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**APPLICATION FOR PLANNING PERMISSION 18/00735/DPP FOR THE ERECTION OF A COMMUNITY FACILITY INCORPORATING PRIMARY SCHOOL; EARLY YEARS PROVISION; LIBRARY AND LEISURE FACILITIES AT LAND AT DANDERHALL PRIMARY SCHOOL AND DANDERHALL RECREATION GROUND, EDMONSTONE ROAD, DANDERHALL**

Report by Director of Education, Communities and Economy

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**1 SUMMARY OF APPLICATION AND RECOMMENDED DECISION**

- 1.1 The application is for the erection of a community facility incorporating primary school; early years provision; library and leisure facilities at land at Danderhall Primary School and Danderhall Recreation Ground, Edmonstone Road, Danderhall. There have been no representations received and consultation responses from the Scottish Environment Protection Agency, the Coal Authority, Historic Environment Scotland, the Council's Archaeology Advisor, the Council's Environmental Health Manager and the Council's Policy and Roads Safety Manager.**
- 1.2 The relevant development plan policies are DEV2, DEV5, DEV6, DEV7, DEV8, DEV10, TRAN1, TRAN5, ENV9, ENV0, ENV11, ENV15, ENV22, ENV25 IMP1 and IMP3 of the Midlothian Local Development Plan 2017. The recommendation is to grant planning permission subject to conditions.**

**2 LOCATION AND SITE DESCRIPTION**

- 2.1 The 3.30 hectare site straddles Edmonstone Road and comprises the site of the existing Danderhall Primary School and grounds to the south of the road and the recreational ground to the north of the road. The southern part of the site (the existing school site) is bounded by housing. The northern part of the site (the recreation ground) is bound by woodland to the north and west and a social club (Danderhall Miners' Club), bowling green, sports facility, a play area and the recreational ground to the east.**
- 2.2 The Woolmet House Gateway and stone built boundary wall, a category A listed building, is located at the Danderhall Miners' Club in close proximity to the northern boundary of the site.**

- 2.3 There is a row of trees on the southern boundary of the site fronting onto Woolmet Crescent, a row of trees on the southern part of the recreation ground fronting Edmonstone Road and a cluster of trees in the north-eastern part of the existing school site.

### **3 PROPOSAL**

- 3.1 It is proposed to erect a community facility incorporating primary school; early years provision; library and leisure facilities. The building is situated along the eastern part of that part of the site to the south of Edmonstone Road (the existing school site). The building is 'C' shaped and fronts into the site. The rear elevation faces onto the gable elevations of the existing houses which run off Edmonstone Avenue.
- 3.2 The flat roof building is a mix of two storey and single storey with the differing components of the building being at different heights. The design and scale of the building absorbs the fluctuations in ground levels across the site. The building is a maximum of 11.5 metres above the existing ground levels. The northernmost part of the building contains the community facilities, the southernmost part of the building contains the nursery and early years provision and the central, main part of the building, contains a new three stream primary school.
- 3.3 The community facilities include a café, library, conference room, soft play provision and a servery. These facilities are located adjacent to the schools halls, dining room and expressive arts room.
- 3.4 The building is predominantly finished in white render with some areas, in particular two projections on the main elevation, being finished with a dark bronze/copper rain screen cladding. The building also incorporates large areas of glazing, in parts being two storey in height.
- 3.5 A car park for 124 spaces (including 8 disable parking spaces) and two bus parking spaces is proposed on part of the recreation ground to the north of Edmonstone Road. A further 10 car parking spaces are proposed as drop off points along Edmonstone Road in the southeast corner of the school site. Three zebra crossings and bus stops are also proposed along Edmonstone Road.
- 3.6 Outdoor play areas and educational space is to be provided in the central and eastern part of the site, in the area currently occupied by the Danderhall school building. This area will include a Multi-Use Games Area (MUGA), external play areas for various year groups, an amphitheatre, public plaza with public art and other areas of planting and hardstanding. The existing school building is to be retained until the new school is built. Some of the parking provision will be made available in advance of the new building being opened.
- 3.7 The application is accompanied by:
- A design and access statement;

- A drainage assessment;
- A site investigation report; and
- An initial assessment for roosting bats.

## 4 BACKGROUND

- 4.1 The applicant carried out a pre application consultation (18/00350/PAC) for the erection of a community facility incorporating primary school; early years provision; library and leisure facilities in May – August 2018. The pre application consultation was reported to the Committee at its meeting in August 2018.

## 5 CONSULTATIONS

- 5.1 The **Scottish Environment Protection Agency (SEPA)** does not object to the application. As a result of the levels on the site, the proposed primary school and nursery building will be built into the slope and therefore it is expected that the design and construction of the building will take account of the risk of surface water runoff ponding around the building, which can be a consequence when finished floor levels are below adjoining ground levels. A sustainable urban drainage system should be designed to treat surface water runoff from the impermeable surfaces of the development and to attenuate the runoff to ensure that the development does not lead to an increase in flood risk.
- 5.2 The **Coal Authority** does not object to the application.
- 5.3 **Historic Environment Scotland (HES)** does not object to the application and advise that the proposed development does not have an unacceptable impact on the setting of the A-listed Woolmet House Gateway and boundary wall. However, consideration should be given to the potential risk of damage to the listed structures caused by construction and other large vehicles turning at the proposed carpark entrance.
- 5.4 The Council's **Archaeology Advisor** confirms that an initial desk-based appraisal has been undertaken to consider the proposed developments possible impact on the historic environment. As a consequence a programme of archaeological works is required.
- 5.5 The Council's **Environmental Health Manager** does not object to the application. However, it is recommended that conditions are attached to any granted of planning permission requiring the treatment of the ground conditions following a site investigation, for the prior approval of lighting details and in relation to noise regulation.
- 5.6 The Council's **Policy and Road Safety Manager** does not object to the application.

## 6 REPRESENTATIONS

- 6.1 No representations have been received.

## 7 PLANNING POLICY

- 7.1 The development plan is comprised of the Edinburgh and South East Scotland Strategic Development Plan (June 2013) and the Midlothian Local Development Plan, adopted in November 2017. The following policies are relevant to the proposal:

### Midlothian Local Development Plan 2017 (MLDP)

- 7.2 Policy **DEV2: Protecting Amenity within the Built-up Area** states that development will not be permitted where it would have an adverse impact on the character or amenity of a built-up area.
- 7.3 Policy **DEV5: Sustainability in New Development** sets out the requirements for development with regards to sustainability principles.
- 7.4 Policy **DEV6: Layout and Design of New Development** requires good design and a high quality of architecture, in both the overall layout of developments and their constituent parts. The layout and design of developments are to meet listed criteria.
- 7.5 Policy **DEV7: Landscaping in New Development** requires development proposals to be accompanied by a comprehensive scheme of landscaping. The design of the scheme is to be informed by the results of an appropriately detailed landscape assessment.
- 7.6 Policy **DEV8: Open Spaces** seeks to protect and enhance existing identified (in the proposals map) open spaces within settlements.
- 7.7 Policy **DEV10: Outdoor Sports Facilities** seeks to protect outdoor sports facilities from re-development except in certain circumstances: where the proposed development is ancillary to the principle use of the site as an outdoor sports facility; the loss is only minor and would not affecting its overall use; the outdoor sports facility is to be replaced either by a new facility of comparable or greater benefit for sport or upgrading of an existing facility on the same site or nearby; or where the sports pitch needs assessment, open space audit and consultation with Sportscotland identify a clear excess of provision to meet the existing or anticipated demand in the area and the overall quality of provision in the locality will be maintained.
- 7.8 Policy **TRAN1: Sustainable Travel** aims to encourage sustainable modes of travel.
- 7.9 Policy **TRAN 5: Electric Vehicle Charging** seeks to promote a network of electric vehicle charging stations by requiring provision to be an integral part of any new development.

- 7.10 Policy **ENV9: Flooding** presumes against development which would be at unacceptable risk of flooding or would increase the risk of flooding elsewhere. It states that Flood Risk Assessments will be required for most forms of development in areas of medium to high risk, but may also be required at other locations depending on the circumstances of the proposed development. Furthermore it states that Sustainable urban drainage systems will be required for most forms of development, so that surface water run-off rates are not greater than in the site's pre-developed condition, and to avoid any deterioration of water quality.
- 7.11 Policy **ENV10: Water Environment** requires that new development pass surface water through a sustainable urban drainage system (SUDS) to mitigate against local flooding and to enhance biodiversity and the environmental.
- 7.12 Policy **ENV11: Woodland, Trees and Hedges** states that development will not be permitted where it could lead directly or indirectly to the loss of, or damage to, woodland, groups of trees (including trees covered by a Tree Preservation Order, areas defined as ancient or semi-natural woodland, veteran trees or areas forming part of any designated landscape) and hedges which have a particular amenity, nature conservation, biodiversity, recreation, landscape, shelter, cultural, or historical value or are of other importance.
- 7.13 Policy **ENV15: Species and Habitat Protection and Enhancement** presumes against development that would affect a species protected by European or UK law.
- 7.14 Policy **ENV18: Noise** requires that where new noise sensitive uses are proposed in the locality of existing noisy uses, the Council will seek to ensure that the function of established operations is not adversely affected.
- 7.15 Policy **ENV22: Listed Buildings** does not permit development that would adversely affect the character or appearance of a listed building, its setting or any feature of special architectural or historic interest.
- 7.16 Policy **ENV25: Site Assessment, Evaluation and Recording** requires that where development could affect an identified site of archaeological importance, the applicant will be required to provide an assessment of the archaeological value of the site and of the likely impact of the proposal on the archaeological resource.
- 7.17 Policy **IMP1: New Development** ensures that appropriate provision is made for a need which arises from new development.
- 7.18 Policy **IMP3: Water and Drainage** require sustainable urban drainage systems (SUDS) to be incorporated into new development.

## **8 PLANNING ISSUES**

- 8.1 The main planning issue to be considered in determining this application is whether the proposal complies with development plan policies unless material planning considerations indicate otherwise. The consultation responses received are material considerations.

### The Principle of Development

- 8.2 The site is located within the built up area of Danderhall where there is a presumption in favour of appropriate development. The application site to the south of Edmonstone Road is an established school site and is situated within a predominantly residential area where the proposed school development would be compatible to the neighbouring land uses subject to the details of the proposed development complementing the character of the area and protecting the amenity of existing neighbouring properties. The consultations carried out have not highlighted any overriding reasons as to why the site could not be redeveloped for the proposed community facilities.
- 8.3 That part of the proposal (the formation of a car park) on the land to the north of Edmonstone Road (the recreation ground), on the opposite side of the road from the existing Danderhall Primary School, will result in the loss of a kick about area. This area is not sufficient to accommodate a formal sports pitch and has not been identified in the Council's draft Sports Pitch Needs Assessment. The proposed development compensates for the loss of the kickabout area by incorporating enhanced sports facilities and open space provision. Furthermore, the two existing football pitches on the recreation ground, the Bowling Green, the other sports facilities and play area is to be retained. At the pre application consultation event there was a strong view expressed by local residents that the loss of the kick about area was acceptable in preference to the provision of a substantial car park to help mitigate parking and school drop off problems.

### The Layout, Form and Design of Development

- 8.4 The proposed building is positioned along the eastern part of the existing school site. This is to enable the building to be constructed whilst the existing school remains open. Although this is not the ideal design approach, it is acceptable, and in this case leads to a good form of development. This is because the eastern part of the site is the widest part of the site and as such the buildings scale and form sits comfortably within the site complementing its surroundings. Furthermore, the positioning of the building means it looks out onto the developments play areas and the substantial and interesting areas of open space which will be used by the community outwith the traditional school day. The provision of the open space in front of the building helps to create a sense of place and grandeur which promotes the site as a community building.

- 8.5 The proposed car park is located on the northern side of Edmonstone Road and accessed from this road. The low level form of the car park sits comfortably with the neighbouring recreation ground and it is incorporated into this setting by landscaping. This is an acceptable location for the car park and in urban design terms its discrete location means it does not detract from the attractiveness of the proposed building. The car park will be required to provide electric vehicle charging points.
- 8.6 The redeveloped school site will have a number of pedestrian access points off Edmonstone Road all leading towards the building entrances and facilities. A vehicular access into a service yard is identified to the north of this part of the site away from the main pedestrian access points – this acceptable.
- 8.7 The proposed new building is attractive, with good proportions and a mix of modern materials. The two wings of the ‘C’ shaped building are enhanced with copper coloured glazing which will mark out the structure as a local landmark building – this is appropriate considering the community use of the building. The main central elevation is modern, flat roofed and finished with white render. The windows form an attractive fenestration pattern, which has an overall vertical emphasis. The rear elevation is less detailed than the front but still incorporates similar windows and the copper coloured cladding. The quality of the glazing is integral to the success of the design and can be secured by a condition on a grant of planning permission. In general terms the building is of a high quality design, however the entrance points to the school and nursery are passive features and do not provide the focal points you would expect on such a building, this is a missed opportunity which can be resolved with minor modifications to the buildings design.
- 8.8 The height of the building fluctuates, but is at a maximum of 11.5 metres high. The building will be the tallest building in the local area, however this can be considered a positive because of the end use of the building. Its relationship to the neighbouring properties at Edmonstone Avenue is considered acceptable on the basis that these residential properties sit perpendicular to the community building. Based on this configuration (the gable ends of the residential properties face the proposed building) and a separation distance of over 10 metres, the relationship is acceptable and will not result in a sense of overbearing to the properties in Edmonstone Avenue.

#### Other Planning Considerations

- 8.9 The MUGA is located to the front of the new building and has floodlighting and is enclosed by a high fencing (3m). The fencing is weldmesh and is fairly lightweight and transparent in appearance. The positioning of the MUGA, play areas and other open space in front of

the building means that there is good passive surveillance of the facilities from the building and other public areas such as nearby roads and footpaths. The existing solid, heavy palisade fencing around the site is to be replaced by a more lightweight transparent weldmesh fence. There is some scope to introduce planting on the sites boundary; albeit with care to ensure the passive surveillance is not unduly restricted. Securing successful boundary treatment could supplement the attractiveness of the proposed building.

- 8.10 The applicant has carried out an initial bat roost potential assessment of the site and concluded that the existing building has a high bat roost potential. Further survey and assessment work is to be carried out this summer and prior to any demolition work. If bats or bat roosts are located within the building mitigation measures will need to be taken in accordance with European Protected Species legislation. New development needs to make provision for biodiversity enhancement through the incorporation of bird and bat boxes, biodiversity friendly planting and the incorporation of green roofs (where appropriate), in accordance with development plan policy and the Council's biodiversity aspirations.
- 8.11 The category A listed gateway and boundary wall close to the parking area is not affected by the proposed development. Historic Environment Scotland have no objection to the proposals.
- 8.12 The applicant has submitted a preliminary drainage plan which shows attenuation and treatment cells under some of the play areas and adjacent to the parking area (to the rear of existing trees).
- 8.13 The Council's Environmental Health Manager has identified a potential noise concern which may arise from the use of plant and machinery. Experience from other education and community sites suggest the risk is low. Considering the site is owned by the Council and in its control, it is in its interest to mitigate any noise matters which may arise and as such it is not necessary to impose a noise regulating planning condition. The fall-back protection for local residents is that unacceptable noise levels can be investigated and considered as a statutory noise nuisance under separate legislation and be liable to action from the Council.

## **9 RECOMMENDATION**

- 9.1 It is recommended that planning permission be granted for the following reason:

*The site is located within the settlement boundary of Danderhall and on a site with an established educational and community use and as such there is presumption in favour of an appropriate educational and community use development. The proposed detailed scheme of development in terms of its layout, form, design and landscape framework is acceptable and as such accords with development plan*

*policies. The presumption for development is not outweighed by any other material considerations.*

subject to the following conditions:

1. Development shall not begin until details of a scheme of hard and soft landscaping has been submitted to and approved in writing by the planning authority. Details of the scheme shall include:
  - i existing and finished ground levels and floor levels for all buildings, open space and roads in relation to a fixed datum;
  - ii existing trees, landscaping features and vegetation to be retained; removed, protected during development and in the case of damage, restored;
  - iii proposed new planting in communal areas and open space, including trees, shrubs, hedging, wildflowers and grassed areas;
  - iv location and design of any proposed walls, fences and gates, including those surrounding bin stores or any other ancillary structures;
  - v schedule of plants to comprise species, plant sizes and proposed numbers/density;
  - vi programme for completion and subsequent maintenance of all soft and hard landscaping. The landscaping in the open spaces shall be completed prior to the building coming into use. Any tree felling or vegetation removal proposed as part of the landscaping scheme shall take place out with the bird breeding season (March-August);
  - vii drainage details, watercourse diversions, flood prevention measures and sustainable urban drainage systems to manage water runoff;
  - viii proposed car park configuration and surfacing;
  - ix proposed footpaths and cycle paths (designed to be unsuitable for motor bike use);
  - x proposed play equipment; and
  - xi proposed cycle parking facilities.

All hard and soft landscaping shall be carried out in accordance with the scheme approved in writing by the planning authority as the programme for completion and subsequent maintenance (vi). Thereafter any trees or shrubs removed, dying, becoming seriously diseased or damaged within five years of planting shall be replaced in the following planting season by trees/shrubs of a similar species to those originally required. Any tree felling or vegetation removal proposed as part of the landscaping scheme shall take place out with the bird nesting season (March-August) and bat roosting period (April – September).

***Reason:*** *To ensure the quality of the development is enhanced by landscaping to reflect its setting in accordance with policies DEV2,*

*DEV6 and DEV7 of the Midlothian Local Development Plan 2017 and national planning guidance and advice.*

2. Development shall not begin until temporary protective fencing is erected around all trees on the site to be retained. The fencing shall be positioned in circumference to the trunk at a distance from it which correlates to the trees canopy unless otherwise agreed in writing with the local planning authority. No excavation, soil removal or storage shall take place within the enclosed area.

***Reason:*** *To ensure the development does not result in the loss or damage of a tree which merits retention in accordance with policy ENV11 of the Midlothian Local Development Plan 2017 and national planning guidance and advice.*

3. Development shall not begin until samples of materials to be used on external surfaces of the buildings; hard ground cover surfaces; means of enclosure and ancillary structures have been submitted to and approved in writing by the planning authority. The external wall finish detailed on the elevation drawings, namely the rain screen TECU cladding panel identified as dark bronze/copper shall be used as the finish material. Development shall thereafter be carried out using the approved materials or such alternatives as may be agreed in writing with the planning authority.

***Reason:*** *To ensure the quality of the development is enhanced by the use of quality materials to reflect its setting in accordance with policies DEV2 and DEV6 of the Midlothian Local Development Plan 2017 and national planning guidance and advice.*

4. Development shall not begin until details of the site access, roads, footpaths, cycle ways and transportation movements have been submitted to and approved in writing by the planning authority. Details of the scheme shall include:
  - i existing and finished ground levels for all roads and cycle ways in relation to a fixed datum;
  - ii proposed vehicular, cycle and pedestrian access;
  - iii proposed roads (including turning facilities), footpaths and cycle ways;
  - iv proposed visibility splays, traffic calming measures, lighting and signage;
  - v proposed construction traffic access and haulage routes;
  - vi a green transport plan designed to minimise the use of private transport and to promote walking, cycling and the use of public transport;
  - vii proposed car parking arrangements;
  - viii a programme for completion for the construction of access, roads, footpaths and cycle paths; and

- ix proposed on and off site mitigation measures identified by the traffic assessment submitted with the application, in particular the removal of the existing horizontal traffic calming features and the introduction of 3 raised zebra crossings on Edmonstone Road, the introduction of a parking layby and the removal/remarking of existing restrictions.

Development shall thereafter be carried out in accordance with the approved details or such alternatives as may be agreed in writing with the planning authority.

**Reason:** *To ensure the future users of the buildings, existing local residents and those visiting the development site during the construction process have safe and convenient access to and from the site.*

- 5. Development shall not begin until a scheme to deal with any contamination of the site and/or previous mineral workings has been submitted to and approved by the planning authority. The scheme shall contain details of the proposals to deal with any contamination and/or previous mineral workings and include:
  - i. the nature, extent and types of contamination and/or previous mineral workings on the site;
  - ii measures to treat or remove contamination and/or previous mineral workings to ensure that the site is fit for the uses hereby approved, and that there is no risk to the wider environment from contamination and/or previous mineral workings originating within the site;
  - iii measures to deal with contamination and/or previous mineral workings encountered during construction work; and
  - iv the condition of the site on completion of the specified decontamination measures.

Before any part of the site is occupied for residential purposes; 1) the measures to decontaminate the site shall be fully implemented as approved by the planning authority; and 2) a validation report shall be submitted to the planning authority confirming that the works have been carried out in accordance with the approved scheme and the planning authority have confirmed the validation.

**Reason:** *To ensure that any contamination on the site/ground conditions is adequately identified and that appropriate decontamination measures/ground mitigation measures are undertaken to mitigate the identified risk to site users and construction workers, built development on the site, landscaped areas, and the wider environment.*

- 6. Development shall not begin until a programme of archaeological works has been completed in accordance with a written scheme of

investigation comprising a trial trench evaluation and a desk-based/archive assessment. The written scheme of investigation shall be approved in writing by the planning authority and carried out by a professional archaeologist prior to any construction works or pre commencement ground works taking place. There shall be no variation therefrom unless otherwise agreed in writing by the planning authority.

**Reason:** *To ensure this development does not result in the unnecessary loss of archaeological material in accordance with Policy ENV25 of the Midlothian Local Development Plan 2017.*

7. Development shall not begin until details of a sustainability/biodiversity scheme for the site, including the provision of bricks and boxes for bats and swifts throughout the development have been submitted to and approved in writing by the planning authority. Development shall thereafter be carried out in accordance with the approved details or such alternatives as may be approved in writing with the planning authority.

**Reason:** *To ensure the development accords with the requirements of policy DEV5 of the Proposed Midlothian Local Development Plan 2017.*

8. Prior to the commencement of development a bat survey shall be carried out of the existing building. The bat survey shall include a full Preliminary Roost Assessment of the site and bat activity surveys. It shall be carried out in accordance with the letter dated 21 November 2018 from Stuart Spray Wildlife Consultancy submitted by the agent on 21 January 2019. The Bat survey shall include a report and if necessary a Bat Mitigation Plan and the preparation of a license application to Scottish Natural Heritage to disturb a European Protected Species. All mitigation measures recommended by the report shall be complied with.

**Reason:** *The existing school buildings have bat roost potential. The new building is to be erected prior to the demolition of the existing. Bats are a European Protected species and a detailed bat survey is required prior to the development commencing in order to protect the species.*

8. Development shall not begin until details of the provision and use of electric vehicle charging stations throughout the development have been submitted to and approved in writing by the planning authority. Development shall thereafter be carried out in accordance with the approved details or such alternatives as may be approved in writing with the planning authority.

**Reason:** *To ensure the development accords with the requirements of policy TRAN5 of the Proposed Midlothian Local Development Plan 2017.*

9. Development shall not begin until details of the floodlighting system and any security lights to be installed within the site have been submitted to and approved in writing by the planning authority. The floodlights and security lights shall be designed and installed such that there is no direct illumination of any neighbouring sensitive property and the lamp design shall be such that the actual lamps and inner surface of the reflectors are not visible from neighbouring houses which have a garden boundary with the application site. In addition, the lighting shall be designed to minimise the spillage of light up into the sky. The floodlighting system shall be fitted with an automatic cut out to ensure that the system cannot operate after 9pm. Development shall thereafter be carried out in accordance with the approved details or such alternatives as may be approved in writing with the planning authority.

**Reason:** *To ensure the quality of the development is enhanced by the use of quality materials to reflect its setting in accordance with policies DEV2 and DEV6 of the Midlothian Local Development Plan 2017 and national planning guidance and advice.*

10. Amended proposals showing more prominent entrances to both the school and nursery shall be submitted to and approved in writing by the planning authority prior to development commencing. Development shall thereafter be carried out in accordance with the approved details or such alternatives as may be approved in writing with the planning authority.

**Reason:** *The entrances to these two important parts of the building are not considered to be sufficiently prominent.*

**Dr Mary Smith**  
**Director of Education, Communities and Economy**

**Date:** 22 March 2019  
**Application No:** 18/00735/DPP  
**Applicant:** Midlothian Council  
**Agent:** AHR  
**Validation Date:** 27 September 2018  
**Contact Person:** J Learmonth  
**Tel No:** 0131 271 3311  
**Background Papers:**



Danderhall



**Education, Economy  
& Communities**  
Midlothian Council  
Fairfield House  
8 Lothian Road  
Dalkeith  
EH22 3AA

Erection of community facility including primary school;  
nursery; library and leisure facilities at Danderhall Primary  
School, 59 Edmonstone Road, Danderhall

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