

# Development Management Sub Committee

Wednesday 21 March 2018

**Application for Planning Permission 17/05217/FUL  
At St John's RC Primary School, Hamilton Terrace,  
Edinburgh**

**New park amenity green space on the site of the former  
Portobello High School. Work will include the demolition of  
the existing St John's RC Primary School currently on the  
site.**

<b>Item number</b>	4.3
<b>Report number</b>	
<b>Wards</b>	B17 - Portobello/Craigmillar

## Summary

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The delivery of a new park is supported and is in accordance with the Edinburgh Local Development Plan. There are no issues arising with regards to flooding or amenity of neighbouring residents.

## Links

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[Policies and guidance for this application](#) LDPP, LDES01, LDES08, LEN21, NSG, NSGD02,

# Report

## **Application for Planning Permission 17/05217/FUL At St John's RC Primary School, Hamilton Terrace, Edinburgh**

**New park amenity green space on the site of the former Portobello High School. Work will include the demolition of the existing St John's RC Primary School currently on the site.**

### **Recommendations**

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1.1 It is recommended that this application be Granted subject to the details below.

### **Background**

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#### **2.1 Site description**

The site is 2.55 hectares in area and is the former site of Portobello High School and St John's Primary School. The high school has been demolished, and the replacement St John's Primary School is currently under construction on the adjacent site. The old St John's Primary School building remains on site.

The site is flat and roughly rectangular in shape. It is bounded by Duddingston Road to the south and Hamilton Terrace to the east. Residential properties lie immediately to the north and west on Hamilton Drive and Mountcastle Drive North. The old primary school building sits on the eastern part of the site, while the rest of the site has been cleared of buildings. There are a number of mature trees on site, clustered around the south east and north west parts of the site.

There is some ground level difference between the site and the properties to the north as the site drops by almost two metres from west to east, and a brick wall exists along this boundary.

Access into the site is currently via Hamilton Terrace and Hamilton Drive.

#### **2.2 Site History**

The site was formerly used as the area for Portobello High School and St John's Primary School. Following the relocation of both schools, the High School building has been demolished and St John's Primary is awaiting demolition.

8 December 2017 - Prior Notification for the demolition of buildings was granted (application number: 17/05216/PND).

## Main report

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### 3.1 Description Of The Proposal

Full planning permission is sought for the formation of a new park.

The proposed site arrangement comprises built and natural features. The built features include paths, play equipment and street furniture. The natural features include grassland, trees and sustainable urban drainage systems (SUDS).

The park design consists of open space augmented by two tree roundels. The roundels have clearings within which active play is accommodated. The smaller roundel contains three clearings and each clearing contains a free climbing boulder.

The larger roundel contains six clearings and these clearings accommodate active play and seating areas. The two larger clearings contain a wheels or skate park, and a large free climbing structure. The three smaller clearings contain picnic benches, climbing play equipment and a free climbing boulder.

The larger roundel also includes low level mounds to contain and enclose the clearings, provide topographical relief and some noise baffling.

The tree roundels are dissected by paths which link the park entrances. These paths are three metres wide, and have a metalled surface capable of accommodating maintenance vehicles. A seating circle is located where the path network crosses.

Bench seats are located within a hardstanding area within the grass verges to paths. Park information boards and bins are located at three entrances; on Hamilton Terrace (east), Hamilton Drive (north) and Duddingston Road (south). The Hamilton Terrace and Hamilton Drive entrance gates include feature signage. The path which links Hamilton Drive and Figgate Park beyond with the new primary school includes street lighting.

There is no lighting provision within the remainder of the park. The north west portion of the park responds to its adjacency to the new primary school. This area includes four circular features. The three circular features to the west of the path are intended for use by the school. The large circle is surfaced in grass and backed by a crescent shaped landform. The middle circle surfaced in gravel. The eastern circle is backed by a crescent shaped landform, with free play boulders set within a gravel surface. A grass mound which rises 1.5-2 metres above the surrounding area is located to close the vista from the Hamilton Drive (north) entrance. The mound includes boulders for seating and free play.

In terms of planting, the landscape proposals retain the existing mature trees to the west, south and east boundaries. These trees were planted when the former schools were built. Tree species are mostly non-native ornamental tree species including Swedish whitebeam, ornamental cherry and plum. Trees which are in a poor condition and have been identified for removal will be replaced with semimature trees of the same species. New tree planting is concentrated within the tree roundels. The small central roundel comprises deciduous trees, whilst the large roundel comprises evergreen trees. The deciduous roundel comprises varieties of native and non-native birch and alder trees.

The evergreen roundel comprises mostly the native Scots pine, complemented by non-native Austrian pine and the Common and Japanese forms of larch. Much of the park comprises open meadow grassland with a small percentage of native perennial wild flowers and grass species. The tree roundels will be seeded with a shade tolerant wild flower meadow grassland.

The swales and shallow depression of the attenuation basin will be seeded as a wet meadow comprising native perennial wild flowers and grass species. A foraging or permaculture hedgerow will be planted in the western 'educational' portion of the park. The permaculture hedgerow includes edible fruiting species.

A native evergreen hedgerow has been planted between the entrance path on Hamilton Terrace and the SUDS attenuation basin as an informal barrier between the basin and members of the public.

### **Supporting Information**

The following documents were submitted in support of the application:

- Design and Access Statement;
- Report on Ground Conditions;
- Drainage Strategy and Flood Risk Assessment;
- Pre-Application Consultation Report;
- Tree Survey, and
- Boundary Wall Report.

These documents are available to view on the Planning and Building Standards Online Service.

### **3.2 Determining Issues**

Section 25 of the Town and Country Planning (Scotland) Act 1997 states - Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

Do the proposals comply with the development plan?

If the proposals do comply with the development plan, are there any compelling reasons for not approving them?

If the proposals do not comply with the development plan, are there any compelling reasons for approving them?

### **3.3 Assessment**

To address these determining issues, the Committee needs to consider whether:

- a) The principle of the development complies with the Development Plan;
- b) The proposals provide a development of appropriate design, scale and layout;
- c) The proposals provide an acceptable level of amenity for the existing residents;
- d) The transport and access arrangements are acceptable;
- e) The proposals have any equalities or human rights impacts;
- f) There are any other material issues, and
- g) The representations have been addressed.

#### **a) The Principle of the Development**

The site is within the Urban Area of the Edinburgh Local Development Plan (LDP). Although not subject of a specific policy, there is general support for developing sites for parkland within the urban area, where it is in accordance with other policies in the Plan.

This application site was formerly the site of the Portobello High School (now demolished) and St John's Primary School. When the new Portobello High School was granted planning permission on Portobello Park, the Council made a commitment to create a parkland on the former site of the High School. The site then became a Greenspace Action in the Council's Open Space Action Plan, and the North East Locality Action Plan identified the site for parkland development.

The application is therefore acceptable in principle.

#### **b) Design, Scale and Layout**

The principle driver for the proposals is to create a designed park. The approach of two contrasting tree roundels will create a distinctive and attractive concept for park users and is acceptable. The design intent is for the tree roundels to be set within meadow grass, where three species-rich grass mixes are proposed. Additional meadow planting is proposed within the SUDS and swale areas. This will increase biodiversity within the site and is supported.

Views into and out of the site have been considered and the alignment of the path within the site bisects the smaller roundel and has been orientated to create a vista which is aligned with Arthur's Seat. This will help create a sense of place.

Therefore, the design, scale and layout of the park has been created to respond to a number of users and supports a range of biodiversity and is supported.

### **c) Impact on amenity for the existing adjoining residents**

The main impacts arising from the proposals are in relation to privacy, particularly affecting residents to the north. The existing north boundary brick wall and concrete cope topped with a fence is proposed to be retained. While the rear gardens of the properties on Hamilton Drive sit lower than the ground level of the proposed park, there will be no additional privacy issues due to the location of the offset swale with meadow planting adjacent to the wall. This swale and planting will prevent close access to the boundary wall and hence will minimise privacy issues.

In relation to the brick wall along the northern boundary of the site, an inspection report was carried out in order to assess the stability of this wall. The report makes a number of recommendations for maintenance and repair and these will be carried out as necessary. The park proposals ensure that there will be no adverse loading effects on the wall, i.e retention loading will be maintained at its current level or reduced.

With regards to amenity issues arising from the skatepark, the detailed proposals for this facility have still to be developed. The design team intend to work with a steering group and specialist skate park designers to develop proposals for this area which respond to the specific requirements of end users. Any antisocial behaviour arising from the skatepark will be a matter for the police.

### **d) Transport and Access**

The Roads Authority has no objections to the application. The existing accesses will be retained and there are no road safety issues.

### **e) Equalities and Human Rights**

The park will be fully accessible. The proposals raise no issues in terms of equalities and human rights.

### **f) Other Material Issues**

#### **Flooding and Drainage**

The design of the park has been informed by the drainage strategy report and flood risk assessment. The design has been developed to capture and convey water surface water run-off up to and including the 1 in 200 year storm plus 30% climate change. The storage feature is anticipated to normally be dry, where water will only be stored during periods of high rainfall.

A SUDS Health and Safety Risk Assessment was prepared to identify and outline potential health and safety risks and considerations associated with the SUDS basin. The assessment recommended that a fence or natural barrier (i.e continuous hedge) be provided to prevent access. The barrier should be of a height to maintain visibility into the basin if required. The landscape proposals include a continuous evergreen hedgerow with integral post and wire fence between the entrance path on Hamilton Terrace and the SUDS basin to act as a formal barrier.

The Council's Flooding Team are satisfied that this is acceptable. The proposal is therefore in accordance with LDP Policy Env 21 (Flood Protection).

## **g) Representations**

### **Material Representations - Objections**

- Lack of privacy at the north boundary where the wall is in some cases only a metre high and allows overlooking into adjacent housing (addressed in 3.3(c);
- Past flooding through sections of this boundary retaining wall (presently 2 metre retention and strengthened with tie rods/plates) incorporated into proposed levels and SUDS solutions (addressed in 3.3(c); and
- Amenity concerns over the skatepark (addressed in 3.3(c).

### **Material Representations - Support**

- General support for the creation of community space and recreational space for children;
- Inclusion of skatepark supported; and
- Improvements to the amenity of residents.

### **Non-material Representations**

- Demolition of existing primary school - this has been approved through the prior approval process;
- There is a deficit of open space in north west Portobello - A deficiency elsewhere is not relevant to this application; and
- This proposal will not compensate for the loss of Portobello Park - this application is being assessed on its merits.

### **Community Council Comments**

Northfield and Willowbrae Community Council concluded that the proposals are supported as they put into practice the undertakings given by the Council which have been endorsed in various sets of public consultations, and during the passage of the City of Edinburgh Council (Portobello Park) Bill.

The Community Council offered the following comments:

- The Community Council welcomes the fact that the management of drainage is a substantial feature of the plan. It is recognised that the removal of the current impervious surfaces should assist water in being absorbed locally and that, with the SUDS system, should be the right protection for the adjoining houses. There are concerns about the safety of the tank, including how wet it may be, are whether there child safety issues - this is assessed in 3.3(f) and found that the SUDS are appropriate and will minimise child safety issues.
- The Community Council expressed concerns about the wall to the north of the site; at the Mountcastle Drive end, the ground is almost two metres above the ground on which the houses stand, and the corner of the site was artificially raised when the High School was built to make a level car park. The Community Council considers that reverting to the original, natural, level would have been desirable. Towards Hamilton Terrace, the wall is lower but has produced considerable amounts of water in the past, requiring residents to make dams and guides to protect their gardens. The wall is braced in places after various bulges formed and so there are concerns about its condition - this is assessed in 3.3(c) above and found that the wall will be repaired as required.
- Lighting - The Community Council sought clarification on lighting through the park - covered in section 3.1.
- There is no mention that the concrete bases for the 1950s railing round the park will be repaired and the railings painted. In many places the concrete is in poor condition (the main school gate piers were repaired a year or so ago as they were found to be dangerous) - a condition survey which makes recommendations for necessary repairs to masonry and metalwork will be undertaken and implemented as necessary. This is not part of this planning application.
- It would be desirable to retain some features of the school; for example, the "school teacher" weathervane should be preserved somewhere on the site, as might the "urns" on the roof and the gilded lettering. Similarly, the two almond trees either side of the original school gates date from 1926 (there is a photograph of one as a sapling). Tree surgeons working on the northern one reported a couple of years ago that it was split and rotting. They advised it be removed - in which case a new pair might be planted. The Council will look into this as part of the demolition of the school.
- The Community Council sought confirmation that the park would be given 'Field in Trust' status - this can be carried out through a separate process.



- The consultation on three possible park layouts showed an entrance to the Park on Duddingston Road which would have gone a long way to tidying up a muddled layout around the former janitors' houses. This entrance has now moved back to the current line of severe security barriers behind the houses. The Community Council understand that the muddle is caused by the need for road access to the electricity substation which is placed oddly behind the house line. There are various small patches of land here, including the grassed area next to the road, possibly in Council or Scottish Power ownership. It would be useful if this area could be re-examined and ownerships and access for the janitors' houses rethought. Otherwise, it will become a blot on what is likely to be a well-regarded set of projects - the janitors' houses are not part of these proposals.

### **Overall Conclusion**

The delivery of a new park is supported and in accordance with the LDP. There are no issues arising with regards to flooding or amenity of neighbouring residents.

It is recommended that this application be Granted subject to the details below.

### **3.4 Conditions/reasons/informatives**

#### **Informatives**

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. 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.
3. 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.

### **Financial impact**

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#### **4.1 The financial impact has been assessed as follows:**

The Council is land owner and will be carrying out the works.

## **Risk, Policy, compliance and governance impact**

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5.1 Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

## **Equalities impact**

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### **6.1 The equalities impact has been assessed as follows:**

This application was assessed in terms of equalities and human rights. The impacts are identified in the Assessment section of the main report.

## **Sustainability impact**

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### **7.1 The sustainability impact has been assessed as follows:**

This application meets the sustainability requirements of the Edinburgh Design Guidance.

## **Consultation and engagement**

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### **8.1 Pre-Application Process**

Pre-application discussions took place on this application.

### **8.2 Publicity summary of representations and Community Council comments**

Following neighbour notification, a total of 37 letters of representation were received. This comprised eight letters of objection, 27 letters of support and two letters of general comment. This included representations from the Northfield and Willowbrae Community Council.

A full assessment of the representations can be found in the main report in the Assessment section.

## **Background reading/external references**

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- To view details of the application go to
- [Planning and Building Standards online services](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)
- [Scottish Planning Policy](#)

## **Statutory Development**

### **Plan Provision**

The site is within the Urban Area. There is a small area of designated open space within the site.

### **Date registered**

10 November 2017

### **Drawing numbers/Scheme**

01-14,

## **David R. Leslie**

Chief Planning Officer

PLACE

The City of Edinburgh Council

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## **Links - Policies**

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### **Relevant Policies:**

#### **Relevant policies of the Local Development Plan.**

LDP Policy Des 1 (Design Quality and Context) sets general criteria for assessing design quality and requires an overall design concept to be demonstrated.

LDP Policy Des 8 (Public Realm and Landscape Design) sets criteria for assessing public realm and landscape design.

LDP Policy Env 21 (Flood Protection) sets criteria for assessing the impact of development on flood protection.

#### **Relevant Non-Statutory Guidelines**

**Non-Statutory guidelines** Edinburgh Design Guidance supports development of the highest design quality and that integrates well with the existing city. It sets out the Council's expectations for the design of new development, including buildings, parking, streets and landscape, in Edinburgh.

# Appendix 1

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## **Consultations**

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### **Flood Prevention - 23 February 2018**

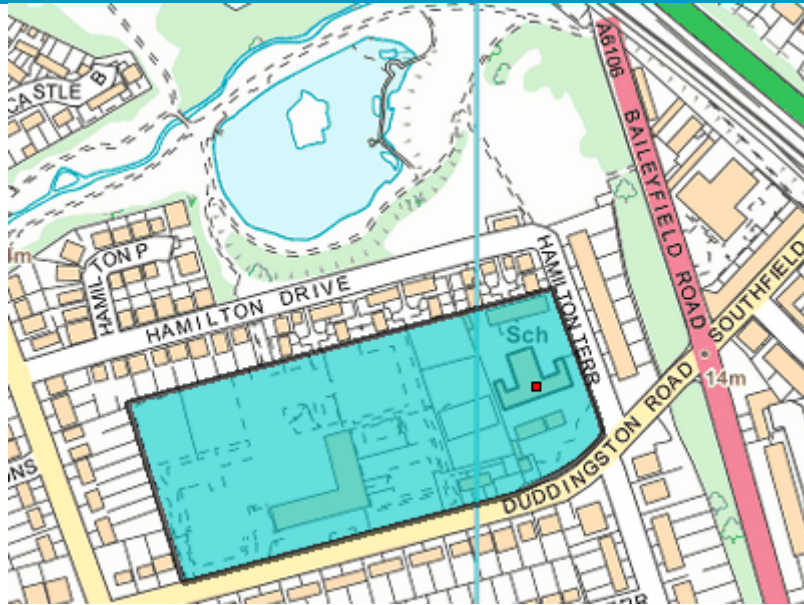
*Flood Prevention accept the information and are happy for this to proceed to determination.*

### **Transport Planning - 6 December 2017**

*No objections to the application.*

## Location Plan

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