. However this conflicts with Scotland’s National Transport Strategy which quotes 21% of pupils travel by car. In addition PAN 75 states that the maximum acceptable walk distance on foot is 1600m (one mile). The Transport Assessment states that the majority (say 52%-80%) of secondary pupils live within 2 miles of the proposed school – therefore statistically 26%-40% will live within one mile (1600m) and walk to school. This is significantly different from the 76% which the Transport Assessment assumes. Using mean 33% walking to school and same proportionate mode for remainder as TA 5.2.1 would give the following Mode Share

<table>
<thead>
<tr>
<th>Mode</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Walk</td>
<td>33%</td>
</tr>
<tr>
<td>Cycle</td>
<td>12.5%</td>
</tr>
<tr>
<td>Public transport</td>
<td>15.5%</td>
</tr>
<tr>
<td>Car</td>
<td>39%</td>
</tr>
</tbody>
</table>

Using PAN 75 and the National Transport Strategy, the Mode Share breakdown in the Transport Assessment is clearly wrong – probably understating the car mode by at least a factor of 2 (14% cf 28%). This is frightening as this would increase the number of additionally generated pupil car trips from 140 to at least 280. It is also noted that the Transport Assessment does not address the question of off street parking for night classes or the local community using the school amenity and recreational facilities.

The drop off/pick up of 140 (or as demonstrated) 280 pupil car trips in the morning and afternoon in Park Avenue and Hope Lane would cause severe congestion, confusion and would present a serious accident risk to the high level of pupils walking and cycling to school on these sections of road. If there were an additional 28% car trips, then this would equate to 363 total additional trips including the 83 teacher trips on the A199 Milton Road corridor which would represent an increase of 28% on the current AM peak of 1300 vph.

The Transport Assessment 7.7 indicates that the Milton Road/Park Avenue junction works well in the AM and school peak periods. This is not the case as it is currently (without the additional school generated car trips) impossible to make a right turn out of Park Avenue during the AM peak as the westbound (city) traffic is queued back past the proposed new school access. A similar situation would occur at the Milton Road/Hope Lane junction in the pm school period and it would not be possible to safely make a left or right movement from Hope Lane onto Milton Road as the eastbound traffic would be queued back from the Milton Link with the bus lane in operation. Visibility to the left (east) is also poor for the more difficult right turn manoeuvres. A competent road safety auditor could not approve these proposals.
It must be assumed the authors of the Traffic Assessment have not regularly visited the road network to see and understand the existing traffic movements.

There is also a proposal for a secondary access from the proposed new school on to Park Avenue. This access would be used for deliveries and uplifting waste in HGVs/LGVs to and from the proposed new school. This would cause additional congestion, confusion and potential accident risks in Park Avenue. The proposed access appears to be opposite the vehicular access to 10 Park Avenue – this would be dangerous and a competent road safety auditor could not approve this layout.
PORTOBELLO HIGH SCHOOL

SUMMARY OF TRAFFIC AND ROAD SAFETY ISSUES

1. A199 Milton Road is a Greenway & District Distributer Road (DDR) and is the strategic route for all users into and out of the city from east Edinburgh, East Lothian, Midlothian and the south (A1, A68).

2. Milton Road is a 4 lane carriageway, however it acts as a single carriageway when the bus lanes are in operation. During the AM peak (around 0800 -0900 hours) the westbound (city) traffic is constantly queued back east of the proposed new access to the school to the pedestrian crossing at Hope Lane and often to the Milton Link from the Milton Road/Duddingston Park traffic signals.

3. This currently results in frustration for drivers and causes a significant number of drivers taking the following evasive actions (photographs in report)
   - Abusing the bus lane
   - 'rat-running' down Hope Lane or Park Avenue
   - 'rat-running' through Magdelene past the primary school

4. The proposed development of Portobello High School for 1400 pupils with a direct vehicular access and pedestrian access onto Milton Road would generate significant additional car and pedestrian trips. These turning movements and pedestrian crossing delays would occur at the peak morning traffic flows and would cause further queues and delays on Milton Road and would cause queues on a daily basis back to Milton Link.

5. As a result this will cause traffic chaos in the morning peak for the traffic including buses from the east and south heading into the city centre and north Edinburgh. It would also result in devaluing the multimillion pound public transport corridor funded by CEC and Scottish Ministers.
6. It would also encourage drivers to take further evasive action as stated in 3 above and this will result in a severe accident risk for pupils walking and being dropped off for school, local residents and other vulnerable road users on Milton Road, Hope Lane, Park Avenue and Magdalene Drive.

7. Major Developments with complex traffic movements require traffic models to demonstrate that the traffic with the new road layout will operate effectively and efficiently after a development is constructed. A traffic model has not been developed for Portobello High School.

8. In addition a road safety audit should be carried out on all proposed major developments where there will be a significant change to the road layout. A road safety audit has not been carried out for the proposed Portobello High School. Significant road safety risks would exist at a number of locations including
   - Milton Road/Duddingston Crescent – pupils/pedestrians, car accessing and egressing properties on Duddingston Crescent
   - Milton Road/Duddingston Crescent – pupils/pedestrians walking on narrow south footpath, crossing road at new vehicular/pedestrian access
   - Milton Road – pupils/pedestrians, walking on narrow (less than 1.5 metres) north footpath between Duddingston Park and Park Avenue
   - Milton Road – lack of refuge/harbour areas at crossing points for pupils, pedestrians and the disabled
   - Hope Lane – pupils/pedestrians being dropped off/picked up on narrow road which is unsuitable for predicted traffic
   - Park Avenue – pupils/pedestrians being dropped off/picked up on narrow road which is unsuitable for predicted traffic
   - Park Avenue – at new secondary access which is unsuitable for goods vehicle traffic
9. I have spoken to the Road Safety Officer and the Road Policing Unit at Lothian and Borders Police. I was advised that the Police had not been consulted on this application. When I described the direct access onto Milton Road they were very concerned not least as the Police have had to resolve a number of road safety issues on recent new schools in Edinburgh. The Police were keen to know whether a road safety audit had been carried out.

10. A recent planning application to turn a house into a nursery at 26 Duddingston Crescent was correctly refused in my opinion on road safety grounds – however the road safety issues associated with the proposed new Portobello High School are major and far more serious in road safety terms and should be refused.

11. The Transport Assessment was clearly not carried out by engineers who understood the traffic movements in the vicinity of the proposed school. Examples of this are
- 4.6.7 ....Harry Lauder Road is the main connector between Milton Road and Portobello
- 7.7 ....The assessment indicates that the Park Avenue/Milton Road junction operates well within normal acceptable limits during the weekday AM and School peak periods. In the morning peak there is a 400 metre westbound queue!
- The issue of the queues through the new access in the morning and evening are not discussed

Statements like that question the credibility and competency of the authors. In addition many of the issues listed above were discussed with the CEC Project Manager and Transport Consultant at a meeting in Portobello School in August.