

# Notice of meeting and agenda

## Development Management Sub-Committee of the Planning Committee

**10:00am, Wednesday 6 February 2019**

Dean of Guild Court Room, City Chambers, High Street, Edinburgh

This is a public meeting and members of the public are welcome to attend.

### Contacts:

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## 1. Order of business

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- 1.1 Including any notices of motion, hearing requests from ward councillors and any other items of business submitted as urgent for consideration at the meeting.
- 1.2 Any member of the Council can request a Hearing if an item raises a local issue affecting their ward. Members of the Sub-Committee can request a presentation on any items in part 4 or 5 of the agenda. Members must advise Committee Services of their request by no later than **1.00pm on Monday 4 February 2019** (see contact details in the further information section at the end of this agenda).
- 1.3 If a member of the Council has submitted a written request for a hearing to be held on an application that raises a local issue affecting their ward, the Development Management Sub-Committee will decide after receiving a presentation on the application whether or not to hold a hearing based on the information submitted. All requests for hearings will be notified to members prior to the meeting.

## 2. Declaration of interests

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- 2.1 Members should declare any financial and non-financial interests they have in the items of business for consideration, identifying the relevant agenda item and the nature of their interest.

## 3. Minutes

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- 3.1 None.

## 4. General Applications, Miscellaneous Business and Pre-Application Reports

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**The key issues for the Pre-Application reports and the recommendation by the Chief Planning Officer or other Chief Officers detailed in their reports on applications will be approved without debate unless the Clerk to the meeting indicates otherwise during “Order of Business” at item 1**

### **Pre-Application**

- 4.1 189 Morrison Street, Edinburgh EH3 8DN – Forthcoming application by the Prudential Assurance Company Ltd. for redevelopment of site comprising hotels, offices retail, leisure, public houses, restaurants, car parking and associated works – application no 18/10427/PAN – report by the Chief Planning Officer (circulated)

### **Applications**

- 4.2 4B Harrison Lane, Edinburgh EH11 1HG – Change of use from use class 4 (joinery workshop) to use class 11 (fitness and health venue) – application no 18/02782/FUL - report by the Chief Planning Officer (circulated)

It is recommended that this application be **REFUSED**.

- 4.3 2 Littlejohn Road, Edinburgh, EH10 5GN – Construct stand-alone garden room and alter existing garage (as amended) – application no 18/09771/FUL - report by the Chief Planning Officer (circulated)

It is recommended that this application be **GRANTED**.

- 4.4 Meadowbank Retail Park, Moray Park, Edinburgh – Section 42 application for non-compliance with Condition G34 of Planning Permission A/01457/95/RM to allow for the sale of convenience goods at Unit 3 – application no 18/04464/FUL – report by the Chief Planning Officer (circulated)

It is recommended that this application be **GRANTED**.

- 4.5(a) 122-123 Princes Street, Edinburgh, EH2 4AD – The redevelopment of existing retail unit to form additional hotel rooms and a restaurant at ground floor. The proposal also seeks a change of use from Class 1(Retail) to Class 3(Food and Drink) and Class 7(Hotel) - application no 18/04731/FUL – report by the Chief Planning Officer (circulated)

It is recommended that this application be **REFUSED**.

- 4.5(b) 122-123 Princes Street, Edinburgh, EH2 4AD – The redevelopment of existing retail unit to form additional hotel rooms and a restaurant at ground floor. The proposal also seeks a change of use from Class 1(Retail) to Class 3(Food and Drink) and Class 7(Hotel) - application no 18/04732/LBC – report by the Chief Planning Officer (circulated)

It is recommended that this application be **REFUSED**.

## **5. Returning Applications**

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**These applications have been discussed previously by the Sub-Committee. A decision to grant, refuse or continue consideration will be made following a presentation by the Chief Planning Officer and discussion on each item.**

- 5.1 None.

## **6. Applications for Hearing**

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**The Chief Planning Officer has identified the following applications as meeting the criteria for Hearings. The protocol note by the Head of Strategy and Insight sets out the procedure for the hearing.**

- 6.1(a) Royal Hospital for Sick Children, 9 Sciennes Road, Edinburgh EH9 1LF - application no –18/02719/FUL, 18/02720/CON, 18/02722/LBC, 18/02723/LBC and 18/02725/LBC - Protocol Note by the Head of Strategy and Communications (circulated)
- 6.1(b) Royal Hospital for Sick Children, 9 Sciennes Road, Edinburgh – Mixed use development comprising residential (8 houses and 118 flats), student accommodation 323 beds, communal space, cycle/car parking provision, public

realm enhancements, associated works and infrastructure. Development involves partial demolition of existing buildings, erection of new buildings and change of use/conversion of retained buildings (as amended) – application no 18/02719/FUL – report by the Chief Planning Officer (circulated)

It is recommended that this application be **GRANTED**.

- 6.1(c) Royal Hospital for Sick Children, 9 Sciennes Road, Edinburgh – Substantial demolition in a conservation area – application no 19/02720/CON report by the Chief Planning Officer (circulated)

It is recommended that this application be **GRANTED**.

- 6.1(d) Royal Hospital for Sick Children, 9 Sciennes Road, Edinburgh – Internal and external alteration to Category B-listed main hospital building to convert to residential use; removal of 20<sup>th</sup> century extensions, with associated fabric repairs and reinstatement; alteration to boundary wall to form public realm: alteration of former curtilage Pharmacy Store to convert to residential use – application no 18/02722/LBC – report by the Chief Planning Officer

It is recommended that this application be **GRANTED**.

- 6.1(e) Royal Hospital for Sick Children, 9 Sciennes Road, Edinburgh – Internal and external alterations of Category C-listed buildings Nos. 11-21 (inclusive) Millerfield Place to convert to residential use including rear extensions; minor alteration, including sensitive reinstatement and repair of garden boundary walls – application no 18/02723/LBC – report by the Chief Planning Officer (circulated)

It is recommended that this application be **GRANTED**.

- 6.1(f) Royal Hospital for Sick Children, 9 Sciennes Road, Edinburgh – Internal and external alteration to category A-listed Mortuary Chapel building to convert to public and residential use; conservation and repair of murals in situ; removal of the 20<sup>th</sup> century hospital extensions with associated fabric repairs and reinstatement – application no 18/02725/LBC – report by the Chief Planning Officer (circulated)

It is recommended that this application be **GRANTED**.

## **7. Applications for Detailed Presentation**

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**The Chief Planning Officer has identified the following applications for detailed presentation to the Sub-Committee. A decision to grant, refuse or continue consideration will be made following the presentation and discussion on each item.**

- 7.1 Roof Terrace, Waverley Mall, 3 Waverley Bridge – Reconfiguration of roof-top structures and construction of new commercial accommodation (Class 1, 2 and 3), internal cinema use (Class 11) and creation of external multi-use space to include external; seating area, performance space, open air cinema, festival/seasonal event space, pop-ups, farmers market and musical entertainment (classes 1, 2, 3 and 11) – application no 17/02748/FUL – report by the Chief Planning Officer (circulated)

It is recommended that this application be **GRANTED**.

## **8. Returning Applications Following Site Visit**

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**These applications have been discussed at a previous meeting of the Sub-Committee and were continued to allow members to visit the sites. A decision to grant, refuse or continue consideration will be made following a presentation by the Chief Planning Officer and discussion on each item.**

8.1 None.

### **Laurence Rockey**

Head of Strategy and Communications

### **Committee Members**

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Councillors Gardiner (Convener), Child (Vice-Convener), Booth, Dixon, Gordon, Griffiths, McLellan, Mitchell, Mowat, Osler and Staniforth.

### **Information about the Development Management Sub-Committee**

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The Development Management Sub-Committee consists of 11 Councillors and usually meets twice a month. The Sub-Committee usually meets in the Dean of Guild Room in the City Chambers on the High Street in Edinburgh. There is a seated public gallery and the meeting is open to all members of the public.

### **Further information**

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A summary of the recommendations on each planning application is shown on the agenda. Please refer to the circulated reports by the Chief Planning Officer or other Chief Officers for full details. Online Services – planning applications can be viewed online by going to [view planning applications](#) – this includes letters of comments received.

The items shown in part 6 on this agenda are to be considered as a hearing. The list of organisations invited to speak at this meeting are detailed in the relevant Protocol Note. The Development Management Sub-Committee does not hear deputations.

The Sub-Committee will only make recommendations to the full Council on these applications as they are major applications which are significantly contrary to the Development Plan.

If you have any questions about the agenda or meeting arrangements, please contact Committee Services, City of Edinburgh Council, Business Centre 2:1, Waverley Court, 4 East Market Street, Edinburgh, EH8 8BG, 0131 529 4240, email [committee.services@edinburgh.gov.uk](mailto:committee.services@edinburgh.gov.uk).

A copy of the agenda and papers for this meeting will be available for inspection prior to the meeting at the main reception office, City Chambers, High Street, Edinburgh.

The agenda, minutes and public reports for this meeting and all the main Council committees can be viewed online by going to [www.edinburgh.gov.uk/meetings](http://www.edinburgh.gov.uk/meetings) .

## **Webcasting of Council Meetings**

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Please note this meeting may be filmed for live and subsequent broadcast via the Council's internet site – at the start of the meeting the Convener will confirm if all or part of the meeting is being filmed.

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Generally the public seating areas will not be filmed. However, by entering the Council Chamber and using the public seating area, individuals may be filmed and images and sound recordings captured of them will be used and stored for web casting and training purposes and for the purpose of keeping historical records and making those records available to the public.

Any information presented by individuals to the Council at a meeting, in a deputation or otherwise, in addition to forming part of a webcast that will be held as a historical record, will also be held and used by the Council in connection with the relevant matter until that matter is decided or otherwise resolved (including any potential appeals and other connected processes). Thereafter, that information will continue to be held as part of the historical record in accordance with the paragraphs above.

If you have any queries regarding this, and, in particular, if you believe that use and/or storage of any particular information would cause, or be likely to cause, substantial damage or distress to any individual, please contact Committee Services ([committee.services@edinburgh.gov.uk](mailto:committee.services@edinburgh.gov.uk)).

# Development Management Sub Committee

**Wednesday 6 February 2019**

**Report for forthcoming application by**

**The Prudential Assurance Company Ltd. for Proposal of Application Notice**

**18/10427/PAN**

**At 189 Morrison Street, Edinburgh, EH3 8DN  
Redevelopment of site comprising hotels, offices retail, leisure, public houses, restaurants, car parking and associated works.**

	4.1
<b>Item number</b>	
<b>Report number</b>	
<b>Wards</b>	B11 - City Centre

## Summary

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The purpose of this report is to inform the Development Management Sub-committee of a forthcoming application for full planning permission for the 'redevelopment of site comprising hotels, offices, retail, leisure, public houses, restaurants, car parking and associated works'.

In accordance with the provisions of the Town and Country Planning (Scotland) Act 1997, as amended, the applicant submitted a Proposal of Application Notice on 17.12.2018 (reference: 18/10427/PAN).

## Links

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**Coalition pledges**

**Council outcomes**

**Single Outcome Agreement**



## Recommendations

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1.1 It is recommended that the Committee notes the key issues at this stage and advises of any other issues.

## Background

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### 2.1 Site description

The application site is the former Haymarket goods yard, located in the City's West End, opposite Haymarket Railway Station at the junction of Morrison Street and Dalry Road. The site occupies an area of 1.7 hectares and is currently vacant. There are railway tunnels that run under the site at its northern end in an east-west direction.

The properties opposite, to the north, on Morrison Street are commercial at street level with two or three storeys of residential above. The properties from 266 Morrison Street onwards and around to West Maitland Street are category C(s) listed and were listed on 14.12.1970 (LB Ref: 47727).

To the north-west is Clifton Terrace with 2-storey properties rising to 4-storeys at the corner of Grosvenor Street. The uses are mixed commercial. Grosvenor Street is predominantly a residential street, characterised by 3-storey Georgian properties with attic accommodation. These properties are B-listed buildings. 1-25 and 2-24 Grosvenor St are category B listed buildings, listed on 10.12.1964 (LB Ref: 28977 and 28978).

To the west, across Dalry Road, is the category B-listed Ryries public house situated on the Haymarket junction, listed on 09.02.1993 (LB Ref: 26926). Haymarket railway station sits further to the west and is A-listed, listed on 27.10.1964 (LB Ref: 26901).

Properties on Dalry Road are predominantly commercial with 2-storey residential use on the upper levels; these form part of the Dalry colonies.

To the south are wholly residential properties in the Dalry colonies, which are category B-listed, listed on 29.04.1977 (LB Ref: 26746); and the 4-storey developments of Morrison Crescent, and Fraser Court, which is sheltered housing.

Morrison Link, to the east, is solely occupied by a hotel within a 5-storey, sandstone building.

The site is not within, but is immediately adjacent to, both the West End Conservation Area, which runs along the north side of Morrison Street, and the New Town Conservation Area, which runs along the north side of Haymarket Terrace. Likewise the site bounds the Old and New Towns of Edinburgh World Heritage Site, on Morrison Street, but does not lie within its confines.

This application site is located within the Dalry Conservation Area.

## **2.2 Site History**

27 August 2008 - An application was recommended for approval at the DM Sub-Committee for the demolition of existing buildings and structures, re-grading of the existing car park and a comprehensive redevelopment comprising hotels, offices, retail, commercial, leisure, public houses, restaurants, car parking and associated landscaping/public realm and utilities infrastructure (application number: 07/03848/FUL).

The application was called in by Scottish Ministers in order to consider the merits and impacts of the proposed development on the prominent gateway to the city centre, and on the city's skyline.

27 October 2009 - Scottish Ministers refused planning permission for the above development following a Public Inquiry.

28 March 2011 - Planning permission was granted for the demolition of existing buildings and structures, re-grading of existing car park and comprehensive redevelopment comprising hotel, offices, retail, commercial, leisure, public houses, restaurants, car parking and associated landscaping/public realm and utilities infrastructure (application number: 10/02373/FUL).

7 December 2015 - Planning permission granted for amendment to approved mixed use development to enable Block C (Haymarket 3) to operate as a hotel and associated modifications to Block B (Haymarket 4) (application number: 14/03230/FUL).

31 May 2016 - Listed building consent granted for alterations to existing boundary wall and associated erection of handrails (application number: 16/01733/LBC).

14 June 2016 - Planning permission granted subject to the conclusion of a legal agreement for Amendment to the detailed Planning Permission 10/02373/FUL to include revised car park layout, design amendments to H1, H2, H3, H4 AND H5, revised vehicular access arrangement, materials and hard and soft landscaping proposals. (application number: 16/01510/FUL).

1 August 2018 - Planning permission granted subject to the conclusion of a legal agreement for Amendment to 10/02373/FUL to enable changes to buildings H1, H2, H3, H4 and H5 as amended). (application number 18/00715/FUL).

## **Main report**

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### **3.1 Description Of The Proposal**

An application for full planning permission will be submitted for the ' redevelopment of site comprising hotels, offices, retail, leisure, public houses, restaurants, car parking and associated works'.

### 3.2 Key Issues

The key considerations against which the eventual application will be assessed include whether:

**a) The principle of the development is acceptable in this location;**

The site is located within the Urban Area as shown on the Local Development Plan (LDP) Map. The proposal would be required to comply with the relevant policies of the local development plan.

**b) The design, scale and layout are acceptable within the character of the area; and does the proposal comply with the Edinburgh Design Guidance;**

The applicant will be required to comply with all relevant design policies within the LDP as well as supplementary guidance where applicable (e.g. Edinburgh Design Guidance), along with the Haymarket Urban Design Framework.

A design and access statement will be required to support the application as well as a daylight, overshadowing and privacy assessment for both the proposal and neighbouring properties.

A full assessment of the impact of the proposed development on the City's skyline is required to confirm that there would not be any adverse impact upon the skyline.

A full assessment in relation to the impact of the proposed development on the Old and New Towns of Edinburgh World Heritage Site, adjacent listed buildings and the adjacent Conservation Areas is required to confirm the development will not have a detrimental impact upon the historic environment.

The site is identified as being within an area of archaeological significance. A programme of archaeological work in accordance with a written scheme of investigation will be required to ensure completion of the overall archaeological mitigation strategy for the site.

**c) Access arrangements are acceptable in terms of road safety and public transport accessibility;**

Requirements set out in the Edinburgh Design Guidance and LDP transport policies will apply to the proposal. The applicant will be required to provide transport information including a travel plan and to demonstrate how the proposal complies with parking standards including service arrangements and cycle parking provision.

**d) There are any other environmental factors that require consideration;**

The applicant will be required to submit sufficient information to demonstrate that the site can be developed without having a detrimental impact on the environment. In order to support the application, the following documents will be submitted:

- Pre-Application Consultation report;

- Planning Statement;
- Design and Access Statement;
- Viewcones of Protected Views
- Sustainability Form S1;
- Daylight, privacy and overshadowing information;
- Transport Statement;
- Waste management information;
- Protected species information/extended phase 1 survey;
- Ground investigations/Site investigations;
- Flooding risk and drainage information;
- Noise/air quality information;
- Detailed hard and soft landscape plan and planting schedule; and
- Surface Water Management Plan.

### **3.3 Assessment**

This report highlights the main issues that are likely to arise in relation to the various key considerations. This list is not exhaustive and further matters may arise when the new application is received, and consultees and the public have the opportunity to comment.

## **Financial impact**

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4.1 The forthcoming application may be subject to a legal agreement.

## **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 This is a pre-application report. When a planning application is submitted it will be assessed in terms of equalities and human rights.

## **Sustainability impact**

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7.1 A sustainability statement will need to be submitted with the application.

## **Consultation and engagement**

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

There is no pre-application process history.

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

The applicant's Proposal of Application Notice noted that a public exhibition will be held at Hilton Edinburgh Grosvenor on 21 February from 11am-1pm & 2pm - 8pm. A public notice will be placed in the Edinburgh Evening News at least seven days prior to the event and the applicant intends to advertise the event locally by using posters in public buildings.

The applicant has confirmed that Gorgie/Dalry Community Council, West End Community Council, City Centre Neighbourhood Centre, South West Neighbourhood Partnership, Dalry Colonies Residents Association and local councillors received a copy of the Proposal of Application Notice on 14 December 2018.

### **Background reading/external references**

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

#### **David R. Leslie**

Chief Planning Officer

PLACE

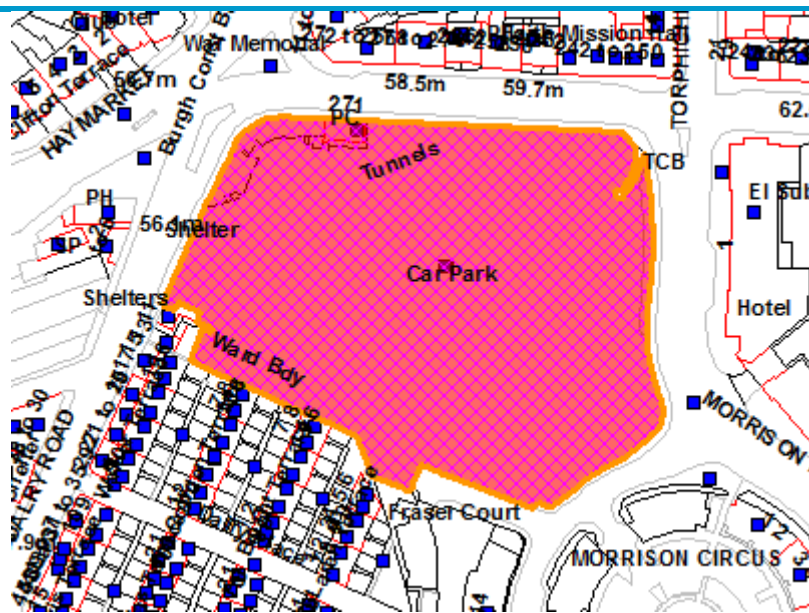
The City of Edinburgh Council

Contact: Sonia Macdonald, Planning Officer

E-mail: [Sonia.Macdonald@edinburgh.gov.uk](mailto:Sonia.Macdonald@edinburgh.gov.uk) Tel: 0131 529 4279

## Location Plan

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**END**

# Development Management Sub Committee

Wednesday 6 February 2019

**Application for Planning Permission 18/02782/FUL  
At 4B Harrison Lane, Edinburgh, EH11 1HG  
Change of use from use class 4 (joinery workshop) to use  
class 11 (fitness and health venue).**

<b>Item number</b>	4.2
<b>Report number</b>	
<b>Wards</b>	B09 - Fountainbridge/Craiglockhart

## Summary

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The proposals do not comply with Policies Hou 7 and Ret8d) of the Edinburgh Local Development Plan (LDP) and will result in a loss of amenity to the neighbouring flat through the party wall, due to the transmission of structure borne noise and vibration of weights dropped on the floor. In addition, due to the long operating hours, the use will result in noise and disturbance to nearby residents at early and late hours. There are no highway or other material issues which outweigh this conclusion.

## Links

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[Policies and guidance for this application](#) LRET08, LTRA02, LHOU07,

# Report

## **Application for Planning Permission 18/02782/FUL At 4B Harrison Lane, Edinburgh, EH11 1HG Change of use from use class 4 (joinery workshop) to use class 11 (fitness and health venue).**

### **Recommendations**

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1.1 It is recommended that this application be Refused for the reasons below.

### **Background**

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#### **2.1 Site description**

The site is currently a joiners workshop (183m<sup>2</sup>), one of several flat roofed commercial units situated below common drying greens of tenement flats fronting Harrison Road. These Residential units abut immediately to the west at the same level (party wall) and above. Harrison Park recreation ground is immediately to the east of the site. These commercial units contain a variety of uses such as an aircon/heating company (HF Group); JMS stonemasons; Capital Glazing and George M.Bolton Joiners. The site is serviced by a narrow road (Harrison Lane) which has no turning head and which is unfenced from the recreation ground.

#### **2.2 Site History**

No recent history recorded.

### **Main report**

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#### **3.1 Description Of The Proposal**

The proposal is to change the use of the unit from Class 4 joinery workshop to a class 11 Fitness and Health venue.

Class 11 includes halls for concert, bingo, casino or dance; pool, gym, ice rink or indoor sports or recreation.

#### Applicant's Supporting Document:

This document is available to view on the Planning and Building Standards Online Services.



### 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 proposed use is acceptable in principle in this area;
- b) there would be any loss of amenity to neighbouring residences;
- c) there are any highway issues, such as parking problems or significant traffic generation; and
- d) the representations have been addressed.

#### a) Principle

The site forms part of an existing enclave of commercial units to the rear of tenements in a predominantly residential but mixed urban area. The continued use of the unit as commercial/leisure is acceptable in principle in accordance with the Edinburgh Local Development Plan Policy (LDP) RET8 Out of Town Entertainment and Leisure Developments, subject to amenity considerations.

#### b) Amenity

The site shares a party wall with a residential basement flat in Harrison Road. The proposed gym is significantly different from the existing joiners business. Firstly, the hours of operation are longer. The gym is proposed to open at 06:15 hours and operate into the evening (21:00 hours) compared to standard working hours. Secondly, being a proposed cross-fit gym, there may be significant noise generated by heavy weights being dropped. Any noise/vibration mitigation measures are unlikely to eliminate structure borne sound transmission pathways between the floor of the weights area and the surrounding building. A loss of residential amenity will be experienced by the nearest flat. There is no loss of privacy.

The development remains contrary to Policy RET08d) and Hou07 of the LDP.

### c) Roads Issues

The roads authority does not have any comments to make on the application but requires a minimum of four cycle spaces to be provided. Subject to cycle parking, the proposals comply with Policy TRA02 of the LDP.

### d) Public comments

#### Material objections - 6 letters:-

- 6am to 9pm extended normal office hours.
- Noise, Music and dropping weights.
- External client noise and impact on shared park area.
- Pressure on Parking/Traffic/Highway safety/Pollution.
- Area already well served by gyms etc.
- Privacy

The above comments are addressed in paragraphs 3.3b) and 3.3c) in the Assessment section above.

#### Letters of Support - 92 letters:-

- Great facility for local community - proximity to lots of cycle and running paths.
- Will reinforce communal activity around Harrison Park/Good location for all ages and sizes.
- Will address health, obesity and mental health problems.
- Business is a community driven entity.
- Property already sound proofed.

The letters of support, which are in the majority, indicate that this location is ideal for this community driven gym because it is near a park and that it will reinforce communal activity around the area for all age groups, addressing obesity and mental health; and that the property is already sound proofed. But there is no confirmation of this sound proofing being present.

Comments of support are compatible with the acceptance in principle of the proposed use (3.3a). However, the material considerations are ones of residential amenity and road safety. These are addressed at 3.3b) and c), respectively.

#### In conclusion:

There is sufficient evidence that even with noise mitigation measures in place, it is unlikely that the structure borne noise and vibration of weights or other heavy equipment being dropped in the gym, could be ameliorated sufficiently to prevent unacceptable structure borne noise and vibration from passing through the party wall of the nearest basement flat to the detriment of the amenity of residential occupiers. The use as a gym is also likely to cause outside noise at unsociable times. These considerations outweigh the community support for this business.

It is recommended that this application be Refused for the reasons below.

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

#### **Reasons:-**

1. The use is contrary to RET8d) of the Edinburgh Local Development Plan (LDP) as the use is not comparable with surrounding residential uses and it would lead to an increase in noise and vibration for the neighbouring flat; and lead to noise and disturbance in the street at early and late hours to the detriment of residential amenity.
2. The proposal is contrary to the Local Development Plan Policy Hou 7 in respect of Inappropriate Uses in Residential Areas, as the use will produce noise and vibration incompatible with the primary use of the area which is residential

#### **Financial impact**

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

There are no financial implications to the Council.

#### **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:**

The application has been assessed and has no impact in terms of equalities or human rights.

#### **Sustainability impact**

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

This application is not subject to the sustainability requirements of the Edinburgh Design Guidance.

#### **Consultation and engagement**

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

There is no pre-application process history.

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

Advertised on 29 October 2018. Six letters of Objection have been received and 92 letters of Support.

## 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**

Allocated as Urban Area in the Edinburgh Local Development Plan.

**Date registered**

19 October 2018

**Drawing numbers/Scheme**

01 - 02,

Scheme 1

**David R. Leslie**

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Duncan Robertson, Senior Planning Officer

E-mail:d.n.robertson@edinburgh.gov.uk Tel:0131 529 3560

**Links - Policies**

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**Relevant Policies:**

LDP Policy Ret 8 (Entertainment and Leisure Developments - Other Locations) sets out the circumstances in which entertainment and leisure developments will be permitted outwith the identified preferred locations.

LDP Policy Tra 2 (Private Car Parking) requires private car parking provision to comply with the parking levels set out in Council guidance, and sets criteria for assessing lower provision.

LDP Policy Hou 7 (Inappropriate Uses in Residential Areas) establishes a presumption against development which would have an unacceptable effect on the living conditions of nearby residents.

# Appendix 1

## **Application for Planning Permission 18/02782/FUL At 4B Harrison Lane, Edinburgh, EH11 1HG Change of use from use class 4 (joinery workshop) to use class 11 (fitness and health venue).**

### **Consultations**

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#### **Environmental Protection**

*The application site at 4B Harrison Lane, consists of single storey flat-roofed building, located within a row of commercial units. Harrison Lane runs in a north-west and south-east direction. Directly opposite Harrison Lane in a northerly direction, the site overlooks football playing fields. To the south-east, the site borders a Stone Masons and an Electrical contractor business. To the north-west, the site borders a Joinery business as well as another commercial business on the corner with West Bryson Road.*

*The site is located in a building that adjoins the rear of a traditional 5-storey Edinburgh tenement building. The tenement building which fronts Harrison Road, is located in a southerly direction and is used primarily as residential accommodation. However, it is apparent that at least one of the commercial units located on Harrison lane extends under the tenement and utilises the space of what would have originally been a basement flat. However, the application site is only located under the flat roof and appears to share a party wall with a residential basement flat. To the west, on West Bryson Road are modern 4-5 storey residential flats.*

*The principal concern relating to this application concerns noise. Harrison Lane has established use for commercial purposes. Some of the businesses such as the Stone Masons and Joiners have the potential to be particularly noisy. However, it is unknown how much noisy activities are carried out within these units. Our records show that the only noise complaint received relating to the businesses was received in 2016 and concerned early morning waste collections, rather than machinery noise from stone cutting or joinery activity. Therefore, it appears the existing businesses can operate without unduly impacting on the amenity of neighbouring residential accommodation.*

#### *Revised Environmental Protection comments:*

*With regard to the additional information provided, unfortunately it doesn't change our view on the application. The principal concern relates to structure born sound transmission. Noise measurements of the existing gym would only measure airborne noise.*

*In the most recent ongoing complaint, a Gym which is further away, does not share a party wall and with less structural connections than the proposed site, generated complaints due to impact noise. Despite the best efforts of the business and investment in different types of thick rubber matting they were unable to resolve the complaint.*

*However, the proposed use as a gym is significantly different from the existing businesses that it cannot be assumed that it would also be able to operate without unduly affecting residential amenity. The first issue is the hours of operation. Gyms generally open early in the morning to allow customers to visit prior to going to work. The applicants' current gym opens from 06.15 hours. This is likely to be significantly earlier than the existing businesses routinely operate from. Gyms also operate into the evening as well as Saturdays and Sundays. Therefore, far more residents are likely to be present in their property when the gym is open in comparison to the existing business, which likely operate to standard working hours, Monday to Friday.*

*The main noise issues associated with gyms include loud music and instructors shouting. However, as it is a cross-fit gym that is proposed another significant concern is the noise generated by heavy weights being dropped. This has generated complaints previously and Environmental Protection currently have a noise complaint ongoing concerning such an activity. Despite the gym's implementing mitigation measures which have improved matters slightly, the resident is still complaining.*

*In conclusion, the potential noise issues from this proposal are extremely difficult to address without significant mitigation measures in place, such as improved sound insulation, eliminating structure borne sound transmission pathways between the floor of the weights area and the surrounding building. No such information has been provided in support of the application. However, due to the close proximity to residential accommodation and concerns that any proposed mitigation measure would be inadequate, we cannot support this application. It is likely to adversely impact on neighbouring residential amenity and generate noise complaints.*

*Therefore, Environmental Protection recommends that this planning application is refused.*

## **Roads Authority**

*No objections to the application subject to the following being included as conditions or informatives as appropriate:*

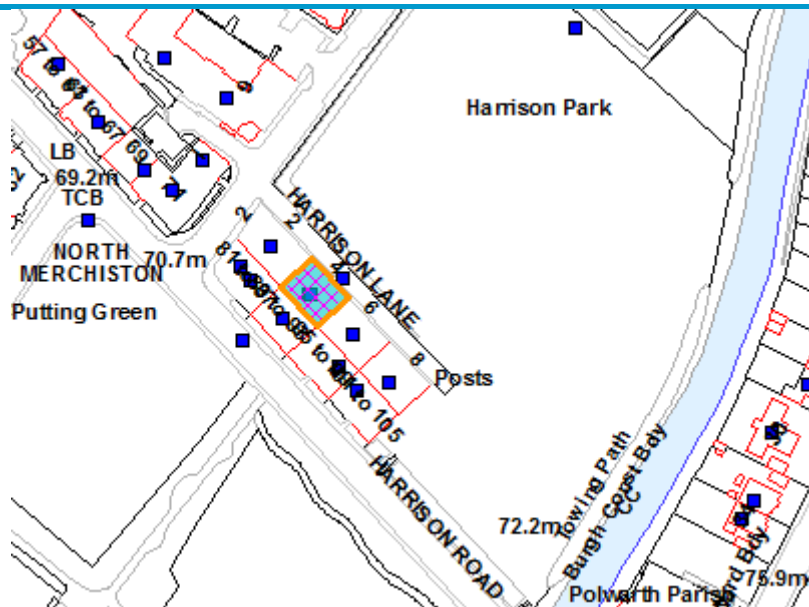
- 1. The applicant proposes no parking provision and complies with the Council's 2017 parking standards which allow a maximum of 4 parking spaces for the proposed change of use in Zone 2.*
- 2. The Council's 2017 parking standards cycle parking for Class 11 Assembly & Leisure requires the applicant to provide a minimum of 4 cycle spaces for the proposed change of use.*

*Note*

a) *The proposed area is in Controlled Parking Zone with good public transport accessibility. It is considered that vehicular trips associated with proposed will be minimal and with no significant impact on the surrounding road network. The peak hour operation of the Gym is expected to be outside of working hours hence making use of the open parking spaces on Harrison Lane.*

b) *Cycle and car parking requirement based on officers judgement not explicitly stated for Gym use under use class 11 Assembly and Leisure in the Council's 2017 parking standards.*

## Location Plan



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**END**



# Development Management Sub Committee

Wednesday 6 February 2019

## Application for Planning Permission 18/09771/FUL At 2 Littlejohn Road, Edinburgh, EH10 5GN Construct stand-alone garden room and alter existing garage (as amended).

Item number	4.3
Report number	
Wards	B09 - Fountainbridge/Craiglockhart

### Summary

---

The proposal complies with Policies Env 6 and Des 12 of the Edinburgh Local Development Plan, Non-Statutory Guidance for Householders, Non-Statutory Guidance for Listed Buildings and Conservation Areas and the Craiglockhart Hills Conservation Area Character Appraisal. The proposed outbuilding and alteration to the garage will preserve the character and appearance of the conservation area and is of an appropriate scale, form and design. There are no material considerations that outweigh this conclusion.

### Links

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<a href="#">Policies and guidance for this application</a>	LDPP, LEN06, LDES12, NSG, NSLBCA, NSHOU, OTH, CRPCHI,
------------------------------------------------------------	-------------------------------------------------------

# Report

## **Application for Planning Permission 18/09771/FUL At 2 Littlejohn Road, Edinburgh, EH10 5GN Construct stand-alone garden room and alter existing garage (as amended).**

### **Recommendations**

---

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 planning application relates to the curtilage of a two storey, detached property with garden ground to the front, side and rear. The property formed part of the redevelopment of the City Hospital in the early 2000's. The area is predominantly residential with single storey garages and a four storey, modern flatted blocks neighbouring the property to the west and south.

This application site is located within the Craiglockhart Hills Conservation Area.

#### **2.2 Site History**

There is no relevant planning history for this site.

### **Main report**

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#### **3.1 Description Of The Proposal**

The proposal is to install a flat roof, 5m x 3.3m outbuilding comprising grey uPVC windows and silver composite wall panels within the front curtilage of the property and alter the fenestration of the existing garage to replace the existing two single garage doors with one Georgian style single garage door.

#### Scheme 1

The original scheme has been amended to change the proposed replacement garage door to match the style of other garages in the area.

#### **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 harm the character or appearance of the conservation area? If they do, there is a strong presumption against granting of permission.

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 proposal is of an acceptable scale, form and design and will not have a detrimental impact on the character or appearance of the conservation area;
- b) the proposal will result in an unreasonable loss of neighbouring amenity;
- c) any impacts on equalities or human rights are acceptable; and
- d) any public comments raised have been addressed.

#### a) Scale, form and design

The Craiglockhart Hills Conservation Area Character Appraisal emphasises the outstanding quality of the natural topography and its visual relationship with the city, the high quality buildings set within a mixture of wooded and open slopes, the use of natural stone and slate as the traditional building materials.

Policy Env 6 and Des 12 of the Edinburgh Local Development Plan permits development that will preserve or enhance the character and appearance of the conservation area, using materials appropriate within the historic environment and are of an acceptable scale, form and design. The Non-Statutory Guidance for Householders advises that proposals should be set behind the building line and subordinate in scale.

The proposed outbuilding within the front curtilage will be set behind an existing boundary wall and a proposed hedge exceeding the height of the outbuilding. The siting in the corner of the garden behind the existing screening minimises the visibility from the street.

The outbuilding is subservient in scale to the main house and contemporary in design providing a clear distinction between the original house and new design, the materials are acceptable within this modern development in the conservation area. Accordingly, in these particular circumstances the minor infringement on the Guidance for Householders in terms of development within the front curtilage is acceptable.

Overall, the outbuilding will preserve the character and appearance of the Craiglockhart Hills Conservation Area.

The proposed alteration to the fenestration of the garage door replicates the Georgian style of the other garage doors in the area. The formation of a single, double width door will have a neutral impact on the visual amenity of the street and preserve the character and appearance of the conservation area.

b) Neighbouring amenity

In terms of privacy, the use of hopper windows on the east elevation will minimise overlooking of the street from the outbuilding. Most of the windows on the east elevation will be set behind screening and no privacy issues arise.

The proposal complies with the relevant criteria within the Non-Statutory Guidance for Householders and will have an acceptable impact on daylight and sunlight.

c) Equalities or human rights impacts

No impact on equalities or human rights.

d) Public comments

**Material representations:**

- character and appearance of the conservation area; this is addressed in section a).
- scale, form and design; this is addressed in section a).

**Non-material representations:**

- site ownership; this is a civil matter.
- title deeds; this is a civil matter.
- tree route issues; this is not a material planning issue.

**Conclusion**

Overall, the proposal complies with Policies Env 6 and Des 12 of the Edinburgh Local Development Plan, Non-Statutory Guidance for Householders, Non-Statutory Guidance for Listed Buildings and Conservation Areas and the Craiglockhart Hills Conservation Area Character Appraisal. The proposed outbuilding and alteration to the garage will preserve the character and appearance of the conservation area and is of an appropriate scale, form and design.

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

**3.4 Conditions/reasons/informatives**

**Conditions:-**

1. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Planning Authority before work is commenced on site; Note: samples of the materials may be required.

## **Reasons:-**

1. In order to safeguard the character of the conservation area.

## **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:**

There are no financial implications to the Council.

## **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:**

The application has been assessed and has no impact in terms of equalities or human rights.

## **Sustainability impact**

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

This application is not subject to the sustainability requirements of the Edinburgh Design Guidance.

## **Consultation and engagement**

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

There is no pre-application process history.

## 8.2 Publicity summary of representations and Community Council comments

The application was advertised on 7 December 2018 and 12 representations objecting to the proposal were received. One objection was received from a residents association, 9 from neighbours, and 2 from members of the public. 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](#)

<b>Statutory Development Plan Provision</b>	Edinburgh Local Development Plan
<b>Date registered</b>	9 November 2018
<b>Drawing numbers/Scheme</b>	01A - 02A, 03 - 06, 07A - 09A, 10,  Scheme 2

**David R. Leslie**  
 Chief Planning Officer  
 PLACE  
 The City of Edinburgh Council

Contact: Declan Semple, Assistant Planning Officer  
 E-mail: declan.semple@edinburgh.gov.uk Tel: 0131 529 3968

## **Links - Policies**

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### **Relevant Policies:**

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

LDP Policy Env 6 (Conservation Areas - Development) sets out criteria for assessing development in a conservation area.

LDP Policy Des 12 (Alterations and Extensions) sets criteria for assessing alterations and extensions to existing buildings.

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

**Non-statutory guidelines 'LISTED BUILDINGS AND CONSERVATION AREAS'** provides guidance on repairing, altering or extending listed buildings and unlisted buildings in conservation areas.

**Non-statutory guidelines 'GUIDANCE FOR HOUSEHOLDERS'** provides guidance for proposals to alter or extend houses or flats.

## **Other Relevant policy guidance**

The Craiglockhart Hills Conservation Area Character Appraisal emphasises the outstanding quality of the natural topography and its visual relationship with the city, the high quality buildings set within a mixture of wooded and open slopes, the use of natural stone and slate as the traditional building materials.



# Appendix 1

**Application for Planning Permission 18/09771/FUL  
At 2 Littlejohn Road, Edinburgh, EH10 5GN  
Construct stand-alone garden room and alter existing  
garage (as amended).**

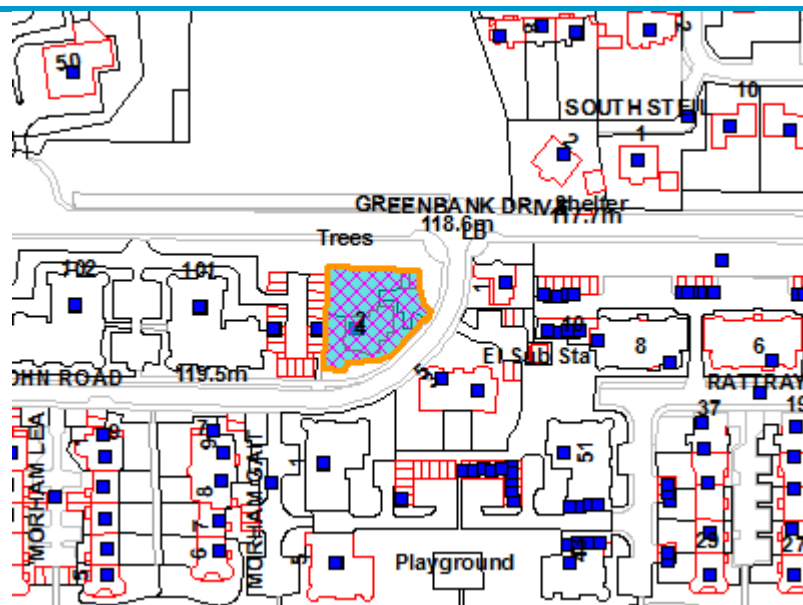
## Consultations

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No consultations undertaken.

## Location Plan

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**END**

# Development Management Sub Committee

Wednesday 6 February 2019

**Application for Planning Permission 18/04464/FUL  
At Meadowbank Retail Park, Moray Park, Edinburgh  
Section 42 application for non-compliance with Condition  
G34 of Planning Permission A/01457/95/RM to allow for the  
sale of convenience goods at Unit 3.**

<b>Item number</b>	4.4
<b>Report number</b>	
<b>Wards</b>	B14 - Craigentenny/Duddingston

## Summary

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The proposal complies with the development plan. The proposal is acceptable in this location and should have no detrimental impact on the local retail environment, traffic or road safety. There are no other considerations which outweigh this conclusion and approval is recommended.

## Links

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[Policies and guidance for this application](#) LDPP, LRET01, LRET04,

# Report

## **Application for Planning Permission 18/04464/FUL At Meadowbank Retail Park, Moray Park, Edinburgh Section 42 application for non-compliance with Condition G34 of Planning Permission A/01457/95/RM to allow for the sale of convenience goods at Unit 3.**

### **Recommendations**

---

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 an existing retail premises (unit 3) located within the Meadowbank Retail Park, a designated Commercial Centre in the Edinburgh Local Development Plan (LDP). The retail park currently has 11 units, including a large Sainsbury's supermarket, and a restaurant with drive thru. The associated car park has spaces for 559 vehicles.

The retail park is located at the junction of London Road and Marionville Road and is largely inward facing, overlooking its car park. The units are laid out in an L-shaped design with a brick-built colonnade feature connecting the shop frontages and providing a sheltered walkway around the site. The units are serviced to the rear where the site is bound by a disused railway. The wider area is predominantly residential with further residential development at the Lochend Butterfly currently underway to the north-west of the site.

#### **2.2 Site History**

21 December 1994 - Outline planning permission granted for the erection of a retail park. Condition G34 restricted the retail use to the sale of non-food goods only. Condition HC0 restricted the gross floor area of the retail use to 12,500 square metres (reference number - A/00470/94).

20 December 1995 - Approval of application of reserved matters. Condition HG9 amended the floorspace restriction, capping the gross floor area for non-food retail development to 9,707 square metres. Condition G34 restricts the retail use to the sale of non-food goods only (reference number - A/01457/95).

2 September 1998 - Planning permission was granted for the removal of condition G34 as it applied to units 9 and 10 to allow the formation of a supermarket (A/03039/97).

## Main report

---

### 3.1 Description Of The Proposal

The application is made under Section 42 of the Town and Country Planning (Scotland) Act 1997 which seeks to remove an existing condition imposed on the original planning permission for the retail park that states *"the retail use being for the sale of non-food goods only and for no other use within Class 1"*. The removal of the condition is sought in order to allow the premises to operate as a supermarket retailing convenience goods, including food.

The unit measures 935 sq/m and there are no physical alterations to the building or its curtilage proposed as part of the application.

#### Supporting Material

A Planning and Retail Assessment and a Transport Statement have been submitted in support of the proposal and 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 proposal is acceptable in principle;
- (b) the proposals will have any traffic or road safety issues;
- (c) the proposals will result in an unreasonable level of neighbouring residential amenity; and
- (d) representations raise issues to be addressed.

## **(a) Principle**

The proposal is for a retail use within an existing retail unit in a designated commercial centre. When planning permission was originally granted for the retail park a restriction was imposed preventing any of the units from selling food. However, an application by Sainsbury's to remove this restriction and to allow two of the units to be combined to create a supermarket was subsequently approved three years later. As a result of this decision, the principle of convenience shopping at this centre has been accepted.

Policy Ret 1 of the LDP establishes that planning permission will be granted for retail and other uses which generate significant footfall following a town centre first sequential approach. The current proposal is an existing retail unit located within a commercial centre. Therefore, in terms of the policy, all designated centres (City Centre Retail Core, Town Centres and Local Centres) are sequentially preferable. Similarly, any edge of centre sites must be assessed as these would also be sequentially preferable.

Policy Ret 4 specifies a set of criteria that should be met by any proposal for additional retail floorspace within a commercial centre. The applicant has provided an assessment of how the proposal could satisfy the criteria set out in the policy. However, as this proposal is to change the operation of an existing retail unit within the centre and does not provide any additional floorspace, the policy does not apply.

## **Sequential Approach**

A Retail Impact Assessment (RIA) has been submitted in support of the application. The RIA indicates that the applicants have explored alternative sites within or on the edge of identified centres (City Centre and Leith Walk). There are no suitable sites within the City Centre Retail Core (as falls within the defined catchment area) that would accord with the format of the convenience retail operation proposed with a lack of parking also being cited as an issue. St James Centre is currently being redeveloped for an alternative form of retail, leisure and hotel uses and has also been discounted.

Five potential alternative sites in identified centres or edge of centre locations have also been considered. These are Shrub Place, Leith Walk Depot, Lochend Butterfly, Brunswick Road and St Margaret's House.

### **Shrub Place**

Planning permission has been granted for the residential development of the site with a limited amount of retail space on the Leith Walk frontage (282sq/m). The land take for a unit the size of that proposed would have a major impact on the development. Moreover, the development has now largely been completed and the site is not considered to be available.

### **Leith Walk Depot**

This site has been discounted as it is not available nor is it suitable to accommodate the proposal. The proposed foodstore would require the entirety of the site and would not provide sufficient frontage visibility to be acceptable to the operator.

### Lochend Butterfly

Planning permission has been granted for the residential development of this site, and the development is currently underway. Therefore, the site is neither available nor suitable for the proposed retail development. Furthermore, the site is not sequentially preferable to the proposal within the commercial centre.

### Brunswick Road

This site has been granted planning permission for a residential development that is now nearing completion. There is no retail component provided for within the approved development.

### St Margaret's House

St Margaret's House is an edge of centre site located to the west of Jock's Lodge Local Centre. The applicant has advised that another group has concluded a deal to purchase the site. Therefore, the site is not available to accommodate the proposal.

The retail strategy of the LDP aims to ensure that some basic convenience provision is made or retained within walking distance of all homes. Meadowbank commercial centre differs from most of the other commercial centres in Edinburgh, in that it is located in a largely residential area within the urban area of the city. Additional convenience retail in the location is likely to encourage further walking within this area. This commercial centre also has good access to public transport services.

In conclusion, there are no vacant units or alternative sites available in any sequentially preferable location within the catchment that could accommodate the proposal. The proposal therefore complies with Policy Ret 1.

### **(b) Traffic or Road Safety Issues**

A Transport Statement (TS) has been submitted in support of the application. The TS indicates that, although there will be an increase in vehicle trips as a result of the development, the volume of additional trips will be low and can be accommodated within the existing car parking provision and surrounding road network.

Meadowbank differs from most of the other commercial centres in Edinburgh in that it is located in a largely residential area within the city. It is in an accessible location and within walking distance of a densely populated area, where further residential development is proposed in the LDP. The provision of further convenience retail in such an accessible location is likely to encourage more people to walk to the shop with the follow-on effect of less vehicle trips to other stores.

The site is well served by public transport with bus stops on London Road offering services from large parts of Edinburgh and the wider region. In total, 41 buses per hour in each direction can be accessed within a five minute walk of the retail park.

A shared cycle/footway provides a cycle link from the London Road to the south west of the retail park, and provides access to Moray Park where there is another entrance to the park. The shared cycle/footway connects to a local cycle way on Albion Road, located 400m from the signalised junction on Moray Park Terrace. The local cycle way joins into National Cycle Route 75, which provides access to Leith to the north and connects with National Cycle Routes 1, 76 and 754 to the south.

Overall, the development is well connected and will have no detrimental impact on traffic, road safety or parking.

### **(c) Neighbouring Residential Amenity**

There are no anticipated impacts on neighbouring residential amenity arising as a result of the proposal. The original planning permission for the retail park included conditions limiting noise and vibration and a restriction on servicing vehicles and loading/unloading times. These conditions will also be imposed on this permission.

### **(d) Public Comments**

The application attracted 2 representations from members of the public objecting to the proposal.

The material reason for objection is:

- The area is already adequately served by supermarkets and smaller retailers - assessed in section 3.3(a).

### **Conclusion**

The proposal complies with the development plan. The proposal is acceptable in this location and should have no detrimental impact on the local retail environment. There are no issues in relation to traffic, road safety or neighbouring residential amenity. There are no other considerations which outweigh this conclusion and approval is recommended.

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

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

#### **Conditions**

1. All music shall be so controlled as to be inaudible within any nearby residential premises.
2. The design and installation of any plant, machinery or equipment being 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.
3. Loading and unloading operations being restricted to the hours of 7am to 8pm.

4. There shall be no arrival of service vehicles outwith the permitted times for loading and unloading.

**Reasons:-**

1. In order to safeguard the amenity of neighbouring residents and other occupiers.
2. In order to safeguard the amenity of neighbouring residents and other occupiers.
3. In order to safeguard the amenity of neighbouring residents and other occupiers.
4. In order to safeguard the amenity of neighbouring residents and other occupiers.

**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. 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. The applicant should therefore advise the Council if he wishes the 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.
3. Electric vehicle charging outlets should be considered for this development including dedicated parking spaces with charging facilities and ducting and infrastructure to allow electric vehicles to be readily accommodated in the future.

**Financial impact**

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

There are no financial implications to the Council.

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

---

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

**Equalities impact**

---

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

The application has been assessed and has no impact in terms of equalities or human rights.



## **Sustainability impact**

---

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

This application is not subject to 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**

The application was advertised on 11 September 2018 and has attracted 2 representations from members of the public objecting to the proposal.

## **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**

Edinburgh Local Development Plan - Commercial Centre

**Date registered**

22 August 2018

**Drawing numbers/Scheme**

01,

Scheme 1

**David R. Leslie**

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Alexander Gudgeon, Planning Officer

E-mail:alexander.gudgeon@edinburgh.gov.uk Tel:0131 529 6126

**Links - Policies**

---

**Relevant Policies:****Relevant policies of the Local Development Plan.**

LDP Policy Ret 1 (Town Centres First Policy) sets criteria for retail and other town centre uses following a town centre first sequential approach.

LDP Policy Ret 4 (Commercial Centres) sets criteria for assessing proposals for additional retail floorspace in a commercial centre.

# Appendix 1

## **Application for Planning Permission 18/04464/FUL At Meadowbank Retail Park, Moray Park, Edinburgh Section 42 application for non-compliance with Condition G34 of Planning Permission A/01457/95/RM to allow for the sale of convenience goods at Unit 3.**

### **Consultations**

---

#### **Roads Authority**

*No objections to the application subject to the following being included as conditions or informatives as appropriate:*

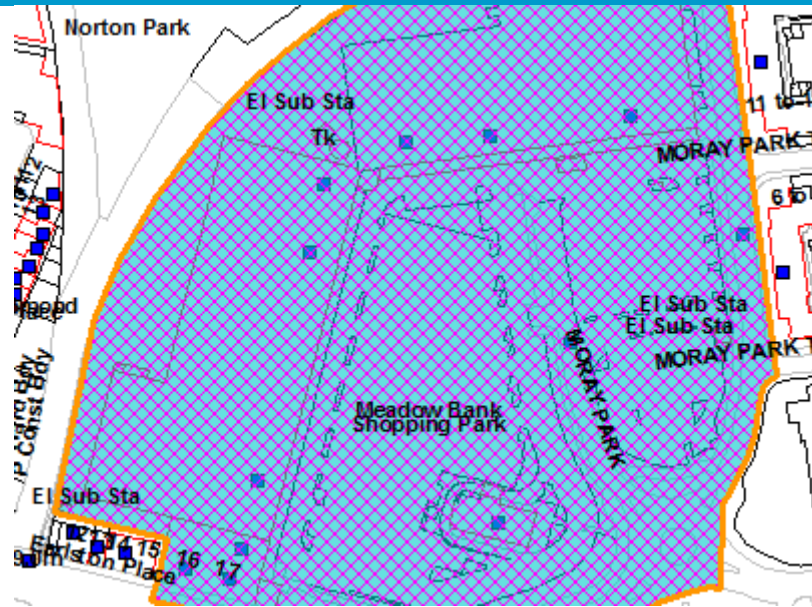
- 1. All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Council if he wishes the bays 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;*
- 2. Electric vehicle charging outlets should be considered for this development including dedicated parking spaces with charging facilities and ducting and infrastructure to allow electric vehicles to be readily accommodated in the future.*

*Note:*

*The proposed development will not change the existing parking provision.*

## Location Plan

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**END**

# Development Management Sub Committee

Wednesday 6 February 2019

## Application for Planning Permission 18/04731/FUL

At 122 - 123 Princes Street, Edinburgh, EH2 4AD

The redevelopment of existing retail unit to form additional hotel rooms and restaurant at ground floor. The proposal also seeks a change of use from Class 1(Retail) to Class 3 (Food and Drink) and Class 7 (Hotel).

Item number	4.5(a)
Report number	
Wards	B11 - City Centre

### Summary

---

The proposal will result in the loss of retail floor space which would not preserve and enhance the City Centre's vitality and viability and would undermine the retailing function of the centre. The proposal is contrary to Local Development Plan Policy Ret 9 and Policy ERC 1 of the Supplementary Guidance City Centre Retail Core.

It is recommended that planning permission is refused. There are no material considerations that outweigh this conclusion.

### Links

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<a href="#">Policies and guidance for this application</a>	LDPP, LDES02, LRET09, LEMP10, LEN01, LEN03, LEN04, LEN06, LDES01, LDES12, SGCCRC,
------------------------------------------------------------	-----------------------------------------------------------------------------------

# Report

**Application for Planning Permission 18/04731/FUL  
At 122 - 123 Princes Street, Edinburgh, EH2 4AD  
The redevelopment of existing retail unit to form additional  
hotel rooms and restaurant at ground floor. The proposal  
also seeks a change of use from Class 1(Retail) to Class 3  
(Food and Drink) and Class 7 (Hotel).**

## Recommendations

---

1.1 It is recommended that this application be Refused for the reasons below.

## Background

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### 2.1 Site description

The application site comprises nos 122-123 Princes Street with the buildings running through from Princes Street to Rose Street Lane South. The surrounding buildings are in commercial use.

122 Princes Street comprises a six storey modern building which is operating as the Premier Inn hotel.

123 Princes Street is a Category 'B' listed building (listed on 20.02.1985 L.B ref 29513) dating from the late 18th century and forms part of James Craig's original New Town Plan. It is a 4-storey and attic building and the facade was remodelled and heightened by W Hamilton Beattie, 1873.

The buildings are located within Block 2 of the Princes Street Development Briefs, which is located between South Charlotte Street and Castle Street. All of the buildings are located within World Heritage Site.

This application site is located within the New Town Conservation Area.

### 2.2 Site History

There is a lengthy planning history for the property but the most relevant history is as follows:

May 2009 - Planning permission granted for Retail and hotel development, including alterations to 123 Princes Street, substantial demolition of 121 - 122 Princes Street, and demolition of 129 and 131 - 133 Rose St Lane South (as amended) (application number 08/03230/FUL).

June 2009 - Listed building consent granted for retail and hotel development, including alterations to 123 Princes Street, substantial demolition of 121 - 122 Princes Street, and demolition of 129 and 131 - 133 Rose St Lane South (as amended) (application number 08/03230/LBC).

August 2018 - listed building consent currently pending consideration for the redevelopment of existing retail unit to form additional hotel rooms and restaurant at ground floor. The proposal also seeks a change of use from Class 1(Retail) to Class 3 (Food and Drink) and Class 7 (Hotel) (application number 18/04732/LBC).

## **Main report**

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### **3.1 Description Of The Proposal**

The proposal is for a change of use of the existing retail unit at ground, first floor and basement levels and alteration to the second floor (hotel).

#### Ground Floor

A new 387 square metre restaurant (Class 3) is proposed and a new separate hotel reception with associated back of house facilities to the rear. Both these facilities will be accessed from the existing entrances onto Princes Street.

#### First Floor

19 new bedrooms are to be created and a new external courtyard.

#### Second Floor

12 new bedrooms are to be created.

#### Basement

28 new bedrooms are to be created.

On the east elevation of the building five new grey aluminium windows are proposed. At the ground floor level within the building the existing escalator will be removed and the roof of the rear extension lowered to form an open courtyard. Additional windows and doors will be formed and the external walls will be rendered to match the existing.

#### Supporting Statement

The following documents are available on the Planning and Building Standards On-Line Services:

- Planning Statement.

### 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 harm the character or appearance of the conservation area? If they do, there is a strong presumption against granting of consent.

In considering whether to grant consent, special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. For the purposes of this issue, preserve, in relation to the building, means preserve it either in its existing state or subject only to such alterations or extensions as can be carried out without serious detriment to its character.

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 development is acceptable;
- b) The impacts on the listed buildings are acceptable;
- c) The design, impact on the conservation area and Edinburgh World Heritage Site are acceptable;
- d) The impact on neighbouring amenities is acceptable;
- e) The impact on transport and road safety is acceptable;
- f) Impacts on equalities and rights are acceptable; and
- g) Representations have been considered.

#### a) Principle

The site is located within the Core Shopping Frontage and the City Centre Retail Core, as set out in Appendix B of the Edinburgh Local Development Plan (LDP).



Policy Ret 9 of the LDP supports changes of use of shop units in the City Centre retail core provided they don't undermine the retail function of the centre. Detailed criteria is set out in the adopted supplementary guidance. The underlying aim is to tailor the approach to suit the different parts of the city. The role of the supplementary guidance is to assess the relative strengths, weaknesses, vitality and viability of each centre.

As set out in paragraph 259, the LDP aims to protect the important retail function of defined centres whilst recognising the benefits of a wide range of complementary services, leisure and community uses. This states that the policy applies to "ground floor units only or basement/first floor units that are accessed from the pavement". Paragraph 260 provides further advice on the city centre retail core stating that a "high quality retail offer is a key aspect of sustaining and enhancing the city centre and policies are required to ensure that shopping continues to be the predominant use."

The supplementary guidance for the City Centre Retail Core is adopted and forms part of the statutory local development plan. It recognises that a variety of shops is critical to the health of the city centre. However, it also states that there are benefits of allowing shops to change to other uses that preserve and enhance the City Centre's vitality and viability. In certain circumstances changes of use on Princes Street from shops to café/restaurant use would enhance pedestrian spaces on the City Centre Core Frontage. Detailed policy is provided under ERC 1. It permits changes of use to Class 3, but only in locations that can safely accommodate outdoor pavement seating, and the change of use applies to a shop unit floor area of under 500 sq metres.

Although the proposed restaurant only has a gross floorspace of 387sq metres the existing retail unit is a modern floorspace with a gross floor area of 2540 sq metres which would be lost in its entirety when combined with the hotel floorspace. The loss of this retail floor space would not preserve and enhance the City Centre's vitality and viability and would undermine the retailing function of the centre.

The proposal would be contrary to the aims of the Supplementary Guidance and Policy ERC 1, and in turn the LDP policy Ret9 and there are no material planning considerations that outweigh this conclusion.

#### b) Impact on Listed Building

Policy Env 4 of the LDP states that alterations or extensions of a listed building are permitted where they will not cause any unnecessary damage to historic structure or diminish its interest.

The external alterations to the east elevation proposed is only visible from the rear of Rose Street South Lane and forms part of the modern development comprising the existing hotel use. The alterations to the south and north courtyard is not visible from any public viewpoint and is located at a lower level. The alterations are acceptable and will not adversely impact on the setting of the listed building or its character.

The proposal complies with LDP policies Env 3 (Listed Buildings - Setting) and Env 4 (Listed Buildings - Alterations and Extensions).

Other impacts from the proposals are assessed from the parallel application 18/04732/LBC.

c) Impact on Conservation Area and Edinburgh World Heritage Site

The Outstanding Universal Value of the Old and New Towns of Edinburgh World Heritage Site is defined as the remarkable juxtaposition of two clearly articulated urban planning phenomena: the contrast between the organic medieval Old Town and the planned Georgian New Town which provides a clarity of urban structure unrivalled in Europe.

The proposed development is minor, is not publicly visible and there will not be any adverse impacts on character and appearance the New Town Conservation Area or the Old and New Towns of Edinburgh World Heritage Site.

The proposal complies with LDP policies Env 1 (The World Heritage Site) and Env 6 (Conservation Areas - Development).

d) Impact on Amenity

Policy Des 5 states that development will not be permitted where the amenity of neighbouring development is not adversely affected.

There are residential properties located to the east and west of Rose Street South Lane. The proposal includes additional plant located within a plant room at the first floor level. Given there are established commercial uses along this lane with existing plant and machinery it is not considered that the residential amenity will be further affected by the additional plant.

The proposal does not raise any concern with regard to its impact on neighbouring amenity and complies with Des 5.

e) Roads Authority

No parking provision is provided on site. Given the location within the city centre and within Zone 1 the proposal complies with the Council's 2017 parking Standards which allows for zero parking.

Transport identified the tram contribution of the proposed additional 59 bed hotel as £180,632 and the existing retail use as £234,447. The impact of the new development is less than the existing use and therefore no net tram contribution is required.

f) Equalities and Human Rights

This application was assessed in terms of equalities and human rights and will have no adverse impact.

g) Representations

**Material Representations - Objection**

- loss of retail - assessed in section 3.3 (a).
- not a suitable location for hotel 3.3 (b).

## **Non-Material Representations**

A number of objections did not give any written reasons for their objections.

## **Community Council**

No comments have been received.

## Conclusion

The proposal will result in the loss of retail floor space which would not preserve and enhance the City Centre's vitality and viability and would undermine the retailing function of the centre. The proposal is contrary to the Local Development Plan Policy Ret 9 and Policy ERC 1 of the Supplementary Guidance City Centre Retail Core.

It is recommended that this application be Refused for the reasons below.

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

### **Reasons:-**

1. The proposal is contrary to the Local Development Plan Policy Ret 9 in respect of, Alternative Use of Shop Units - Elsewhere in defined centres and Policy ERC 1 of the Supplementary Guidance City Centre Retail Core, as the proposal will result in the loss of a shop unit of more than 500 sq metres which would undermine the retailing function of the centre.

## **Financial impact**

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

There are no financial implications to the Council.

## **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 is not subject to 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**

The application was advertised on the 7 September and a total of 36 letters of representation has been received. Seventeen of these were material planning objections and nineteen of these made no comment and are non-material in the determination of this application.

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 application property is located in the City Centre and City Centre Retail Core within the Local Development Plan.

### **Date registered**

28 August 2018

### **Drawing numbers/Scheme**

01-27,

Scheme 1

David R. Leslie  
Chief Planning Officer  
PLACE  
The City of Edinburgh Council

Contact: Lynsey Townsend, Senior Planning Officer  
E-mail:lynsey.townsend@edinburgh.gov.uk Tel:0131 529 3905

## **Links - Policies**

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### **Relevant Policies:**

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

LDP Policy Des 2 (Co-ordinated Development) establishes a presumption against proposals which might compromise the effect development of adjacent land or the wider area.

LDP Policy Ret 9 (Alternative Use of Shop Units in Defined Centres) protects the City Centre Retail Core and Town Centres from development which would undermine their retailing function, and specifies that detailed criteria for change of use will be set out in supplementary guidance. It provides criteria for assessing the change of use of a shop unit to a non shop unit in local centres.

LDP Policy Emp 10 (Hotel Development) sets criteria for assessing sites for hotel development.

LDP Policy Env 1 (World Heritage Site) protects the quality of the World Heritage Site and its setting.

LDP Policy Env 3 (Listed Buildings - Setting) identifies the circumstances in which development within the curtilage or affecting the setting of a listed building will be permitted.

LDP Policy Env 4 (Listed Buildings - Alterations and Extensions) identifies the circumstances in which alterations and extensions to listed buildings will be permitted.

LDP Policy Env 6 (Conservation Areas - Development) sets out criteria for assessing development in a conservation area.

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 12 (Alterations and Extensions) sets criteria for assessing alterations and extensions to existing buildings.

The City Centre Retail Core Supplementary Guidance sets criteria for assessing change of a shop unit to a non-shop use on Core Frontages, Primary Frontages and elsewhere.

# Appendix 1

**Application for Planning Permission 18/04731/FUL  
At 122 - 123 Princes Street, Edinburgh, EH2 4AD  
The redevelopment of existing retail unit to form additional  
hotel rooms and restaurant at ground floor. The proposal  
also seeks a change of use from Class 1(Retail) to Class 3  
(Food and Drink) and Class 7 (Hotel).**

## **Consultations**

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### Roads Authority

*No objections to the application subject to the following being included as conditions or informatives as appropriate:*

- 1. No net tram contribution (see Note b).*
- 2. A monitor capable of receiving an internet connection to display Public Transport Real Time information should be displayed in the reception area of the hotel (Reason to advise patrons of public transport);*
- 3. The Council's 2017 Parking Standards requires the applicant to provide a minimum of 12 secure cycle parking.*

### *TRAMS - Important Note:*

*The proposed site is on or adjacent to the operational Edinburgh Tram. An advisory note should be added to the decision notice, if permission is granted, noting that it would be desirable for the applicant to consult with the tram team regarding construction timing. This is due to the potential access implications of construction / delivery vehicles and likely traffic implications as a result of diversions in the area which could impact delivery to, and works at, the site. Tram power lines are over 5m above the tracks and do not pose a danger to pedestrians and motorists at ground level or to those living and working in the vicinity of the tramway. However, the applicant should be informed that there are potential dangers and, prior to commencing work near the tramway, a safe method of working must be agreed with the Council and authorisation to work obtained. Authorisation is needed for any of the following works either on or near the tramway:*

- o Any work where part of the site such as tools, materials, machines, suspended loads or where people could enter the Edinburgh Tram Hazard Zone. For example, window cleaning or other work involving the use of ladders;*
- o Any work which could force pedestrians or road traffic to be diverted into the Edinburgh Trams Hazard Zone;*
- o Piling, using a crane, excavating more than 2m or erecting and dismantling scaffolding within 4m of the Edinburgh Trams Hazard Zone;*
- o Any excavation within 3m of any pole supporting overhead lines;*
- o Any work on sites near the tramway where vehicles fitted with cranes, tippers or skip loaders could come within the Edinburgh Trams Hazard Zone when the equipment is in use;*

o The Council has issued guidance to residents and businesses along the tram route and to other key organisations who may require access along the line. See our full guidance on how to get permission to work near a tram way <http://edinburghtrams.com/community/working-around-trams>

Note:

- a. The applicant proposes no parking provision and complies with the Council's 2017 parking Standards in Zone 1 which allows for zero parking.
- b. Tram contribution for the proposed 59 bed Class 7 in Zone 1 = £180,632; tram contribution for the existing 2540m<sup>2</sup> retail in Zone 1 = £234,447; net tram contribution = £0.00.

## Location Plan



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**END**



# Development Management Sub Committee

Wednesday 6 February 2019

## Application for Listed Building Consent 18/04732/LBC

At 122 - 123 Princes Street, Edinburgh, EH2 4AD

The redevelopment of existing retail unit to form additional hotel rooms and restaurant at ground floor. The proposal also seeks a change of use from Class 1(Retail) to Class 3 (Food and Drink) and Class 7 (Hotel).

Item number	4.5(b)
Report number	
Wards	B11 - City Centre

### Summary

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The proposals do not have regards to the desirability of preserving the building and will adversely affect its features of special and historic interest. There are no material considerations which outweigh this conclusion.

### Links

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[Policies and guidance for this application](#) LDPP, LEN04, NSG, NSLBCA, OTH, CRPNEW,

# Report

**Application for Listed Building Consent 18/04732/LBC  
At 122 - 123 Princes Street, Edinburgh, EH2 4AD  
The redevelopment of existing retail unit to form additional  
hotel rooms and restaurant at ground floor. The proposal  
also seeks a change of use from Class 1(Retail) to Class 3  
(Food and Drink) and Class 7 (Hotel).**

## Recommendations

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1.1 It is recommended that this application be Refused for the reasons below.

## Background

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### 2.1 Site description

The application site comprises nos 122-123 Princes Street with the buildings running through from Princes Street to Rose Street Lane South. The surrounding buildings are in commercial use.

122 Princes Street comprises a six storey modern building which is operating as the Premier Inn hotel.

123 Princes Street is a Category 'B' listed building (listed on 20.02.1985 L.B ref 29513) dating from the late 18th century and forms part of James Craig's original New Town Plan. It is a 4-storey and attic building and the facade was remodelled and heightened by W Hamilton Beattie, 1873.

The buildings are located within Block 2 of the Princes Street Development Briefs, which is located between South Charlotte Street and Castle Street. All of the buildings are located within World Heritage Site.

This application site is located within the New Town Conservation Area.

### 2.2 Site History

There is a length planning history for the property but the most relevant history is as follows:

May 2009 - Planning permission granted for retail and hotel development, including alterations to 123 Princes Street, substantial demolition of 121 - 122 Princes Street, and demolition of 129 and 131 - 133 Rose St Lane South (as amended) (application number 08/03230/FUL).

June 2009 - Listed building consent granted for retail and hotel development, including alterations to 123 Princes Street, substantial demolition of 121 - 122 Princes Street, and demolition of 129 and 131 - 133 Rose St Lane South (as amended) (application number 08/03230/LBC).

August 2018 - planning permission currently pending consideration for the redevelopment of existing retail unit to form additional hotel rooms and restaurant at ground floor. The proposal also seeks a change of use from Class 1(Retail) to Class 3 (Food and Drink) and Class 7 (Hotel) (application number 18/04731/FUL).

## **Main report**

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### **3.1 Description Of The Proposal**

The proposal is for internal alterations to the building to form a restaurant and form 59 additional hotel rooms at the basement, ground, first and second floors.

On the east elevation of the building five new grey aluminium windows are proposed. Additional windows and doors will be formed and the external walls will be rendered to match the existing.

#### Internal Alterations

On the ground floor level within the building the existing escalator will be removed and the roof of the rear extension lowered to form an open courtyard. At the ground and first floor a new suspended ceiling will be formed to allow the formation of the new restaurant at ground floor and new corridors and bedrooms at the first floor.

### **3.2 Determining Issues**

In considering whether to grant consent, special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. For the purposes of this issue, preserve, in relation to the building, means preserve it either in its existing state or subject only to such alterations or extensions as can be carried out without serious detriment to its character.

Do the proposals harm the character or appearance of the conservation area? If they do, there is a strong presumption against granting of permission.

In determining applications for listed building consent, the Development Plan is not a statutory test. However the policies of the Local Development Plan (LDP) inform the assessment of the proposals and are a material consideration.

### **3.3 Assessment**

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

- a) the proposal has an adverse impact on the character of the listed building or character and appearance of the conservation area;
- b) any comments raised have been addressed;

- c) any impacts of equalities and human rights have been addressed; and
- d) any comments raised have been addressed.

a) The Impact on the character of the Listed Buildings or the character and appearance of the conservation area

In determining applications for listed building consent, the Development Plan is not a statutory test. However the policies of the Local Development Plan (LDP) inform the assessment of the proposals and are a material consideration.

Policy Env 4 Listed buildings- Alterations and Extensions states that proposals to alter or to extend listed buildings will be permitted where those alterations are justified; would not result unnecessary damage to historic structures or diminution of its interests; and where any additions would be in keeping with other parts of the building.

Internal Alterations

The non-statutory guidance on 'Listed Buildings and Conservation Areas' states that suspended ceilings should never be formed in principal rooms or entrance halls which have decorative plasterwork.

Historic Environment Scotland (HES) guidance 'Managing Change in the Historic Environment: Interiors' states: "Where the original plan form or a later plan form of special interest survives, particularly in regard to the entrance hall, main stair, common spaces and principal rooms or spaces, these spaces should normally be retained without subdivision. Removal of lath-and-plaster walls, original floors and joinery, decorative plaster or ironwork, is almost always damaging to the interest of the interior and is often unnecessary. Even where not in use, features such as doors, fireplaces or machinery, where practicable, should be left in-situ."

To the basement, there are no areas of architectural or historic interest. The ground and first floor are the most decorative and architecturally significant floors within the building and were retained, repaired and exposed as part of the redevelopment of the site. The proposals would disturb the current plan form and obscure the ceiling. The proposals on whole do not have regard to the desirability of preserving the building and will adversely affect features of special and historic interest.

External Alterations

The external alterations to the east elevation proposed as part of this application is only visible from the rear of Rose Street South Lane and forms part of the modern development comprising the existing hotel use. The formation of the window within the existing doorway is appropriate and will be infilled with stone to match the existing. The formation of the new external wall and windows at the lower level will be rendered. Whilst this is not a traditional material, render is evident within the immediate context of the site. The courtyard is not visible from any public viewpoint, surrounded by a modern building and is located at the basement level and is appropriate in this context.

The proposed alterations are acceptable and will not cause unnecessary damage to the building's historic structure or diminution of its interest.

#### b) Impact on Conservation Area and Edinburgh World Heritage Site

The area is commercial in nature and the proposed alterations are in keeping with this established character. There will be no adverse impacts on the character and appearance of this part of the New Town Conservation Area or the Edinburgh World Heritage Site.

The proposal complies with ECLP policies Env 1 (World Heritage Site) and Env 6 (Conservation Areas - Development), and the Council's guidance on Listed Buildings and Conservation Areas.

#### c) Equalities and Human Rights

There are no issues of concern with regard to equalities and human rights.

#### d) Public Comments

##### Non-Material representation

- related to the loss of retail - these issues are addressed in the associated planning application and is not material in the determination of this listed building application.

#### **Community Council**

No comments received.

#### Conclusion

The proposals do not have regards to the desirability of preserving the building and will adversely affect its features of special and historic interest.

It is recommended that this application be Refused for the reasons below.

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

##### **Reasons:-**

1. The proposal is contrary to non-statutory guidance on Listed Buildings and Conservation Areas as the works do not have regards to the desirability of preserving the listed building and conservation area.

## **Financial impact**

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

There are no financial implications to the Council.

## **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:**

The application has been assessed and has no impact in terms of equalities or human rights.

## **Sustainability impact**

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

This application is not subject to the sustainability requirements of the Edinburgh Design Guidance.

## **Consultation and engagement**

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

There is no pre-application process history.

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

The application was advertised on 7 September 2018. A total of fifty two letters of representation has been received. All these letters were non-material in the determination of this application.

## **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 application property is located in the City Centre and City Centre Retail Core within the Local Development Plan.

**Date registered**

28 August 2018

**Drawing numbers/Scheme**

01-27,

Scheme 1

**David R. Leslie**

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Lynsey Townsend, Senior Planning Officer

E-mail:lynsey.townsend@edinburgh.gov.uk Tel:0131 529 3905

**Links - Policies**

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**Relevant Policies:****Relevant policies of the Local Development Plan.**

LDP Policy Env 4 (Listed Buildings - Alterations and Extensions) identifies the circumstances in which alterations and extensions to listed buildings will be permitted.

**Relevant Non-Statutory Guidelines**

**Non-statutory guidelines 'LISTED BUILDINGS AND CONSERVATION AREAS'** provides guidance on repairing, altering or extending listed buildings and unlisted buildings in conservation areas.

**Other Relevant policy guidance**

**The New Town Conservation Area Character Appraisal** states that the area is typified by the formal plan layout, spacious stone built terraces, broad streets and an overall classical elegance. The buildings are of a generally consistent three storey and basement scale, with some four storey corner and central pavilions.

# Appendix 1

## Application for Listed Building Consent 18/04732/LBC At 122 - 123 Princes Street, Edinburgh, EH2 4AD

The redevelopment of existing retail unit to form additional hotel rooms and restaurant at ground floor. The proposal also seeks a change of use from Class 1(Retail) to Class 3 (Food and Drink) and Class 7 (Hotel).

### Consultations

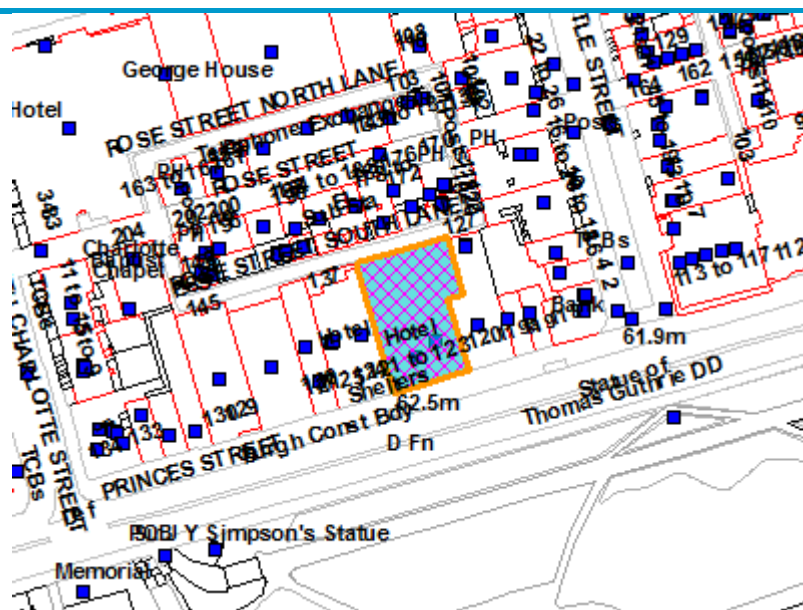
#### Historic Environment Scotland

*No.123 Princes Street is an original New Town townhouse recast by David Bryce in 1850 and William Hamilton Beattie in 1873.*

*We have no concerns with the principle of the works but would suggest the surviving elements of the listed building, specifically at first floor level, are retained. The main decorative ceiling facing towards Princes Street is one of the best surviving elements in the building and was specifically retained, restored and exposed as part of the previous major redevelopment scheme.*

*The current proposals would disturb the current plan-form and obscure the ceiling. We would strongly recommend this element is be redesigned to retain the main principle room as one space with the ceiling exposed to view. Any bathroom element should be in a ¾ height pod. Elsewhere, the surviving plan-form should be respected.*

### Location Plan



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**END**



# Development Management Sub-Committee

**10.00am, Wednesday 6 February 2019**

## **Protocol Note for Hearing**

**Planning Application No 18/02719/FUL, 18/02720/CON, 18/02722/LBC,  
18/02723/LBC and 18/02725/LBC**

**Royal Hospital For Sick Children, 9 Sciennes Road, Edinburgh EH9  
1LF**

**Item number** 6.1(a)

**Report number**

**Ward**

### **Laurence Rockey**

Head of Strategy and Communications

Contacts: Veronica MacMillan

Email: [veronica.macmillan@edinburgh.gov.uk](mailto:veronica.macmillan@edinburgh.gov.uk)

Tel: 0131 529 4283

# Summary

## Protocol Note for Hearing

### Summary

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The Council is committed to extending public involvement in the planning process. Hearings allow members of the public to put their views on planning applications direct to the Councillors on the Development Management Sub-Committee.

The Sub-Committee members have a report on the planning application which contains a summary of the comments received from the public. Copies of the letters are available for Councillors to view in the group rooms.

### Committee Protocol for Hearings

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The Planning Committee on 25 February 2016 agreed a revised general protocol within which to conduct hearings of planning applications as follows:

- Presentation by the Chief Planning Officer	15 minutes
- Presentation by Community Council	5 minutes
- Presentations by Other Parties	5 minutes, each party
- Questions by Members of the Sub-Committee	
- Presentation by Ward Councillors	5 minutes each member
- Presentation by Applicant	15 minutes
- Questions by Members of the Sub-Committee	
- Debate and decision by members of the Sub-Committee	

## Order of Speakers for this Hearing

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1	<b>Chief Planning Officer</b> - presentation of report	10.10-10.30
2	<b>Representors or Consultees</b> Marchmont and Sciennes Community Council Dr Elizabeth Cumming, Mansfield Traquair Trust	10.30-10.35 10.35-10.40
3	<b>Ward Councillors</b> Councillor Cameron Rose Councillor Alison Dickie Councillor Ian Perry Councillor Steve Burgess	10.40-10.45 10.45-10.50 10.50-10.55 10.55-11.00
4	<b>Break</b>	11.00-11.05
5	<b>Applicant and Applicant's Agent</b> Ian Harrison (Downing Group) Callum Fraser (Holder Planning) Paul Harkin (Fletcher Joseph Architects) Rupert Fleming (Fletcher Joseph Architects) Catharine Kidd (Turley Heritage) Alex Sneddon (Transportation Planning Ltd)	11.05-11.20
6	<b>Debate and Decision on Application by Sub-Committee</b>	11.20

Scheduled times are approximate but within this the time limits for speakers will be enforced – speakers will be reminded when they have 1 minute remaining. Speakers should keep to “material planning matters” that the Sub-Committee can take into account. Any visual material must be submitted to Committee Services at least 24 hours before the meeting. Decisions will generally be to approve or refuse. Conditions of approval or reasons for refusal may be considered at a subsequent meeting. If the application is continued for further information, the Hearing will not be re-opened at a later stage and contributors will not be invited to speak again. In such cases, the public can attend the meeting to observe the discussion from the gallery.

# Development Management Sub Committee

**Wednesday 6 February 2019**

**Application for Planning Permission 18/02719/FUL  
At Royal Hospital For Sick Children, 9 Sciennes Road,  
Edinburgh**

**Mixed use development comprising residential (8 houses and 118 flats), student accommodation 323 beds, communal space, cycle/car parking provision, public realm enhancements, associated works and infrastructure. Development involves partial demolition of existing buildings, erection of new buildings and change of use/conversion of retained buildings (as amended).**

<b>Item number</b>	6.1(b)
<b>Report number</b>	
<b>Wards</b>	B15 - Southside/Newington

## Summary

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The proposals comply with the development plan and non-statutory guidelines and will have no adverse effect on the character or setting of the listed buildings, or character or appearance of the conservation area. The development will have no detrimental impact on residential amenity or road safety. The mix of uses will have no detrimental impacts on the surrounding neighbourhood. The proposals will result in an overall conservation gain through the reuse and preservation of the listed buildings on site.

There are no material considerations that outweigh this conclusion.

It is recommended that the Committee approves this application, subject to the recommended conditions and legal agreement.

## Links

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[Policies and guidance for this application](#)

LDPP, LDEL01, LDES01, LDES02, LDES03, LDES04, LDES05, LDES06, LDES07, LDES08, LEN03, LEN04, LEN05, LEN06, LEN09, LEN12, LEN16, LEN20, LEN21, LEN22, LHOU01, LHOU03, LHOU04, LHOU05, LHOU05, LHOU08, LHOU10, LTRA02, LTRA03, LTRA04, LRS01, OTH, CRPMAR, NSG, NSGD02,

# Report

## **Application for Planning Permission 18/02719/FUL At Royal Hospital For Sick Children, 9 Sciennes Road, Edinburgh**

**Mixed use development comprising residential (8 houses and 118 flats), student accommodation 323 beds, communal space, cycle/car parking provision, public realm enhancements, associated works and infrastructure. Development involves partial demolition of existing buildings, erection of new buildings and change of use/conversion of retained buildings (as amended).**

### **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 approximately 1.72 hectares in area. It lies to the south of the Meadows, and is bounded by Sciennes Road, Sylvan Place, Rillbank Crescent, and Millerfield Place.

The site is currently occupied by a variety of buildings which make up the accommodation for the Royal Hospital for Sick Children. The main hospital building is a Category B listed building (LB30480, listing date 15/01/92), built in 1892-95, designed by George Washington Browne. The building is formed in a U-shaped block framing a courtyard area, with the principal elevation addressing Sciennes Road to the south. The central administrative block extends to four storeys in height and the two symmetrical ward wings are three storeys in height.

The hospital building has been altered over the years and has lost significant external detailing. It has had several additions made to it and new linkages between buildings provided.

To the north east is a mortuary chapel, also designed by George Washington Browne (1895) built at the same time as the main hospital building. This building is Category A listed (LB52347, listing date 26 May 2015) and contains the first complete mural scheme by Phoebe Traquair, one of only three in Scotland. The mortuary chapel building was extended in footprint (1904) and height by an additional storey (1931).

A pharmacy store building is located to the immediate east of the main hospital building, adjoining the boundary with Sciennes Primary School. This is a single storey building with pitched slate roof, and is likely to have been built in the late 19th century.

Hospital related uses expanded into surrounding terraced villas located on Rillbank Terrace (both sides) and Millerfield Place (west side) during the 20th century, and several properties have been extended to the rear to provide additional accommodation. There have been further additions of modular buildings to the rear of Rillbank Terrace/ Millerfield Place, which result in a dense and somewhat cluttered built environment within this part of the site.

To the south of the site is Sciennes Road, along which a strip of open space is located along the southern edge, used in part by Sciennes Primary School as outdoor play space. Detached residential properties back onto Sciennes Road, and this residential character extends into the Grange neighbourhood of the city to the south of the site. 15 and 17 Hatton Place is a residential dwelling located to the immediate south of the open space strip, and is a category C listed semi-detached property (LB30339, listing date 15 January 1992). The rear elevation of this building is located opposite the main hospital building.

The north of the site is bounded by Rillbank Terrace which runs parallel to Melville Drive, separated by a strip of grassy open space within which mature trees are situated. The extensive open space of the Meadows lies beyond Melville Drive, giving the northern edge of the site an open aspect, punctuated by the mature trees.

The east of the site is bounded by Millerfield Place which comprises a row of Category C listed terraced properties (LB30455, listing date 15 January 1992) which are in private residential use, and the Category B listed Sciennes Primary School (LB30479, listing date 15 January 1992).

The west of the site is bounded by Sylvan Place, which contains a mix of tenement and terraced residential properties. Several terraced residential properties (Nos 1-5 Sylvan Place, to the northern end (west side) of Sylvan Place and Nos. 1-7 Fingal Place are Category B listed (LB30483, LB30484 and LB30371, listing date for all groupings 14 December 1970).

The wider surrounding area is predominantly residential in character, comprising a mixture of tenements and terraced properties to the north of Sciennes Road, and less dense, detached residential properties to the south of Sciennes Road. Marchmont local centre is located approximately 100m to the west of the site boundary and contains a mix of retail and commercial uses at the ground floor levels of tenement buildings.

There are a total of 28 trees present on the site currently, which are varying in quality and condition.

Access into the site at present is located via Rillbank Terrace to the north, Sciennes Road to the south and Sylvan Place to the west.

This application site is located within the Marchmont, Meadows and Bruntsfield Conservation Area.

## 2.2 Site History

20 June 2018 - Application for Conservation Area Consent submitted for substantial demolition in a Conservation Area, currently pending determination. (Application reference 18/02720/CON).

20 June 2018 - Application for listed building consent submitted for internal and external alterations of Category B-listed Main Building of the Royal Hospital for Sick Children to convert to residential use including rear extensions, minor alteration, including sensitive reinstatement and repair of the building. Application pending determination. (Application reference 18/02722/LBC).

20 June 2018 - Application for listed building consent submitted for Internal and external alterations of Category C-listed Nos. 11-21 (inclusive) Millerfield Place to convert to residential use including rear extensions; minor alteration, including sensitive reinstatement and repair of garden boundary walls. Application pending determination. (Application reference 18/02723/LBC).

20 June 2018 - Application for Listed Building Consent submitted for Internal and external alteration to Category A- listed Mortuary Chapel building to convert to public and residential use; conservation and repair of murals in situ; removal of 20th century hospital extensions with associated fabric repairs and reinstatement. Application pending determination. (Application reference 18/02725/LBC).

## Main report

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### 3.1 Description Of The Proposal

Full planning permission is sought for the conversion of the main building of the Royal Hospital for Sick Children including the demolition of several later ancillary extensions to the building, and the conversion and internal alterations to the adjacent Mortuary Chapel and Pharmacy Store buildings. The buildings will be used for residential dwellings. Terraced properties on Millerfield Place, Rillbank Terrace and Rillbank Crescent currently in hospital related uses are proposed for conversion to residential purposes. This will include a mix of flats and terraced houses.

A new build student housing building and connected affordable housing building is proposed for the western part of the site fronting onto Sylvan Place. This will be separated from the Main hospital building by a new area of public realm connecting Sciennes Road with Rillbank Terrace.

*Change of use:*

Detailed proposals include the following alterations and conversions:

- The application includes the demolition of the unlisted ancillary hospital buildings located to the east and south of the main hospital building. This includes the A&E building (including the former Outpatients building), surgical building, link building and a number of smaller ancillary buildings located to the rear of the main hospital complex. No.1 Rillbank Terrace, which is located on the corner of Sylvan Place and Rillbank Terrace is also proposed for demolition.



- Alterations and restoration of the main hospital building, including the removal of later extensions to the building including rear lift shaft/ stairwell, removal of infill development to the two hospital wings to reinstate balconies with new glazed detailing, removal of two existing single storey extensions at roof level and replacement with two new glazed extensions forming access to roof terraces and recladding of corners of rear elevations of the main building. The conversion to the main hospital building will create 38 apartments (ranging from one to four-bedroom).
- The existing properties along Rillbank Terrace and Rillbank Crescent will be converted from hospital use to residential use. This will form 37 apartments (ranging from one to four-bedroom). This will include internal reconfiguration of the properties and demolition of existing rear extensions.
- The Mortuary Chapel building will be partly converted from office/ mortuary use to form two one-bedroom residential apartments. The mortuary chapel room containing the Phoebe Anna Traquair murals will not be altered as part of this proposal.
- The Pharmacy Store building will be converted to form two residential apartments (a one bedroom and a two bedroom apartment), including the replacement of existing windows where necessary with timber glazed/ PPC aluminium and the replacement of existing timber cladding with metal rainscreen cladding.
- The existing townhouses on Millerfield Place (category C listed) will be converted from hospital use to residential use providing a mix of one to five-bedroom properties. This will include the reinstatement of eight townhouses (four and five bedroom) and formation of eight apartments. New glazed rear extensions are proposed for the townhouse properties on Millerfield Place.

*New build:*

- A 323-bed student housing development is proposed for the corner of Sciennes Road and Sylvan Place. The building will be five storeys in height plus two storey attic roof levels, forming a frontage onto Sylvan Place and will comprise a mix of studio and cluster flat apartments. Building materials will include natural ashlar stone walling, dark grey rainscreen cassette type cladding, pressed metal dormer windows and slate roof tiles.
- Communal space (125 sq m) will be provided and will be located at the ground floor level of the student accommodation block at the corner of Sylvan Place and Sciennes Road, with potential for future community use (subject to agreement) or as a student amenity area.

- A residential block containing 31 one and two bedroom flats is proposed for the southern corner of Sylvan Place with Rillbank Crescent. This will be facilitated by the demolition of later hospital extensions and No. 1 Rillbank Crescent. The building will be three and a half to four storeys in height. A palette of materials including natural stone, slate roof tiles and pressed metal dormer window detailing is proposed for this building to relate it to the adjoining student housing development proposal.
- A total of 32 parking spaces are proposed with 20 spaces provided in existing parking spaces on Rillbank Terrace, and 12 spaces in the courtyard in front of the main hospital building. Access into the site will be via existing entrance and exit points to the front courtyard to the north, and using the existing route at Rillbank Terrace to the south.
- Cycle storage areas for dwellings will be provided in basement level cycle storage areas, outdoor covered cycle stores and private gardens. Cycle storage for the student accommodation will be provided within a basement storage area.

A range of new open spaces will be provided as follows:

- A new area of paved public realm creating a new pedestrian connection through the site from north to south from Sciennes Road to Rillbank Terrace. This will comprise a series of sloped and stepped spaces alongside seating areas. A new opening will be formed in the existing boundary wall of the hospital on Sciennes Road to access the open space;
- A public garden located in the forecourt of the main hospital building;
- Private garden grounds for converted properties along Millerfield Place, Rillbank Terrace and some properties in the main hospital building; and
- Communal garden ground for the affordable housing units.

The proposal will result in the removal of 18 trees from the site from a total of 28. There are 32 new proposed trees identified for the site.

### *Scheme 1*

The plans have been amended as follows:

- The layout to the forecourt of the main hospital building has been amended to reduce the number of parking spaces from sixteen spaces to twelve, and to increase the area of shared garden space proposed.
- The internal layout of the affordable housing block has been amended to ensure that all properties meet the required space standards as set out in the Edinburgh Design Guide. The external footprint of the building has not changed.

## *Supporting Information*

The following documents have been provided in support of the application:

- Planning Statement;
- Pre-application Consultation Report;
- Heritage Statement;
- Design and Access Statement;
- Transport Statement;
- Ecological Appraisal;
- Tree Survey;
- Surface Water Management and Flood Risk Report;
- Daylighting Study;
- Bat Activity Survey;
- Energy Statement; and
- Mortuary Chapel Condition Report and Supplementary Addendum 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 harm the character or appearance of the conservation area? If they do, there is a strong presumption against granting of consent.

In considering whether to grant consent, special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. For the purposes of this issue, preserve, in relation to the building, means preserve it either in its existing state or subject only to such alterations or extensions as can be carried out without serious detriment to its character.

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 proposed uses are acceptable in principle in this location;

- b) There is any impact on the character and appearance of the conservation area and listed buildings;
- c) The design is acceptable;
- d) Vehicle, Pedestrian and Cycle Access points and routes and car parking are acceptable;
- e) The level of amenity for existing and future residents and other occupants is acceptable;
- f) The landscape strategy and open space provision are acceptable;
- g) Infrastructure and Affordable Housing requirements are met;
- h) The proposals are sustainable;
- i) There are other material considerations;
- j) Impacts on equalities and rights are acceptable; and
- k) Public representations have been addressed.

#### **a) Principle of uses**

##### *Residential development*

The site is in the urban area as defined in the Edinburgh Local Development Plan (LDP). Policy Hou 1 Housing Development supports redevelopment for housing provided proposals are compatible with other policies in the plan. The proposed housing is therefore an appropriate land use for this location.

Policy Hou 2 Housing Mix seeks the provision of a mix of house types and sizes where practical to meet a range of housing needs. Policy Hou 6 requires developments of twelve units or more to make provision for affordable housing amounting to 25% of the total number of units proposed.

The proposal includes 126 units, including 95 private units in a mix of one to five bedroom properties and 31 affordable units in a mix of one and two bedroom flats. The private housing will be provided in the converted hospital buildings and associated buildings along Millerfield Place, Rillbank Terrace and Rillbank Crescent. The development will provide 31 affordable units, which will be located in a new building located on the corner of Sylvan Place/ Rillbank Crescent. This equates to 25% provision and complies with policy Hou 6.

The Edinburgh Design Guidance requires that a minimum of 20% of properties in developments of this scale have a minimum of three bedrooms and floorspace of 91 sq m. Eight houses (four/ five bedroom) will be formed in the two storey section of the terrace on Millerfield Place, re-instating these properties as individual family homes as was originally intended. The remaining residential accommodation will consist of flats ranging in size from one-bed to four-bed in size. In total, 31% of accommodation will be units of three bedrooms and above which complies with the Edinburgh Design Guidance standard.

The affordable housing provision comprises a mix of twelve one bedroom (39%) and nineteen (61%) two bedroom flats. Affordable Housing has commented that the mix of affordable housing unit sizes is not representative of the mix across the wider site, and has noted that the affordable housing has not been distributed across the site.

It is recognised that the affordable housing mix does not include any larger family units. From previous experience in the city, the affordable housing provider has identified that this location is more suited to the provision of smaller one and two bedroom units and will allow for a quicker lease period, longer occupancy times and less void periods for properties. Given the historic nature of the site, the affordable housing provider has advised that it would not be desirable to integrate affordable units within the existing buildings within the site, as it would be difficult to meet design and build standards, and this may introduce management issues and maintenance burdens. The affordable housing is located in a prime location within the site, facing the Meadows. This position is considered to be reasonable, and the proposed mix of affordable housing is acceptable for this location.

Overall, the housing provision on site meets the requirements of policies Hou 1, Hou 2 and Hou 6 and is acceptable.

### *Student Housing*

Policy Hou 8 supports the development of purpose-built student accommodation in locations within the city which are a) appropriate in terms of access to university and college facilities, and where b) the proposal will not result in an excessive concentration of student accommodation.

The application site is located approximately 500m south of the University of Edinburgh's Central Campus, and is well connected by cycle and footpaths. In addition, the site is located approximately 1km south east of the University of Edinburgh's Lauriston Campus. The University of Edinburgh's Kings Building campus is located less than 2km to the south of the site and can be directly accessed on foot or by one of several regular bus routes that stop approximately 400m from the site. The location is therefore appropriate in terms of access to university and college facilities and is compliant with part a) of policy Hou 8.

The site is located within an area characterised by residential development, and a mix of other uses including the existing hospital, a primary school and a range of small scale retail and commercial activities. The purpose of part b) of policy Hou 8 is to ensure that the development of student accommodation does not adversely affect the established community. The student accommodation proposed is in a purpose-built block which ensures that it is well managed and regulated.

The Council's non-statutory Student Housing Guidance supports Policy Hou 8 as it suggests that there should be a balance between student and non-student housing. It states that criteria in LDP will be applied to proposals for student housing using the locational and design guidance. This specifies a preference for student housing locations close to university or college campuses, where the cumulative impact of student housing and other land uses has been considered, and notes that on larger sites (over 0.25ha), new build residential development should form a minimum of 50% of the total new build housing and student accommodation gross floor area.

The gross floor area of the proposed development is 25,642 sq m, comprising 16,147 sq m (63%) of housing and 16,147 sq m (37%) of student housing. This exceeds the 50% threshold of residential set out in the Student Housing Guidance. The proposal also complies with the requirement of the Student Housing Guidance to create "safe and pleasant places" with a "mix of uses" to ensure adaptability. The proposed development allows for a mix of studio and cluster units within the student development which is an appropriate balance of accommodation.

Overall, the proposal complies with the provisions of policy Hou 8, and the Student Housing Guidance in relation to the integration of student accommodation on site. It is appropriate for this location, and is acceptable.

### *Community Space*

Policy Hou 10 Community Facilities states that planning permission for housing development will only be granted where there are associated proposals to provide any necessary health and other community facilities relative to the impact and scale of development proposed.

The proposed development will provide financial contributions to healthcare and education provision within the local area. Further details are set out in section (g) below.

The proposal includes 125 sq m of communal space to be located on the ground floor of the Sciennes Road/ Sylvan Place student accommodation building. The application has not provided specific details regarding the end-use of this space, as discussions are ongoing with the Marchmont and Sciennes Development Trust (MSDT). To date, they have not received confirmation from MSDT as to their intended use of the space. On this basis, a condition will be added to any consent requiring the specification of end-use of the communal space to be agreed and that all relevant assessments as required by Environmental Protection are submitted for approval prior to discharge of the condition.

### **b) Impact on the character and appearance of the conservation area and listed buildings**

LDP Policy Env 3 seeks to protect listed buildings from development that may be detrimental to the architectural character, appearance or historic interest of the building, or its setting.

LDP Policy Env 5 seeks to ensure that demolition of unlisted buildings within a conservation area which are deemed to make a positive contribution to the character of the area will only be permitted in exceptional circumstances, and after taking into account the considerations set out in Policy Env 2 Listed Buildings - Demolition.

LDP Policy Env 6 requires development to respect, and where possible enhance the character and appearance of the conservation area. Development should be consistent with the relevant conservation area character appraisal, preserve trees, hedges, boundary walls, railings, pavings and other features which contribute positively to the character of the area and demonstrates high standards of design and utilises materials appropriate to the historic environment.

The proposal for demolition of buildings on site will be considered separately in planning application 18/02725/CON. Historic Environment Scotland has made comments to the conservation area consent application and in relation to the accompanying listed building applications 18/02720/LBC, 18/02722/LBC and 18/02723/LBC. These comments will be considered fully within these reports.

The applicant has prepared drawings showing what the development will look like. Information has also been submitted in the design and access statement and heritage statement which seek to build an understanding of the impact of the development on the surrounding conservation area. The information submitted has been used to consider the proposed urban development in terms of the appropriateness of this scheme for its heritage setting.

#### *Existing and surrounding townscape character*

The Marchmont, Meadows and Bruntsfield Conservation Area Character Assessment describes the principal features of the urban fabric of the area as being the Victorian tenemental perimeter blocks, interspersed with occasional Georgian terraces along the south side of the meadows. The tenement perimeter blocks are characterised by their uniform height, massing and use of stone and slated roofs. The area to the east of Marchmont Crescent, where the application site is located is described as more diverse, with streets such as Sylvan Place and Argyle Place containing town house development, alongside set piece buildings such as the Royal Hospital for Sick Children and Sciennes Primary School mixing up the uniformity of the prevailing surrounding tenemental pattern of development.

The proposed uses are of those found within the Marchmont, Meadows and Bruntsfield Conservation Area at present. The mix of uses is acceptable and would provide an appropriate fit with the overall character of this heritage asset.

The existing hospital building on the site makes an important contribution to the character of the conservation area in this location. The character of the original planned building has been diminished over time by the addition of the building's extensions and piecemeal alterations to the original building to meet operational requirements. This has had a negative impact on the quality of the conservation area in this location.

## ***Alterations to existing buildings - impact on Conservation Area and Listed Buildings***

A detailed assessment of the proposed alterations to the listed buildings on site is provided in the separate listed building consent applications for the site. The following sections will more generally address the impact on the conservation area and listed buildings that the proposed development will have.

### *Main hospital building*

The proposed alterations to the main hospital building will remove extensions and alterations to the building which will allow the original building form to be restored. The removal of extensions to the west of the building will allow all of its elevations to be more fully appreciated, and improves the setting of the listed building. The removal of the later hospital wing ward extensions and reinstatement of the south wing balconies will improve the southern elevation of the building, and allow the traditional characteristics of the building to contribute more effectively to the surrounding area. The replacement of windows with traditional timber frames and restorative work to stonework as required is welcomed. The forecourt of the hospital will be improved through the reduction in the amount of parking and signage provided and the provision of a smaller landscaped parking area and public garden area.

The alterations to the traditional aspects of the hospital building will make a positive contribution to the character of the conservation area and will improve the character and setting of the listed building. Significant internal alterations are proposed due to the change of use from hospital to residential use.

The principal proposed changes to the main hospital building are the provision of new glazed balconies on the hospital wings, addition of rainscreen cladding of the rear "corners" of the building, addition of a number of rooflights and windows and the replacement of two roof extensions with new glazed extensions. Clear justification for these additions has been provided in the design and access statement and heritage statement and these changes are considered to be acceptable.

### *Mortuary Chapel*

The proposed alterations to the exterior of the Mortuary Chapel are restorative in nature including the refurbishment/ replacement of windows where necessary, removal of redundant unnecessary services and penetration holes and clearance of redundant signage. A rear glazed extension will also be replaced. These amendments will improve the character of the listed building and have no negative impact on the character or appearance of the conservation area and are acceptable.



The mortuary chamber containing the Traquair Murals is accessed via a separate entrance from the rest of the building. This access arrangement will remain unchanged and there will be no internal alterations to this room or the murals, beyond the recommendations set out in the Murals Conservation Report. The internal reconfigurations to the building include the removal of some ground floor walls (with no impact on the murals chamber) and creation of two one-bedroom apartments. These have been configured to ensure that all plumbing is included on the opposite side of the building from the murals chamber. This is an acceptable arrangement. It is noted that the applicant has explored the potential for the Mortuary Chapel building to be managed by other parties including Historic Environment Scotland, but these discussions have not resulted in any viable options. The applicant will enter into a management agreement relating to the Mortuary Chapel which will ensure that continued public access by prior arrangement will be maintained, as per the current operation of the space.

### *Pharmacy Store*

The proposed alterations to the pharmacy store allows for the character of the existing building to be retained, alongside the introduction of some contemporary design alterations. The refurbishment/ replacement of windows where necessary, removal of redundant unnecessary services and penetration holes and signage is appropriate and acceptable. The replacement of timber cladding with metal rainscreen cladding on the elevation so the pharmacy store complements the contemporary alterations to the main hospital building, and creates a continuity with the modern interventions of the new build elements of the wider scheme. This is considered to make an appropriate alteration to the building, which will not adversely impact on the character of the listed building or conservation area.

### *Millerfield Place*

The proposed alterations to Millerfield Place seek to return the properties from their existing hospital use to their original residential use. The proposed changes to the external character of the buildings include the refurbishment/ replacement of timber double glazed windows where necessary, addition of rooflights, removal of recent modern extensions and replacement with new rear glazed extensions. The proposals will reinstate a sense of uniformity across the terrace whilst preserving the character of the original buildings. Rooflights are already prevalent across the terrace and the replacement/ addition of these is appropriate. Private gardens will also be reinstated for properties. The proposed alterations will improve and enhance these buildings and will not impact adversely on the character of the listed buildings or conservation area.

### ***New build development - impact on setting of conservation area and listed buildings***

The demolition of the existing buildings on Sylvan Place and of no.1 Rillbank Crescent is considered in application 18/02720/CON. LDP Policy Env 6 requires development to respect, and where possible enhance the character of the conservation area. The impact of the new build aspects of the scheme on the conservation area and relevant listed buildings is considered below.

The proposed student housing and affordable housing buildings will require the removal of existing buildings along the eastern side of Sylvan Place, creating a new frontage to the street. The impact of this change on the overall character of the conservation area has been carefully considered.

The existing form of development along the eastern edge of Sylvan Place is currently piecemeal in nature, and presents a variety of characteristics which is incongruous with the planned nature of the western side of the street.

The proposed student building at the northern end of Sylvan Place extends to five storeys in height plus one and two-storey attic roof levels. The overall scale of the student housing building has been reduced in height and massing through the design process. The proposed height of the building responds to the existing height of the tenement block at the northern end of Sylvan Place. The taller attic floors of the building are set back from the building frontage. The south side of the student block is reduced in height to respond to the corresponding heights of properties along the western side of Sylvan Place. The overall height and form of the building remains subservient in height and architectural detailing to the main hospital building.

The student housing building will be set back from the pavement of Sylvan Place by 2.5m to 3.2m, separated from the street by a low wall and metal fencing. This will improve the interface between the building and the street frontage from the existing position of the hospital buildings which sit directly onto the pavement, improve the sense of scale within the street setting and will have a positive impact on the character of the street in this location.

The elevational treatment of the student housing building provides a vertical emphasis which is in keeping with the traditional pattern of the tenements on the opposite side of the street. The inclusion of the link entrance block which will be treated with metal cladding, creating a break in the elevation and some visual permeability through the site allows for visual connections to be made towards the new area of public realm, whilst maintaining a continuous frontage onto Sylvan Place. Whilst contemporary in nature, this element of the building is considered to be appropriate and complementary to the existing character of the street.

The affordable housing building height steps down in height to respond to the typical building heights of properties on the west side of Sylvan Place. The new block has a set back from the street frontage of 2.5m with boundary walls and railings forming an appropriate boundary treatment which reflects the street setting of existing properties on the west side of Sylvan Place. This arrangement presents a significant improvement to the streetscape compared to the existing piecemeal development which is present at the south eastern side of Sylvan Place.

The affordable housing block will form a four-storey pavilion on the corner of Sylvan Place and Rillbank Crescent. This responds to the building height of No. 1 Sylvan Place opposite, and forms a bookend to the south eastern corner of the street which is currently weakened by the lack of development on the corner of this block. This will complete the pattern of pavilion blocks which prevails along the southern side of the Meadows and will strengthen the townscape pattern by completing this unfinished corner. The architectural detailing of the affordable housing building reflects the minimal design of the student housing building, showcasing the natural stone, and complementing the surrounding historical built form.

The affordable housing block continues the set back established by the student housing block and allows for private garden areas to be provided to the front of properties. This reflects the pattern of the western side of Sylvan Place and will make a positive contribution to the streetscape. Sylvan Place is a relatively narrow street in comparison with others in the immediate context area, and the proposal to set back properties will have a positive impact on the scale of the street overall. The proposed building form makes a positive contribution to the townscape and character of the conservation area and is considered to be acceptable.

Both the student housing and affordable housing blocks will provide a good level of fenestration on the street elevation which will provide an increased amount of natural surveillance. The affordable housing provides three shared entrances to the flats which will further activate the street frontage.

The proposed materials for the student housing building and the affordable housing building include a restricted palette which is in keeping with the character of the conservation area. This comprises primarily traditional materials of sandstone and slate roofs, with the introduction of contemporary materials in the form of grey pressed metal dormers and metal cladding. Channelled stone plinths are proposed along distinct sections of the student block which respond to the traditional stone details found elsewhere within the conservation area.

This mix of materials is appropriate for the context, and is aligned with the contemporary alterations proposed for the main hospital buildings, which will create a good level of continuity in materials across the scheme.

To conclude, the analysis provided in the supporting statements reflect how the design of the scheme has been informed by the characteristics of the built environment. The conversion of the existing terraces on Millerfield Place, Rillbank Terrace and Rillbank Crescent will bring these buildings back to residential use as was originally intended. The removal of ancillary hospital buildings from Sylvan Place provides the opportunity to re-activate the western side of this street and provide a planned development form that responds to the streetscape. The proposed alterations to the listed buildings, existing built environment and development of new buildings will have a beneficial impact on the character of the historic environment and is acceptable.

## **c) Design**

The Urban Design Panel was consulted at the pre-application stage and identified the importance of developing the design setting of listed buildings, streetscape and impact on the conservation area as key considerations in the assessment of the application. It noted that the replacement of the frontage along Sylvan Place will require careful justification, and that the quality of new buildings and open space will require to be of the highest standard. The Panel was also supportive of accessing the student housing from Sylvan Place.

The panel expressed desire to see a reduction in the overall parking provision on the site including removal of parking from the front of the main hospital building. It was in support of public access to the mortuary chapel building, and encouraged a community use to be established in this building.

### ***Fit with context***

#### *Alterations to the Main Hospital Building, Mortuary Chapel and Pharmacy Store*

Policy Des 1 (Design Quality and Context) requires development to demonstrate that the proposal will create or contribute towards a sense of place. Design should be based on an overall design concept that draws upon positive characteristics of the surrounding area.

The applicant has submitted supporting information to demonstrate how the design of the scheme will sit within its context. The main hospital building is a unique and individual building in the area, and is distinctive in the use of red sandstone. It acts as an iconic landmark within the local area, and is an immediately recognisable reference point. The later extensions to the main hospital building have weakened the architectural presence of the building, and detract from the original design. In particular, the addition of extensions to the west and south of the building have significantly reduced the quality of the building from these approaches and have reduced the opportunity to appreciate the building as a set piece of architecture, particularly from the rear approach to the building along Rillbank Terrace.

The heritage report submitted as part of the application concludes that any changes to the rear elevation of the main hospital building are unlikely to affect the special interest of the building due to the extent of alterations that have already taken place at this location. The removal of the extensions to the west, alongside the proposed removal of the external stair and bed lift tower on the rear elevation of the building will improve the balance of these elevations and will significantly assist the legibility of the building as it was originally designed.

The addition of aluminium glazing and cassette type rainscreen cladding on the south west and south east corners of the building will create contrast with the restored elements of the rear elevation, and will create an appropriate contrast between the old and new elements of the building. This intervention is considered to be appropriate, and allows for a sense of continuity to be achieved between the main building and adjacent contemporary materials proposed in the student housing building to the west.

The removal of the front facing playroom infill extensions on the two wings of the main hospital buildings will allow these elevations of the building to be appreciated in a form which is more aligned with the original architectural design of the building. The addition of glazed balconies in replacement of the infill extensions provide a minimal contemporary architectural intervention that will not adversely impact on the overall character of the building.

Two existing single storey extensions on the existing roofscape of the main hospital building will be removed and replaced with new lightweight glazed extensions, which will occupy a slightly larger footprint and be slightly higher than the existing extensions. This will provide a small amount of additional accommodation at this level, and will remove the unattractive existing extensions, which detract from the existing roofscape.

This intervention is considered to provide an appropriate alteration to the roofscape, that when combined with the other proposed alterations to the main hospital building will provide an appropriate contemporary addition to the character of the building. The use of glass minimises the visual impact of the extensions, and will provide access to private terraces at roof level.

#### *Mortuary Chapel*

The proposed changes to the Mortuary Chapel will comprise the replacement of existing windows where necessary, removal of redundant unnecessary services and replacement of the existing rear glazed extension with a contemporary rear extension, consistent with the proposed rear extensions on Millerfield Place. These alterations will have no significant impact on the external appearance of the building, and are acceptable.

#### *Pharmacy Store*

The proposed alterations to the pharmacy store will include the replacement of existing windows where necessary with timber double glazed windows to match existing. New windows within the new front elevation are proposed as PPC aluminium. The replacement of windows and removal of unnecessary services from the building will be beneficial to the overall character of the building and is welcomed.

The replacement of existing timber cladding with metal rainscreen cladding will match the main hospital building and will create a sense of continuity between the building and the main hospital building. This will not adversely impact on the setting of the building or surrounding townscape and is acceptable.

#### *Rillbank Terrace/ Rillbank Crescent/ Millerfield Place*

The proposed changes to Rillbank Terrace, Rillbank Crescent and Millerfield Place (Category C listed) will include the addition of rooflights which will not be visible at street level due to the existing balustrade located along the building line. Existing rear extensions to properties which are piecemeal in nature will be removed. Along Millerfield Place, new contemporary rear glazed extensions will be provided. These will be located in rear garden grounds and are not visible from the street frontage.

Other proposed alterations to the buildings include the refurbishment or replacement of existing windows (where necessary) with timber double glazed units to match existing. These are acceptable interventions and will not detract from the building or character of the surrounding area.

### *Sylvan Place*

The student housing building is positioned to create a robust corner at Sylvan Place and Sciennes Road. This will be positioned adjacent to a newly formed access to the public realm link between Sciennes Road and Rillbank Terrace which will separate the student housing building from the western wing of the main hospital building. The student building will sit as an independent building adjacent to the hospital building and will remain subservient to the main hospital building in its height and architectural detailing.

The proposed windows and fenestration of the student housing and affordable housing buildings on Sylvan Place has been considered to ensure that these take reference from the existing proportions and scale along the western side of the street and of the main hospital building to the east of the student housing building. This architectural detailing provides an appropriate response to the existing building context.

### *Frontage to the Meadows*

The affordable housing building will play an important role in redefining the corner of Sylvan Place and Rillbank Terrace. The existing built form on this corner fails to follow the established street pattern along the wider elevations to the south side of the Meadows. The proposed affordable housing block will strengthen this corner, providing a building form which reflects the wider street pattern. This will have a positive impact on the character and appearance of the wider environment, and will more strongly reflect the characteristics of the streetscape described in the Conservation Areas character assessment.

### *Layout*

LDP Policy Des 7 (Development Layout) seeks to ensure that the layout of new development enhances community safety and urban vitality, and provides direct and convenient connections on foot and by cycle. The proposed development will create a new pedestrian route through the site which will be landscaped to a high standard, and well overlooked by redeveloped and new built buildings on either side. This will open up the site, and provide a new accessible connection between Sylvan Place and Rillbank Terrace, connecting onwards to the Meadows.

The student housing building and affordable housing buildings will increase the amount of natural surveillance to Sylvan Place, and will improve the vitality of this street. The positioning and set back of new buildings on the eastern side of the street will strengthen the street frontage and improve the on-street character.

Car and cycle parking on site is appropriately located and will not inhibit pedestrian or cycle movement. Parking areas are well overlooked by adjacent properties. Overall, connectivity through the site will be significantly improved, and pedestrians and cyclists will be given a better choice of routes.

## ***Scale, height and massing***

LDP Policy Des 4 (Development Design - Impact on Setting) requires development to demonstrate that it will have a positive impact on its surroundings, including the character of the wider townscape and landscape, and impact on existing views. It is noted that the character of the wider townscape is characteristic of the Marchmont, Meadows and Bruntsfield Conservation Area, notably in the form of Victorian tenemental perimeter blocks interspersed with occasional Georgian terraces along the south side of the Meadows. It is therefore important that the form and massing of the proposed development fits appropriately with the surrounding character of streets.

The proposed alterations to the main hospital building will improve the massing of the building by removing significant extensions to the west of the building and reinstating the original planned form of the building. This is appropriate and acceptable.

The alterations to the mortuary chapel and pharmacy store will not impact on the overall scale of these buildings and is acceptable.

The scale and massing of the new build elements of the scheme have been carefully considered through the planning process. Generally, the scale and massing of existing development on the site and in the surrounding streets follows a pattern of larger scale four/five storey development in the north, and lower two/three storey development to the south. The scale of the new build elements of the scheme respond to this pattern, with building height stepping down from the student building to the affordable housing building along Sylvan Place.

The affordable housing block has been designed to reflect the proportions of the other pavilion blocks which occupy the corners of streets facing onto the Meadows. This will fit with the existing pattern of massing along the Meadows frontage, and will improve the balance of the urban grain. The corner pavilion element of this building will extend to 4 storeys in height and will approximately meet the building height of the adjacent pavilion block on the corner of Sylvan Place and Fingal Place (approximately 0.8m lower at the roofline).

The Sylvan Place element of the building will be three and a half storeys in height incorporating dormer windows in the roof space. The building eaves of this part of the affordable housing are approximately 0.5m higher than those of the existing properties on the opposite side of Sylvan Place. The ridgeline is approximately 0.85m higher than the opposite buildings. This increase does not have a significant impact on the balance of the street and is acceptable.

The student housing building is predominantly five storeys in height, and responds to the existing topography of Sylvan Place which allows for parts of the building to extend to a maximum of 7 storeys, including one or two levels of attic accommodation within the roof space in places. The massing of the building has been broken up by introducing areas of rainscreen cladding to elements of the Sylvan Place elevation which provide a visual break to the building. The stepped back roofline and use of dormer windows in the roof space also helps to minimise the impression of height and is effective in reducing the overall sense of massing of the building.

There has been a thorough consideration of the roof design of the student housing building during the planning process and the proposed roof scheme has been selected to ensure that the form remains subservient to the main hospital building, maximises daylight and responds appropriately to the conservation area setting. The proposed roofscape incorporates pitched roofs, terraces and flat roofs that form an overall massing which does not dominate the overall form of the building.

When combined with the set back of the upper storeys of the affordable housing block and student housing building, this difference in building heights is minimal enough to be acceptable, and will balance appropriately with the existing building heights on the west side of Sylvan Place.

### **Materials**

The materials chosen for the scheme have been informed by the surrounding buildings and contemporary schemes around Edinburgh and the Marchmont area. Marchmont is largely characterised by sandstone development, and the principal material utilised in this proposal for new-build elements will be ashlar natural stone in a buff colour. Where stone is proposed, a texture and finish to reflect the tone and colour of surrounding buildings will be used.

This will be complemented by slate roofs, which reflects the predominant roof material used in the local area. Both new build elements of the scheme (student housing and affordable housing buildings) will incorporate mansard roofs which are stepped back from the stone façade. This detailing is appropriate and creates a roofscape which will effectively reference other roof details from around the site. Both buildings also incorporate recessed detailing, at the entrances to the affordable housing and in the full block detailed reveals around windows in both student and affordable housing buildings.

Contemporary materials will be used in measured amounts to provide a contrasting element to the proposal. These will include Metal Cassette Rainscreen Cladding Panels in grey, PPC aluminium windows and screens and pressed metal dormers. Glass screening will be used to reinstate balcony details on the wings of the main hospital.

The addition of modern materials to the listed main hospital buildings is proposed in a considered manner and is not detrimental to the existing character of the area. Further assessment of the proposed material uses in relation to the listed buildings will be considered separately in the associated listed building reports.

The proposed mix of materials is appropriate to the conservation area setting and are acceptable. The detailed specification of materials for use will required to be submitted and approved by planning officers prior to the commencement of development.

### **Key Views**

The Edinburgh Design Guidance (January 2018) identifies a series of key views across the city. This helps assess the impact of proposals on the skyline, and is supported by LDP Policy Des 11 (Tall Buildings - Skyline and Key Views).



The site is within viewcones of views W6d (Carrick Knowe railway footbridge to Arthur's Seat), S4d (Western Craiglockhart Hill to Arthur's Seat) S7a (Braid Hills Drive East to Castle, Hub spire and Barclay Church spire), S7b (Braid Hills Drive east to Calton Hill) and S10b (Junction of Liberton Brae and Kirkgate to Castle).

In assessing the proposals against the impact on these views, the site is found to be not visible (obscured by existing trees or buildings) in the majority of locations, with the exception of viewpoint S7a (Braid Hills Drive East to Castle, Hub spire and Barclay Church spire). The roofline of the proposed development will be visible as is the existing hospital building, but will remain well below the ridgeline and will not occlude views of any of the sensitive visual features. The impact of the development on the skyline is not considered to be negative and the development is in accordance with LDP policies and the Edinburgh Design Guidance.

### ***Conclusion***

Therefore, the scale, design and layout are acceptable in this instance, and in accordance with design policies of the LDP and the Edinburgh Design Guidance.

### **d) Vehicle, Pedestrian and Cycle Access points and routes and car parking are acceptable**

#### *Transport Impacts*

LDP Policy Tra 1 (Local of Major Travel Generating Development) states that planning permission for major development which would generate significant travel demand will be permitted on suitable sites, having regard to the accessibility of the site by modes other than the car, the contribution the proposal makes to the Local Transport Strategy objectives and the effect on targets in respect of overall travel patterns and car use, and the impact of any travel demand generated by the new development on the existing road and public transport networks.

The main transport impacts arising from this site will be from the addition of new residents to the local area. It is noted that the existing use of the site as a hospital generates a significant impact on the local transport network at present, including traffic flows, staff and visitor parking and access for emergency vehicles. These impacts on the local transport network will be removed when the hospital is relocated. A transport assessment has been submitted alongside the planning application which identifies that the proposal is well located for access to the surrounding transport network. Census data for the area shows relatively high levels of walking, cycling and bus use for journeys to work and study. In this regard, the development is considered to have an acceptable impact in terms of the local transport network.

#### *Access*

The Edinburgh Street Design Guidance aims to achieve coherence and co-ordination across the city, with the ultimate goal of providing the people of Edinburgh with a high quality network of vibrant, safe, attractive, effective and enjoyable streets. It provides Edinburgh-specific guidance, fully embracing the protocol and principles set out in the Scottish Government's 'Designing Streets' Policy.

A new pedestrian access will be formed through the site linking from north to south. This will provide a new high quality, accessible route, which will allow for connections onwards to the surrounding footpaths and network of pedestrian routes across the Meadows to the north of the site. The proposed access strategy for the site will enhance pedestrian permeability in the local area and will be beneficial to the overall pedestrian movement network.

Vehicular access into the site will utilise existing locations on Sciennes Road to access the courtyard area to the front of the main hospital building.

It is noted that there has been a proposal from the Marchmont and Sciennes Development Trust relating to the possible future closure of Sciennes Road between Sylvan Place and Livingstone Place to enable use of the street by the neighbouring Sciennes Primary School for additional play space. No formal planning applications have been made with regards to this proposal, and it is not considered reasonable to prevent future access into a currently publicly accessible development site on this basis. The proposed closure of Sciennes Road is therefore not a material consideration to this planning application. The proposed vehicular access into the site via Sciennes Road is appropriate and acceptable.

### *Parking*

LDP Policy Tra 2 (Private Car Parking) states that planning permission will be granted for development where proposed car parking provision complies with and does not exceed the parking levels set out in the Council's parking guidance.

In this area, Sciennes Road is located within good proximity of public transport, with the major bus route of South Clerk St/ Newington Road located approximately 500m east of the site, and additional local bus routes serving Melville Drive, to the immediate north of the northern site boundary. There is also a good range of local shops and amenities available within walking distance.

The development proposes 32 car parking spaces which will be located in parking bays along Rillbank Terrace (20 spaces) and in the courtyard area (12 spaces) to the front of the main hospital building. The provision of 12 parking spaces at the front of the main hospital building is considerably less than the existing amount (40 spaces) and will allow for a significant portion of the hospital forecourt area to be used as a public garden space.

The parking provision in the hospital forecourt area has been reduced by four spaces during the assessment period for this application, in order to enable the provision of a larger area of public garden space which will make a more significant contribution to the setting of main hospital building. This parking will not be at the expense of an active frontage onto the road, and will be well integrated into the overall layout with planting to minimise visual impact and footways provided to ensure safe routes between the parking bays and the building entrance.

The 95 private residential units in the former hospital will be eligible for one residential parking permit per property in accordance with the Transport and Environment Committee decision of 4 June 2013. Neither the new-build 31 affordable housing units nor student housing provision will be eligible for residential parking permits.

The Transport Assessment identifies that there is sufficient spare capacity in the parking spaces in the surrounding roads to accommodate the likely on-street parking demand from the proposed development. It notes that there is a car ownership rate for the area is 62%. Applying this car ownership rate to the 126 homes in the proposed development would equate to around 78 additional cars requiring a parking space in the area. As 32 spaces will be provided as part of the layout, the development could be expected to generate demand for around 46 on-street car parking spaces in the local area.

Surveys have been carried out as part of the transport assessment which concludes that even at the busiest surveyed times, the local street network has more than enough spare capacity (154 spare spaces were available during the busiest survey at 1400 on 7th February 2018). This survey data includes parking demand generated by the RHSC. When the hospital is relocated the existing amount of space parking capacity in the area is expected to increase, meaning that there would be even more than the current spare parking capacity of 154 spaces available. It is therefore concluded that there is substantially more than sufficient capacity in the local area to accommodate the demand for on-street parking that would be generated by the proposed development.

Motorcycle parking provision, disabled access and electric vehicle spaces will be provided as required by the Edinburgh Design Guidance Parking Standards. The applicant also proposes to contribute funds to provide two city car club vehicles and will provide free membership to the car club for new residents.

#### *Cycle parking provision*

Cycle parking has been provided for the student accommodation and residential units in compliance with parking standards set out in the Edinburgh Design Guidance. Cycle parking is located in a range of locations including basement storage areas, covered cycle stores and within private rear garden areas.

#### *Summary*

Overall, the Roads Authority has raised no objections with this proposal on the basis of securing the required Road Construction Consents and the submission of a Quality Audit and a Travel Plan.

### **e) Amenity for existing and future residents and other occupants**

Policy Des 5 (Amenity) of the Local Development Plan seeks to ensure that new development does not result in detrimental impacts on local existing and proposed amenity of residents including daylight, sunlight, overshadowing, privacy and noise.

#### *Daylight, sunlight, overshadowing and privacy*

Policy Des 5 (Amenity) relates to the amenity of existing and future occupiers and seeks to ensure that amenity is not adversely affected by new development. There are neighbouring residents located at Sylvan Place, Sciennes Road and Millerfield Place.

A daylighting study has been submitted by the applicant which applies the Council's recommended Vertical Sky Component (VSC) approach to assessing impact of development on the ratio of daylight available to existing properties. Properties along Sylvan Place and on the corner of Sylvan Place/ Sciennes Road have been assessed using this approach. There will be no impact on daylighting to existing properties on Millerfield Place.

The Council's Edinburgh Design Guidance requires that the amount of daylight reaching an external wall must be more than 27%, or 0.8 of its former value. The assessment of the east elevations of properties of Sciennes Road/ Sylvan Place has found that all windows will remain above the minimum threshold set out in the Edinburgh Design Guidance and are acceptable.

The proposal will have no impact in relation to overshadowing garden ground of existing properties.

### *Privacy*

Numbers one to twelve Sylvan Place face towards the development site. The proposed layout will set back the frontage of the proposed student accommodation and affordable housing provision by an additional distance of around 2.5m (3.2m in places) relative to the existing hospital building frontages on the eastern side of Sylvan Place. This will reflect the existing set back of Nos. one to twelve Sylvan Place on the western side of the street. There will be a distance of fourteen metres between existing residential properties on the western side of Sylvan Place from the proposed development. This will be an increase in distance between these properties and the existing hospital building.

The Edinburgh Urban Design Framework recognises that privacy of the streetward side of properties is often already compromised by the fact that people can come relatively close to the window of dwellings. It is noted that the ground floor of the hospital building has frosted non-active windows that do not currently impact on the privacy residential properties on the western side of Sylvan Place.

The introduction of new residential and student accommodation will increase the number of active windows on the eastern side of Sylvan Place. However these windows will also help to provide additional surveillance to Sylvan Place and better activate the western side of the street. Furthermore, it is recognised that there will be a substantial decrease in transient pedestrian and vehicular activity on Sylvan Place related to patient drops off/ taxis etc following the closure of the hospital's Accident and Emergency entrance. This will reduce the amount of waiting activity on the street itself, which will have a positive impact on the privacy of existing residential properties. Given the above context, the proposed development along Sylvan Place is considered to be appropriately positioned and achieve an acceptable distance between it and existing residential properties on Sylvan Place. The Edinburgh Design Guidance does not seek to protect the privacy of existing gable ends of properties, therefore the gable end of the tenement block on the corner of Sylvan Place/ Sciennes Road does not require assessment. The layout allows for a reasonable distance to be provided between habitable rooms in buildings whilst achieving a good density of development.

### *Waste arrangements*

Refuse and recycling facilities will be provided at ground level/ basement level respectively for the student housing and main hospital building and in rear communal garden grounds for the affordable housing provision. Refurbished properties on Rillbank Terrace/ Crescent and Millerfield Place will use a combination of existing and new on-street waste facilities.

Refuse and recycling facilities will be positioned in an appropriate location within close walking distance of the front doors, and within acceptable distance for collection from the local authority. A swept path analysis has been completed and Waste Services is satisfied with the proposed waste management strategy.

### *Accommodation*

All flats exceed the minimum space standards for accommodation set out within the Edinburgh Urban Design framework and are acceptable.

### *Noise*

At this stage, there has been no requirement to carry out a Noise Impact Assessment (NIA) for the development. Further details are to be provided regarding provision of combined heat and power system in the student housing building, at which stage it will be necessary to carry out an NIA to assess potential impacts on existing and new residents. In addition, it may be necessary to carry out an NIA to assess impacts from the community use area of the student accommodation building, dependent on the use class that is specified for this location.

## **f) Landscape Strategy and Open Space**

### *Landscape Strategy*

Policy Des 8 Public Realm and Landscape Design applies to all developments proposing new public space as part of the overall scheme. It seeks to ensure that features, including streets, footpaths, civic spaces, green spaces boundary treatments and public art have been designed as an integral part of the scheme as a whole.

The landscaping strategy has been designed to complement the existing historic environment and contemporary built form proposed for the site. The public realm connection through the site will include a mix of accessible ramps and integrated steps to allow for public movement through the site. An appropriate mix of planting species is proposed in outline for the scheme and the specific mix of soft and hard landscaping details will be submitted for approval prior to the commencement of development.

All public open spaces will be well overlooked by adjacent buildings, and have been designed to create a positive interface between buildings and the public realm. The proposed public garden in the forecourt of the main hospital has been increased in size during the assessment of the application in response to public comments relating to the mix of car parking and open space provision in this location. The layout of the public garden will incorporate a small retaining wall which will help to screen parked cars from view of the street, and create a more secluded garden space. This is appropriate for the location and setting of the listed building, and is acceptable.

Existing boundary walls are retained and refurbished where feasible. New stone boundary walls are proposed for the rear of gardens on Rillbank Terrace and Millerfield Place, which are appropriate and will contribute to the quality of environment.

### *Impact on trees*

LDP Policy Env 12 (Trees) states that development will not be permitted if likely to have a damaging impact on any tree worthy of retention, unless necessary for arboricultural reasons. Where such permission is granted, replacement planting of appropriate species and numbers will be required to offset the loss to amenity.

The Tree Retention/Removal Plan confirms that a total of 18 existing trees will be removed from the site. Of these trees only one tree is within a category considered worthy of retention (Category B). The landscape strategy for the site proposed 32 new trees on the site. These will be located across the site within the new area of public realm, the public garden, and shared communal garden areas.

Additional trees will also be added to Rillbank Terrace where some existing trees are proposed for removal. It is noted in the Marchmont, Meadows and Sciennes Conservation Area Character Assessment that street trees are few in the area, but are of value. The addition of trees to the new public realm route through the site will provide a positive green setting to the built environment and will allow for a green connection to be formed through the site towards the Meadows to the north, in an integrated and unobtrusive manner.

### *Open space provision*

Policy Hou 3 Private Green Space in Housing Development states that planning permission will be granted for development which makes adequate provision for green space to meet the needs of future residents. For flatted or mixed housing/ flatted developments where communal provision is necessary, such as this one, this will be based on a standard to 10 square metres per flat. A minimum of 20% of total site area should be usable green space. The proposed development meets the requirement for 10sq m of open space to be provided per flat. For the affordable housing, this comprises a mix of green space, timber decking and bound resin gravel areas.

Private garden grounds will be provided for the redeveloped properties along Rillbank Terrace and Millerfield Place. These will each provide a good level of private green space for residents. The overall provision of open space across the site exceeds the minimum 20% of usable green space required by policy Hou 3. The quality of public open space that is proposed is of a high quality, will be well overlooked and will offer good opportunities for social interaction. Private garden grounds will contribute to the sense of space and create an appropriate balance between areas of built form. The open space strategy is acceptable and will provide an appropriate level of amenity and high quality public realm for residents.

## **g) Infrastructure and Affordable Housing**

### *Education*

Residential development is required to contribute towards the cost of the required education infrastructure to ensure that the cumulative impact of development can be mitigated. The site falls within Sub-Area BJ-2 of the 'Boroughmuir James Gillespie's Education Contribution Zone'. The Council assessed the impact of the growth on the area through Education Appraisal which took into account school roll projections. The Appraisal considered the impact of new housing sites allocated in the LDP, including this site and identified that contributions are required to mitigate the cumulative impact of development.

Contributions are required towards education actions in the Boroughmuir James Gillespie Education Contribution Zone. The level of education infrastructure contribution has been taken from the January 2018 finalised Supplementary Guidance which equates to £235,451 in total.

31 affordable houses are proposed on site, which equates to 25% of the total housing provision, meeting the requirements of policy Hou 6 Affordable Housing in the LDP. These will be a mix of one and two-bedroom properties.

### *Health*

The site is located within the Meadows Healthcare Contribution Zone. A financial contribution of £189,856 is required for healthcare.

These matters will be addressed through an appropriate legal agreement.

## **h) The proposals are sustainable**

The applicant has completed an S1 form in support of the application, which confirms that the required sustainability criteria have been achieved.

In addition to the essential criteria, the applicant has provided a commitment to further sustainability measures as set out in the desirable elements sections, including the provision of CHP technology and support for sustainable transport measures including provision of city car club vehicles and electric vehicle charging spaces.

The sustainability measures meet the requirements of policy Des 6 of the LDP and the Edinburgh Urban Design Guidance and are acceptable.

## **i) Other material considerations**

### *Flooding and drainage*

Due to the operation nature of the hospital, it is has not been possible for flooding and drainage to be fully assessed at this stage. CEC Flooding has reviewed the interim information submitted to date and is satisfied with the extent and findings of these studies.

The provision of updated drainage layout and details drawings will be required to be submitted and approved prior to start of works on site. At this stage an updated accompanying self-certification Certificate A1 and B1 will also be required. A condition will be added to any consent to this effect. Flooding are also willing to accept hydraulic modelling calculations (microdrainage or similar software outputs) after determination. Their provision will form part of a planning condition and must be provided prior to start of works on site.

### *Ecology*

Policy Env 16 Species Protection states that will not be granted for development that would have an adverse impact on species protected under European or UK law. An Ecological Appraisal and separate Bat survey were carried out for the site.

The initial ecological survey has identified that there is the potential for breeding birds to be affected by development on site if mitigation proposed is not put in place. A condition will therefore be added to any consent given to ensure that breeding birds are protected accordingly.

This application has the potential to provide opportunity for swifts by incorporating swift bricks into the building. An informative shall be added to any consent to this effect.

It was determined from the Ecological Appraisal that potential bat roost sites were present across the roof covering of a wide range of buildings within the site. A further bat survey was therefore carried out to assess the potential for buildings and roosts within the site to support bats and to identify the presence and location of any bat roosts. This identified that bats are roosting within the building. At this stage, due to the operation nature of the building as a hospital, there is a lack of clarity as to whether works will take place in the location of these roosts. On this basis, a Mitigation Plan is proposed, which has been approved by the Council's biodiversity officer. An informative will be added to any consent for the site to ensure that should development take place where it may impact on these roosts, then the applicant will be required to take advice from the Council to assess if a derogation licence is required for issue from SNH. There are no other ecological issues relating to the site and the application is in compliance with the provisions of policy Env 16.



## *Archaeology*

The City Archaeologist has undertaken an assessment of the archaeological and historical significance of the site and has advised that a detailed programme of historic building recording (annotated plans and elevations, photographic and written description and analysis) is undertaken prior to and during alterations/development. A condition will be added to any consent to this effect.

The applicant's proposals to preserve and conserve in situ these nationally important murals are supported along with their aim to ensure that they are publicly accessible. It is however essential that proposed conservation works are fully reported upon and fully integrated within the overall archaeological mitigation strategy for the site. A further condition will be added to any consent to this effect.

## *Environmental Protection*

Environmental Protection has raised no objection at this stage, but has been unable to fully assess aspects of the development due to the operational nature of the hospital. The development site is located in close proximity to the City Centre Air Quality Management Area (AQMA) therefore Environmental Protection has considered the application in this regard. Full details will require to be set out regarding the provision of a Combined Heat and Power (CHP) facility within the student housing development and the impact that this may have on the surrounding area.

A condition will be added to any consent to this effect requiring full details of proposed CHP to be submitted and approved by Environmental Protection prior to commencement of development. A condition will also be added to ensure that a Noise Impact Assessment is provided upfront for approval alongside CHP information which demonstrates that the CHP will meet the required noise thresholds from the nearest sensitive noise receptor.

There may also be a requirement to assess noise levels dependent on the specific use that is established at the community space proposed within the student housing development.

### **j) The impact on equalities and rights has been considered**

An Integrated Impact Assessment has been carried out and raises no overriding concerns. This is viewable on the Planning and Building Standards Online Services.

### **k) Public representations have been considered**

#### *Material comments*

- Appropriateness and wider impacts of student housing development in this location (addressed in section 3.3 (a) above).
- The development should include a different mix of uses (addressed in section 3.3 (a) above).
- Design, height, massing, accessibility, landscaping, siting, materials and impact on the skyline of the proposed new buildings (addressed in section 3.3(c) above).

- Development does not preserve nor enhance the special character of the Conservation Area (addressed in section 3.3(b) above).
- Demolitions and failure to retain facades of demolished buildings within the Conservation Area (addressed in section 3.3(b) above).
- Community space should be larger (at least 250 sqm) (addressed in section 3.3 (a) above).
- Sustainability of the proposal (addressed in section 3.3 (h) above).
- Amount, location and mix of affordable housing provision (addressed in section 3.3 (a) above).
- Proposal does not provide any necessary health or other community facilities (addressed in section 3.3 (g) above).
- Proposed conservation strategy/ management of the Traquair murals (addressed in section 3.3 (b) above).
- Impact on amenity of existing properties on Sylvan Place and surrounding local area (addressed in section 3.3(a), 3.3(c) and 3.3 (e)).
- Impact of development on traffic and parking in the local area (addressed in section 3.3 (d) above).
- Layout of car parking and garden space in the forecourt to the main building (addressed in section 3.3 (c) and 3.3 (d) above).
- Provision and location of cycle storage (addressed in section 3.3(d) above).

#### *Non-material objection comments*

- Impact of the development on the potential closure of Sciennes Road.
- Parking should be provided underground as per pre-application plans for the site.
- Objection to any off shore funds benefiting from profits from this development particularly from the student housing development.
- The council should insist on community space in perpetuity to honour the original public funding of this hospital.
- Alleged inaccuracies in applicant's supporting information.
- Development of this scheme should have been tendered.
- Missing neighbour notification (note - the address was recorded as having received notification in CEC records).

#### *Community Council*

Marchmont and Sciennes Community Council have provided comments on the application as follows:

- Objection to the provision of car parking in front of the main hospital building (addressed in section 3.3(c) and 3.3 (d) above).
- Impact of development on the character and setting of Sylvan Place (addressed in section 3.3(b) above).
- Community space provision is too small (addressed in section 3.3 (a) above).
- The amount of student housing proposed on the site (addressed in section 3.3(a) above).

## Conclusion

The proposals comply with the development plan and non-statutory guidelines and will have no adverse effect on the character or setting of the listed buildings, or character or appearance of the conservation area. The development will have no detrimental impact on residential amenity or road safety. The mix of uses will have no detrimental impacts on the surrounding neighbourhood. The proposals will result in an overall conservation gain through the reuse and preservation of the listed buildings on site.

There are no identified impacts on equalities or human rights and no material considerations that outweigh this conclusion.

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

### 3.4 Conditions/reasons/informatives Conditions

1. No demolition/development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (Historic building recording, conservation, excavation, analysis, reporting and publication & interpretation) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.

The work must be carried out by a professional archaeological organisation, either working to a brief prepared by CECAS or through a written scheme of investigation submitted to and agreed by CECAS for the site. Responsibility for the execution and resourcing of the programme of archaeological works and for the archiving and appropriate level of publication of the results lies with the applicant.

2. Prior to the commencement of construction works on site:
  - (a) A site survey (including intrusive investigation where necessary) must be carried out to establish to the satisfaction of the Head of Planning, 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 remedial and /or protective measures, including their programming, must be submitted to and approved in writing by the Head of Planning.

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 to the satisfaction of the Head of Planning. All boilers must be fitted with secondary abatement technology. Full details of the proposed secondary abatement technology to be used at the proposed gas-powered energy plant shall be submitted to and approved by the Planning Authority and implemented on site, in accordance with approved details, prior to the occupation of the buildings for the proposed uses.

The design, installation and operation 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.

Full details of use of the communal space, including a Noise Impact Assessment if deemed necessary by Environmental Protection, shall be submitted to and approved by the Planning Authority, prior to the occupation of the space for its proposed use.

3. Prior to the commencement of works on site, details of the undernoted matters shall be submitted and approved by the Council as planning authority, in the form of a detailed layout of that phase of the site and include;

- a) A fully detailed landscape plan, including details of all hard and soft surface and boundary treatments and all planting, shall be submitted to and approved in writing by the Planning Authority before work is commenced on site. This will include;

- i) Provision of a hardworks plan including details and materials for all surfacing, walls, fences, gates, street furniture and any other boundary treatments. It is noted that all kerbs are required to have a minimum 50mm upstand to allow for equal access for all;

- ii) The location of all new trees, shrubs and hedges within the residential area, including details of tree trenches, tree pits and raised planters;

- iii) A schedule of plants to comprise species, plant size and proposed number/density;

Details of measures required to protect trees, in accordance with a tree protection plan, on-site and in the adjacent habitat during the construction process.

- iv) Programme of completion and subsequent maintenance of landscaping;

- v) Drainage details to be provided, ensuring that these are compatible with proposed landscape details.

- vi) SUDs design needs to be submitted for approval and ensure this is compatible with the proposed landscape scheme.

- vii) Details of phasing of these works.

The approved landscaping scheme shall be fully implemented within 6 months of the completion of the development. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing by the Planning Authority.

4. The applicant will be required to provide the following details in relation to flood management for approval by the planning authority prior to commencement of development:

- a) The applicant will provide finalised pre-development and post-development overland flow path routing drawings showing how water moves across the surface. This will be approved by head of planning prior to start of work on site.
  - b) The applicant shall provide finalised hydraulic modelling calculations for approval to head of planning prior to start of site of the works.
  - c) Revised self-certification and independent check certificates shall be submitted covering the finalised design for the site.
5. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Planning Authority before work is commenced on site. Note: samples of the materials may be required.
  6. The use of the community space located within the student housing building will be restricted to Use Class 10.
  7. Details of a management agreement relating to the Mortuary Chapel to allow continued public access by prior arrangement to the mortuary chamber containing the Traquair Murals shall be submitted to and approved by the Council, as planning authority, prior to the occupation of the residential units forming part of the converted mortuary chapel building. Public access will be afforded as reasonably practical thereafter (taking cognisance of the status of the site as a building site and any necessary health and safety requirements).
  8. The care and protection of the murals in the RHSC Mortuary Chapel Building, before, during and after building works shall be carried out in accordance with the supplementary addendum report "RHSC Mortuary Chapel (Edin.) - Phoebe Traquair Murals" dated 27 July 2018.

**Reasons:-**

1. In order to safeguard the interests of archaeological heritage.
2. In order to ensure that the site is suitable for redevelopment.
3. In order to ensure that the landscape strategy is delivered and maintained to an acceptable standard, in the interests of amenity of the site and wider area.
4. In order to enable the planning authority to consider this/these matter/s in detail.
5. In order to enable the planning authority to consider this/these matter/s in detail.
6. In order to protect the amenity of neighbouring residents and others.
7. In order to safeguard the character of the statutorily listed building.
8. In order to safeguard the character of the statutorily listed building.

## Informatives

It should be noted that:

1. Consent shall not be issued until a suitable legal agreement relating to education, healthcare, affordable housing and transport has been concluded and signed. The legal agreement shall include the following:
  1. Education: A financial contribution is required to Communities and Families to ensure that the cumulative impact of the development can be mitigated. A contribution of £235,451 is required towards education actions in the Boroughmuir / James Gillespie's Education Contribution Zone.
  2. Healthcare: A financial contribution of £189,856 (indexed from the last date of signing the agreement) is required to Edinburgh Health and Social Care Partnership with NHS Lothian towards healthcare actions in the Meadows Healthcare Contribution Zone, identified by the Developer Contributions and Infrastructure Delivery Supplementary Guidance (August 2018).
  3. Affordable Housing: 25% of the total number of residential units shall be developed for affordable housing provision.
  4. Transport: (a) A financial contribution of £2,000 to progress a suitable order to redetermine sections of footway and carriageway as necessary for the development; and  
(b). A contribution of £2,000 to progress a suitable order to introduce waiting and loading restrictions and parking spaces as necessary. The Council will carry out a comprehensive review of the existing waiting and loading restrictions introduced in relation to the hospital in discussion with the applicant.

The legal agreement should be concluded within 6 months of the date of this notice. If not concluded within that 6 month period, a report will be put to committee with a likely recommendation that the application be refused.

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. i). All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. Particular attention must be paid to ensuring that refuse collection vehicles are able to service the site. The applicant is recommended to contact the Council's waste management team to agree details;
- ii). A Quality Audit, as set out in Designing Streets, to be submitted prior to the grant of Road Construction Consent;
- iii). In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport;
- iv). The applicant should be advised that as the development is located in Zones 1 to 8:
- a). the new-build 31 affordable housing units will not be eligible for residential parking permits in accordance with the Transport and Environment Committee decision of 4 June 2013. See [http://www.edinburgh.gov.uk/download/meetings/id/39382/item\\_7\\_7](http://www.edinburgh.gov.uk/download/meetings/id/39382/item_7_7) (Category A - New Build);
- b). the 95 private residential units in the former hospital will be eligible for one residential parking permit per property in accordance with the Transport and Environment Committee decision of 4 June 2013. See [http://www.edinburgh.gov.uk/download/meetings/id/39382/item\\_7\\_7](http://www.edinburgh.gov.uk/download/meetings/id/39382/item_7_7) (Category B - Newly sub-divided or converted utilising buildings which were originally dwellings or are listed buildings);
- c). the student housing will not be eligible for residential parking permits in accordance with the Transport and Environment Committee decision of 4 June 2013. See [http://www.edinburgh.gov.uk/download/meetings/id/39382/item\\_7\\_7](http://www.edinburgh.gov.uk/download/meetings/id/39382/item_7_7) (Category F - All student housing);
- v). Any parking spaces adjacent to the carriageway will be expected to form part of any road construction consent. The applicant must be informed that any such proposed parking spaces cannot be allocated to individual properties, nor can they be the subject of sale or rent. The spaces will form part of the road and as such will be available to all road users. Private enforcement is illegal and only the Council as roads authority has the legal right to control on-street spaces, whether the road has been adopted or not. The developer is expected to make this clear to prospective residents as part of any sale of land or property;

vi). 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. 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; and

Note:

- o The proposed 16 off-street parking spaces and 20 on-street spaces on Rillbank Terrace are considered acceptable for the proposed housing development of 126 dwellings. Current Council standards permit up to 1 space per dwelling in this area (Zone 1), i.e. maximum of 126 spaces. In addition, a number of on-street resident and visitor spaces will be introduced as part of the review of the existing waiting and loading restrictions and parking spaces introduced in relation to the hospital;
  - o Motorcycle parking spaces are proposed for Rillbank Terrace at 1 space per 25 dwellings. Additional spaces will be considered as part of the waiting and loading restrictions review;
  - o Electric vehicle spaces will be provided at 1 space in 6;
  - o The applicant proposes to contribute funds to provide 2 car club vehicles.
6. Swift bricks should be incorporated into the building. Proposed locations should be approved by the planning authority.
7. Development is required to comply with the recommendations set out in the natural heritage mitigation plan. If prior to consent further information confirms that works might affect bats on site then the planning authority will be required to assess if a "derogation" licence is likely to be issued by SNH.

## **Financial impact**

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

The application is subject to a legal agreement for developer contributions.

## **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**

The proposal was presented to the Edinburgh Design Guidance Panel at pre-application stage in November 2017. The comments have been considered in the assessment of this application.

Sixty letters of objection were received in relation to this application. Four letters of neutral comments were also received, and one letter of support. A petition opposing the proposed access to the main hospital building forecourt was submitted containing 352 signatures.

Comments were received from several amenity bodies as follows;

- Marchmont and Sciennes Community Council
- Marchmont and Sciennes Development Trust
- Grange and Prestonfield Community Council
- Grange Association
- Mansfield Traquair Trust
- The Architectural Heritage Society of Scotland
- Cockburn Association
- Living Streets

An assessment of these representations can be found in the main report in the public representations 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](#)

<b>Statutory Development Plan Provision</b>	Adopted Edinburgh Local Development Plan
<b>Date registered</b>	15 June 2018
<b>Drawing numbers/Scheme</b>	01-15, 16A, 17-19, 20A, 21- 32, 33A, 34A, 35A, 36-93,

**David R. Leslie**  
 Chief Planning Officer  
 PLACE  
 The City of Edinburgh Council

Contact: Julie Ross, Planning Officer  
 E-mail:julie.ross@edinburgh.gov.uk Tel:0131 529 4468

## **Links - Policies**

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### **Relevant Policies:**

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

LDP Policy Del 1 (Developer Contributions and Infrastructure Delivery) identifies the circumstances in which developer contributions will be required.

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 2 (Co-ordinated Development) establishes a presumption against proposals which might compromise the effect development of adjacent land or the wider area.

LDP Policy Des 3 (Development Design - Incorporating and Enhancing Existing and Potential Features) supports development where it is demonstrated that existing and potential features have been incorporated into the design.

LDP Policy Des 4 (Development Design - Impact on Setting) sets criteria for assessing the impact of development design against its setting.

LDP Policy Des 5 (Development Design - Amenity) sets criteria for assessing amenity.

LDP Policy Des 6 (Sustainable Buildings) sets criteria for assessing the sustainability of new development.

LDP Policy Des 7 (Layout design) sets criteria for assessing layout design.

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

LDP Policy Env 3 (Listed Buildings - Setting) identifies the circumstances in which development within the curtilage or affecting the setting of a listed building will be permitted.

LDP Policy Env 4 (Listed Buildings - Alterations and Extensions) identifies the circumstances in which alterations and extensions to listed buildings will be permitted.

LDP Policy Env 5 (Conservation Areas - Demolition of Buildings) sets out criteria for assessing proposals involving the demolition of buildings within a conservation area.

LDP Policy Env 6 (Conservation Areas - Development) sets out criteria for assessing development in a conservation area.

LDP Policy Env 9 (Development of Sites of Archaeological Significance) sets out the circumstances in which development affecting sites of known or suspected archaeological significance will be permitted.

LDP Policy Env 12 (Trees) sets out tree protection requirements for new development.

LDP Policy Env 16 (Species Protection) sets out species protection requirements for new development.

LDP Policy Env 20 (Open Space in New Development) sets out requirements for the provision of open space in new development.

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

LDP Policy Env 22 (Pollution and Air, Water and Soil Quality) sets criteria for assessing the impact of development on air, water and soil quality.

LDP Policy Hou 1 (Housing Development) sets criteria for assessing the principle of housing proposals.

LDP Policy Hou 3 (Private Green Space in Housing Development) sets out the requirements for the provision of private green space in housing development.

LDP Policy Hou 4 (Housing Density) sets out the factors to be taken into account in assessing density levels in new development.

LDP Policy Hou 5 (Conversion to Housing) sets out the criteria for change of use of existing buildings to housing.

LDP Policy Hou 5 (Conversion to Housing) sets out the criteria for change of use of existing buildings to housing.

LDP Policy Hou 8 (Student Accommodation) sets out the criteria for assessing purpose-built student accommodation.

LDP Policy Hou 10 (Community Facilities) requires housing developments to provide the necessary provision of health and other community facilities and protects against valuable health or community facilities.

LDP Policy Tra 2 (Private Car Parking) requires private car parking provision to comply with the parking levels set out in Council guidance, and sets criteria for assessing lower provision.

LDP Policy Tra 3 (Private Cycle Parking) requires cycle parking provision in accordance with standards set out in Council guidance.

LDP Policy Tra 4 (Design of Off-Street Car and Cycle Parking) sets criteria for assessing design of off-street car and cycle parking.

LDP Policy RS 1 (Sustainable Energy) sets criteria for assessing proposals for environmentally sustainable forms of energy systems.

### **Other Relevant policy guidance**

The Marchmont, Meadows and Bruntsfield Conservation Area Character Appraisal emphasises the well proportioned Victorian tenemental perimeter blocks with Baronial detailing and the substantial area of the open parkland formed by the Meadows and Bruntsfield Links.

### **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

## **Application for Planning Permission 18/02719/FUL At Royal Hospital For Sick Children, 9 Sciennes Road, Edinburgh**

**Mixed use development comprising residential (8 houses and 118 flats), student accommodation 323 beds, communal space, cycle/car parking provision, public realm enhancements, associated works and infrastructure. Development involves partial demolition of existing buildings, erection of new buildings and change of use/conversion of retained buildings (as amended).**

### **Consultations**

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#### **Edinburgh Urban Design Panel**

*In developing the proposals, the Panel suggests the following matters should be addressed:*

- *provide a high quality environment with a community building and access to the existing A Listed Mortuary Chapel;*
- *In developing the design setting of listed buildings, streetscape and impact on the conservation area will be very important considerations and therefore will require careful consideration;*
- *the quality of the new buildings and architectural response will require to respond to the historic context and be of the highest standard;*
- *further design work with respect to public and private spaces*
- *Car parking levels and strategy to be reconsidered.*

#### **Introduction**

*The site is located on the north side of Sciennes Road and covers an area of approximately 1.74 hectares. It is currently occupied by the Royal Hospital for Sick Children. The existing occupiers will vacate the site in 2018 and the site's use as a hospital will cease.*

*The northern boundary of the site is formed by Rillbank Crescent, which runs parallel to Melville Drive and the open space of the Meadows to north. The western boundary is formed by Sylvan Place which comprises four-storey tenement and two-storey terraced housing, currently in residential use.*

*The eastern boundary of the site is formed by Millerfield Place which comprises a mix of tenement and terraced housing which is partly in use by the hospital for clinical use. Sciennes Primary School is located to the immediate east of the site boundary. The southern boundary of the site is formed by Sciennes Road.*

*Several listed buildings are within the site including the A Listed Mortuary Chapel, B Listed Royal Hospital for Sick Kids and C Listed Millerfield Place with other listed buildings adjacent to the site.*

*The proposal is located in the urban area as defined in the adopted Edinburgh Local Development Plan (LDP) and is situated within the Marchmont, Meadows and Bruntsfield Conservation Area.*

*This report should be read in conjunction with the pre-meeting papers.*

*This report is the view of the Panel and is not attributable to any one individual. The report does not prejudice any of the organisations who are represented at the Panel forming a differing view about the proposals at a later stage.*

## **Design Concept and Layout**

*The Panel thanked the presenters for their presentation for this important and historic site within the city.*

*The Panel noted that the design is at an early stage and given the buildings are still occupied and operating as a hospital, survey work to date has been limited and restricted.*

*The Panel noted the opportunity to create a high quality environment with a community building and access to the existing A Listed Mortuary Chapel.*

*With respect to the B Listed Royal Hospital for Sick Children, A Listed Mortuary Chapel and other listed structures on the site it is unclear at this stage the conservation strategy with respect to the site. For example the Panel noted with respect to the B Listed Royal Hospital for Sick Kids that the existing additions to the south façade were remaining and the removals from the north do not expose the existing façade. Also, with respect to the proposed works to the boundary wall and railings to Sciennes Road this is unclear at this stage of the design process. In developing the design setting of listed buildings, streetscape and impact on the conservation area will be very important considerations and therefore will require careful consideration.*

*The Panel noted that the proposal removes buildings and structures from the site. In particular the entire street frontage to Sylvan Place. The design of this street edge will require very careful consideration with respect to both the height, mass, scale and architecture to ensure a suitable response which preserves or enhances the character of the conservation area. Therefore, the Panel noted that the loss of the existing buildings will require to be fully justified.*

*The Panel noted that given the context, the quality of the new buildings and architectural response will require to respond to the historic context and be of the highest standard.*

## **Routes, permeability, spaces between the buildings and the existing streets**

*The Panel noted that the design of the external streets and spaces are at a very early design stage. However, from these early sketches the Panel noted that the indicative layouts, car parking and car movements are compromising the quality of the private and public spaces.*

*The Panel noted that the streets in particular Sylvan Place form frontages to the new buildings and therefore buildings should be accessed from these streets and not the rear of the building. It was noted that student blocks often present their backs to the street an approach not advocated by the Panel.*

*The Panel noted that studies should be carried out with respect to the proposed scale of the streets in particular Sylvan Place as the proposal looks to create a new edge to this urban block in the conservation area.*

*The Panel noted that a clear distinction should be made between the public and private space. These relationships are unclear at this time.*

*With respect to the quality of public and private spaces for this site, the Panel referred to Quarter mile as a good example.*

*The Panel noted that an appropriate design for the open space around and adjacent to the listed Royal Hospital for Sick Kids buildings will be important with respect to achieving an appropriate design in terms of the setting of the listed buildings and structures.*

## **Transportation**

*The Panel noted that the site is well connected and very accessible to public transport.*

*The Panel noted that adequate cycle provision should be provided on site.*

*The Panel noted that the design appeared to reflect a standard approach to car parking. The Panel encouraged this to be reconsidered given the accessibility to site public transport but primary with respect to the negative impact the car parking is having on the street design/public realm, open space and setting of the listed buildings and structures.*

*The Panel did not support the introduction of car parking to the lower level of the B Listed Royal Hospital for Sick Kids Building nor to the front of this building.*

## **Uses**

*The Panel was supportive of the aim to provide residential development on the site. The Panel recognised the challenges of providing student accommodation in this area.*

*The Panel were split in their support of student accommodation being provided on this site. However, given the developer is a student accommodation provider, the Panel accepted that this use is likely to come forward. Therefore, the Panel suggested that the student block should be designed to ensure it integrates into the established residential area and conservation area; for example, be of a residential scale and not a large monolithic block, address and be accessed from the main street frontages.*

*The Panel supported public access and a community use for the Listed A Mortuary Chapel.*

### **Affordable Housing**

*The Panel is supportive of the inclusion of affordable housing on the site and encouraged a tenure blind approach.*

### **Sustainability**

*The Panel noted the potential for the site to deliver a sustainable development and design.*

### **Affordable housing**

*I refer to the consultation request from the Planning Department about this planning application.*

*Housing and Regulatory Services have developed a methodology for assessing housing requirements by tenure, which supports an Affordable Housing Policy (AHP) for the city.*

*The AHP makes the provision of affordable housing a planning condition for sites over a particular size. The proportion of affordable housing required is set at 25% (of total units) for all proposals of 12 units or more.*

*This is consistent with Policy Hou 6 Affordable Housing in the Edinburgh Local Development Plan.*

### **Affordable Housing Provision**

*This application is for a development consisting of 126 homes and as such the AHP will apply. There will be an AHP requirement for a minimum of 25% (31) homes of approved affordable tenures. The tenure of the affordable housing must be agreed by the Council*

*The applicant has stated that the affordable housing will account for 31 (25%) of the new homes across several different parts of the site and will consist of a new flatted block of one and two bed apartments. The proposal does not provide a tenure mix that is representative of the wider site where 20% of homes are one bed. To provide a mix that is more representative of the wider site, the applicant should provide a larger proportion of two bed affordable homes. For example, the mix could have 6 one beds and 25 two beds.*



*The affordable homes are required to be tenure blind, fully compliant with latest building regulations and further informed by guidance such as Housing for Varying Needs and the relevant Housing Association Design Guides. An equitable and fair share of parking for affordable housing, consistent with the parking requirements set out in the Edinburgh Design Guidance, is provided.*

*In terms of accessibility, the affordable homes are situated within close proximity (within 400 metres) of regular public transport links and are located next to local amenities at Marchmont. It is important that an equitable and fair share of parking for affordable housing, consistent with the parking requirements set out in the Edinburgh Design Guidance, is provided.*

### Summary

*The applicant has made a commitment to provide 25% on site affordable housing and this is welcomed by the department. These will be secured by a Section 75 Legal Agreement. This department welcomes this approach which will assist in the delivery of a mixed sustainable community.*

- *The tenure of the affordable housing must be agreed with the Council*
- *The affordable housing must include a greater number of two bed homes*
- *All the affordable homes must meet the Edinburgh Design Guidance and also meet the relevant Housing Association Design Guidance size and space standards*
- *In the interests of delivering mixed, sustainable communities, the affordable housing policy units will be expected to be identical in appearance to the market housing units, an approach often described as "tenure blind"*
- *The applicant will be required to enter into a Section 75 legal agreement to secure the affordable housing element of this proposal.*

*We would be happy to assist with any queries on the affordable housing requirement for this application.*

### **Archaeology**

*Further to your consultation request I would like to make the following comments and recommendations concerning these linked FUL, CON & LBC applications for mixed use development comprising residential (8 houses and 118 flats), student accommodation 323 beds, communal space, cycle/car parking provision, public realm enhancements, associated works and infrastructure. Development involves partial demolition of existing buildings, erection of new buildings and change of use/conversion of retained buildings.*

*A comprehensive history is detailed in both Turley's Heritage Statement accompanies this planning application. In summary the Royal Sick Kids Hospital comprises a group of listed buildings centred upon the A-listed 1890's hospital and mortuary chapel designed by George Washington Browne, the latter containing nationally important murals by Phoebe Traquair. Prior to this the site was occupied by Rillbank House, predating Kirkwood's map of 1817 constructed on the southern edge of the Meadows formed from the medieval burgh muir. The site also lies close to the site of the 16th century convent for the Sisters of St Catherine of Siena, a 2 acre site located to the east of Tantallon Place.*

*This application must therefore be considered therefore under terms Scottish Government's Our Place in Time (OPIT) and Scottish Planning Policy (SPP), Historic Environment Scotland's Policy Statement (HESPS) 2016 and Archaeology Strategy and also CEC's Edinburgh Local Development Plan (2016) policies DES 3, ENV4, ENV8 & ENV9. The aim should be to preserve archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.*

### *Historic Buildings*

*It is welcomed that a central design aim is the restoration and conservation of the surviving properties and internal historic detailing in particular. As such the proposed alterations, in archaeological terms, are considered to have an overall low-moderate impact, but in places which may be considered to be significant.*

*Accordingly, it is essential that a detailed programme of historic building recording (annotated plans and elevations, photographic and written description and analysis) is undertaken prior to and during alterations/development. These archaeological historic building surveys will build upon the historic building analysis already undertaken in support of this application by Turley Heritage.*

### *Conservation Mortuary Chapel Phoebe Traquair Murals*

*The applicant's proposals to preserve and conserve insitu these nationally important murals are supported along with their aim to ensure that they publicly accessible. It however essential that proposed conservation works are fully reported upon and fully integrated within the overall archaeological mitigation strategy for the site.*

### *Buried Archaeology*

*The proposals will also require ground/floor-breaking works which have the potential to disturb archaeological remains relating to the development of the site dating back to the Georgian Rillbank House and perhaps the medieval period. It is therefore recommended that in addition to the historic building recording and conservation, that a programme of archaeological work is undertaken during ground breaking works, in order to record, excavate and analyse any significant remains affected.*

### *Public Engagement & Interpretation*

*The Royal Sick Kids Hospital is of considerable historic significance to the Edinburgh. It is therefore considered essential therefore that a programme of public/community engagement is undertaken during development. The full the scope of which will be agreed with CECAS but will include: site open days, viewing points, temporary interpretation boards and exhibitions. In addition, the final scheme must conation permanent interpretation commemorating this history.*

*In consented it is essential therefore that a condition be applied to any consent if granted to secure this programme of archaeological works based upon the following CEC condition;*

*'No demolition/development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (Historic building recording, conservation, excavation, analysis, reporting and publication & interpretation) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.'*

*The work must be carried out by a professional archaeological organisation, either working to a brief prepared by CECAS or through a written scheme of investigation submitted to and agreed by CECAS for the site. Responsibility for the execution and resourcing of the programme of archaeological works and for the archiving and appropriate level of publication of the results lies with the applicant.*

*Please contact me if you require any further information.*

## **Children and Families**

*The Council has assessed the impact of the growth set out in the LDP through an Education Appraisal (January 2018), taking account of school roll projections. To do this, an assumption has been made as to the amount of new housing development which will come forward ('housing output'). This takes account of new housing sites allocated in the LDP and other land within the urban area.*

*In areas where additional infrastructure will be required to accommodate the cumulative number of additional pupils, education infrastructure 'actions' have been identified. The infrastructure requirements and estimated delivery dates are set out in the Council's Action Programme (January 2018).*

*Residential development is required to contribute towards the cost of delivering these education infrastructure actions to ensure that the cumulative impact of development can be mitigated. In order that the total delivery cost is shared proportionally and fairly between developments, Education Contribution Zones have been identified and 'per house' and 'per flat' contribution rates established. These are set out in the draft Supplementary Guidance on 'Developer Contributions and Infrastructure Delivery' (January 2018).*

*Assessment and Contribution Requirements;*

*Assessment based on:*

*93 Flats (25 one bedroom flats excluded)*

*8 Houses*

*This site falls within Sub-Area BJ-2 of the 'Boroughmuir James Gillespie's Education Contribution Zone'.*

*The Council has assessed the impact of the proposed development on the identified education infrastructure actions and current delivery programme.*

*The education infrastructure actions that are identified are appropriate to mitigate the cumulative impact of development that would be anticipated if this proposal progressed.*

*The proposed development is therefore required to make a contribution towards the delivery of these actions based on the established 'per house' and 'per flat' rates for the appropriate part of the Zone.*

*If the appropriate infrastructure contribution is provided by the developer, as set out below, Communities and Families does not object to the application.*

*Total infrastructure contribution required:  
£235,451*

*Note - all infrastructure contributions shall be index linked based on the increase in the BCIS Forecast All-in Tender Price Index from Q4 2017 to the date of payment.*

## **Environmental Assessment**

*The proposed development reutilises retained buildings from the current Royal Hospital for Sick Children and also proposes new buildings on the site. This is a large mixed-use development, situated in a primarily residential area. The existing buildings onsite are a mix of listed and non-listed.*

*The proposal is situated on land which has the potential to be contaminated. A condition is recommended below which requires the developer to investigate any potential contamination and ensure that the site is remediated to a level commensurate with the proposed end use.*

*In addition, Environmental Protection has concerns in relation to noise and air pollutants from the proposed combined heat and power system. The developers are, as yet, unable to provide precise emission and sound level information for the system, therefore conditions to control output are proposed.*

*There is a communal space proposed for the development, within the student residence block. This will be structurally attached to residential property. There is therefore the possibility of a negative impact on the residential amenity due to noise disturbance from activities in the communal space. As yet, the developers are not in a position to determine the class use of the space. Therefore, conditions to control this space are recommended.*

*Environmental Protection has no objections to this proposed development subject to the following conditions:*

- 1. Prior to the commencement of construction works on site:
    - (a) A site survey (including intrusive investigation where necessary) must be carried out to establish to the satisfaction of the Head of Planning, 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 remedial and /or protective measures, including their programming, must be submitted to and approved in writing by the Head of Planning.**
- 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 to the satisfaction of the Head of Planning.*

2. All boilers must be fitted with secondary abatement technology. Full details of the proposed secondary abatement technology to be used at the proposed gas-powered energy plant shall be submitted to and approved by the Planning Authority and implemented on site, in accordance with approved details, prior to the occupation of the buildings for the proposed uses.

3. The design, installation and operation 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.

4. Full details of use of the communal space, including a Noise Impact Assessment if deemed necessary by Environmental Protection, shall be submitted to and approved by the Planning Authority, prior to the occupation of the space for its proposed use.

## **Transportation**

No objections to the application subject to the following being included as conditions or informatives as appropriate:

1. The applicant will be required to:

a. Contribute the sum of £2,000 to progress a suitable order to re-determine sections of footway and carriageway as necessary for the development;

b. Contribute the sum of £2,000 to progress a suitable order to introduce waiting and loading restrictions and parking spaces as necessary. The Council will carry out a comprehensive review of the existing waiting and loading restrictions introduced in relation to the hospital in discussion with the applicant;

c. The applicant proposes to contribute funds to provide 2 car club vehicles in the vicinity of the site. Car club contributions support the Council's LTS Cars1 policy and require £1,500 per order plus £5,500 per car;

2. All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. Particular attention must be paid to ensuring that refuse collection vehicles are able to service the site. The applicant is recommended to contact the Council's waste management team to agree details;

3. A Quality Audit, as set out in *Designing Streets*, to be submitted prior to the grant of Road Construction Consent;

4. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (incl. electric cycles), public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport;

5. *The applicant should be advised that as the development is located in Zones 1 to 8:*

a. *the new-build 31 affordable housing units will not be eligible for residential parking permits in accordance with the Transport and Environment Committee decision of 4 June 2013. See [http://www.edinburgh.gov.uk/download/meetings/id/39382/item\\_7\\_7](http://www.edinburgh.gov.uk/download/meetings/id/39382/item_7_7) (Category A - New Build);*

b. *the 95 private residential units in the former hospital will be eligible for one residential parking permit per property in accordance with the Transport and Environment Committee decision of 4 June 2013. See [http://www.edinburgh.gov.uk/download/meetings/id/39382/item\\_7\\_7](http://www.edinburgh.gov.uk/download/meetings/id/39382/item_7_7) (Category B - Newly sub-divided or converted utilising buildings which were originally dwellings or are listed buildings);*

c. *the student housing will not be eligible for residential parking permits in accordance with the Transport and Environment Committee decision of 4 June 2013. See [http://www.edinburgh.gov.uk/download/meetings/id/39382/item\\_7\\_7](http://www.edinburgh.gov.uk/download/meetings/id/39382/item_7_7) (Category F - All student housing);*

6. *Any parking spaces adjacent to the carriageway will be expected to form part of any road construction consent. The applicant must be informed that any such proposed parking spaces cannot be allocated to individual properties, nor can they be the subject of sale or rent. The spaces will form part of the road and as such will be available to all road users. Private enforcement is illegal and only the Council as roads authority has the legal right to control on-street spaces, whether the road has been adopted or not. The developer is expected to make this clear to prospective residents as part of any sale of land or property;*

7. *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. 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;*

8. *The applicant should be required to redesign the security of the proposed student accommodation cycle parking layout as it appears to form a large area which is likely to be vulnerable to theft.*

Note:

- *The proposed 16 off-street parking spaces and 20 on-street spaces on Rillbank Terrace are considered acceptable for the proposed housing development of 126 dwellings. Current Council standards permit up to 1 space per dwelling in this area (Zone 1), i.e. maximum of 126 spaces. In addition, a number of on-street resident and visitor spaces will be introduced as part of the review of the existing waiting and loading restrictions and parking spaces introduced in relation to the hospital;*

- *Motorcycle parking spaces are proposed for Rillbank Terrace at 1 space per 25 dwellings. Additional spaces will be considered as part of the waiting and loading restrictions review;*

- *Electric vehicle spaces will be provided at 1 space in 6;*
- *The applicant proposes to contribute funds to provide 2 car club vehicles;*

### **Transportation, bridges and flooding**

*Response 1 (28.06.18)*

*Thanks for the consultation response about the former sick kids application.*

*Flood prevention's comments below.*

- *The applicant has not completed the Certificate A1 covering the Flood Risk Assessment or the Drainage Strategy. This is required prior to determination.*
- *The applicant has not provided an independent check Certificate B1 covering the Flood Risk Assessment or the Drainage Strategy. This is required prior to determination.*
- *The applicant has not provided any confirmation that SUDs surface water quality improvements will be included in the drainage design. Even though the design is still to be finalised the intention should be clarified with a preferred method to specified subject to detailed design. This is required prior to determination.*
- *The applicant has not provided pre-development or post-development overland flow path drawings for the site. Even though the final external levels have not been finalised through detailed design, an intention of surface water flow paths should be provided. These should include show that flows are directed away from building entrances and that flow paths across the site are not significantly altered to the detriment of flood risk of the proposed development or surrounding properties.*
- *The applicant has not provided hydraulic modelling calculations for the site. The provision of these can be subject to a planning condition included in any potential permission minded to grant.*

*Response 2 (17.10.18)*

*I note that certain investigations cannot be undertaken as this is an operational hospital. In light of this I propose the below.*

*CEC will accept indicative overland flow path drawings which demonstrate general intent of external drainage across the site. The key consideration from CEC in this regard is that the applicant identify any areas of significant land raising/lowering which would drastically alter the way water moves across the ground surface from its present condition. Particular focus should be made to ground floor access doorways, particularly where there is level access, as these are highly vulnerable to overland flows. The provision of flow path drawings which are based upon appropriately surveyed and designed external levels will form part of a planning application and must be provided prior to start of works on site.*

*CEC will accept written confirmation that surface water quality measures will be included for new areas of development or where there are significant alterations to external building surface water drainage. Where existing buildings are being retained, these will not require water quality improvements. There is no requirement to show these on drawings at present. The provision of updated drainage layout and details drawings will form part of a planning application and must be provided prior to start of works on site.*

*CEC are willing to accept hydraulic modelling calculations (Microdrainage or similar software outputs) after determination. Their provision will form part of a planning condition and must be provided prior to start of works on site.*

*Subject to receipt of the water quality confirmation and the indicative overland flow path drawings, the above information should enable the independent consultant to undertake their appropriate assessment with the comfort that CEC believe that this is an appropriate level of information at this time. This will allow an interim Certificate A1 and B1 for determination. Provision of the more detailed information (post-determination that the planning authority may be minded to grant) will require an accompanying Certificate A1 and B1.*

*Response 3 (11.12.18)*

*I'm happy with what they have provided am and happy for this to proceed to determination with a few conditions.*

- 1. The applicant will provide finalised pre-development and post-development overland flow path routing drawings showing how water moves across the surface. This will be approved by head of planning prior to start of work on site.*
- 2. The applicant shall provide finalised hydraulic modelling calculations for approval to head of planning prior to start of site of the works.*
- 3. Revised self-certification and independent check certificates shall be submitted covering the finalised design for the site.*

### **Active travel**

- 1. This development is of particular interest in light of the wider investment into Active Travel links around the proposed Meadows to George Street project and connections into the off road cycle network. These routes add value to the development by providing safe, convenient and attractive links for walking and cycling.*
- 2. It is imperative that this new development supports the design principles of the Local Development Plan (LDP) and Edinburgh Street Guidance (ESDG). We need to encourage a move away from reliance on the car and support residents to adopt sustainable travel options from the point of occupation through a reduction in car parking provision and clear pedestrian and cycle priority throughout the site and integrated into the wider network. It is encouraging to see this development adding permeation through the site from Sciennes Road to the Meadows.*
- 3. The sloped and stepped pedestrian and cycle route which negotiates the level change down towards the centre of the site from Sciennes Rd needs to be well considered for non-standard bikes and bike with additional attachments, as well as mobility scooters etc. Anticipate possible conflict/pinch points and ensure sightlines aren't obscured by planting. Consider width of footway at the turning points.*
- 4. The ramp from Rillbank Terrace to the east side of the building is compromised as a suitable accessible link as it meets a platform between two sets of steps.*



5. *'Cycle parking for the new homes on Rillbank Terrace and Millerfield Place will be provided within the curtilage of these homes.'* - need to see more detail on this for comment. Ideally secure cycle parking should be accessible without impeding on internal residential space

6. *More information is needed on internal cycle parking and cycle access for the affordable housing.*

7. *The cycle store in the student accommodation must cater for non-standard bikes/trailers/bikes with child seat attachments/maintenance. It needs to have sufficient provision of single storey cycle parking rather than relying on two-tiered options to meet the quota. Doorway options must be suitable for manoeuvring a bike in and out without too much effort.*

8. *Ensure there is external bike parking, easily accessible from the road, overlooked, attractive, and located close to building entrances. There's no indication that this has been provided for the residential units in the Main Hospital and Rillbank/Millerfield units.*

## **Waste Services**

*I have been asked to consider this application on behalf of the Waste Management Service.*

*Waste and cleansing services takes no stance either for or against the proposed development but as a consultee would make the following comments:*

*Waste and Fleet Services would expect to be the service provider for the collection of waste as this appears to be a residential development. We have been in discussion with the architect at this site and discussed some options.*

*I would like to reiterate the following:*

*It is imperative that adequate provision is made for the storage of waste off street, and that cognisance is taken of the need to provide adequate space for the storage of segregated waste streams in line with the Waste (Scotland) Regulations which require the source separation of dry recyclable materials, glass, food, etc.*

*Adequate provision should also be made for the effective segregation of materials within the building not just at the point of collection. Adequate access must also be provided to allow uplift of waste safely from the collection point taking into consideration the traffic flows at this busy location.*

*In view of these factors the developer must contact Waste Services on 0131 529 3030 or [hema.herkes@edinburgh.gov.uk](mailto:hema.herkes@edinburgh.gov.uk) at the earliest point for advice relating to their options so that all aspects of the waste & recycling service are considered i.e. access for vehicles, health & safety, presentation points for kerbside bins and/or boxes and size of storage areas required in residential gardens for all bins & boxes etc. Any changes to the current agreement will need to be discussed.*

## **Police**

*No response*

## **SNH**

*We do not intend to offer formal comment on this proposal as it does not meet our criteria for consultation, as outlined in our Service Statement for Planning and Development. This, along with details of our approach and a consultation checklist, can be found on our website by following this link.*

## **Historic Environment Scotland**

*Thank you for your consultation which we received on 21 June 2018. We have assessed it for our historic environment interests and consider that the proposals have the potential to affect the following:*

*Reference - LB52347*

*MORTUARY CHAPEL, ROYAL HOSPITAL FOR SICK CHILDREN, SCIENNES ROAD, EDINBURGH*

*You should also seek advice from your archaeology and conservation service for matters including unscheduled archaeology and category B and C-listed buildings.*

### *Our Advice*

*We have considered the information received and do not have any comments to make on the proposals. Our decision not to provide comments should not be taken as our support for the proposals. This application should be determined in accordance with national local policy on development affecting the historic environment, together with related policy guidance.*

### *Further Information*

*This response applies to the application currently proposed. An amended scheme may require another consultation with us.*

*Guidance about national policy can be found in our 'Managing Change in the Historic Environment' series available online at [www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes/](http://www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes/). Technical advice is available through our Technical Conservation website at [www.englished.org](http://www.englished.org).*

*Please contact us if you have any questions about this response. The officer managing this case is Gordon Mackie who can be contacted by phone on 0131 668 8628 or by email on [Gordon.Mackie@hes.scot](mailto:Gordon.Mackie@hes.scot).*

## **Scottish Water**

*Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced and would advise the following:*

### *Water*

*There is currently sufficient capacity in the Glencorse Water Treatment Works. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.*

### *Foul*

*There is currently sufficient capacity in the Edinburgh PFI Waste Water Treatment Works. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.*

*The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.*

### *Infrastructure within boundary*

*According to our records, the development proposals impact on existing Scottish Water assets.*

*3" Cast Iron Water Main runs through the site boundary, as does a 300mm Vitrified Clay combined sewer.*

*I can confirm that I have made our Asset Impact Team aware of this proposed development however the applicant will be required to contact them directly at [service.relocation@scottishwater.co.uk](mailto:service.relocation@scottishwater.co.uk).*

*The applicant should be aware that any conflict with assets identified may be subject to restrictions on proximity of construction.*

### *Surface Water*

*For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not normally accept any surface water connections into our combined sewer system.*

*There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.*

*In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.*

*General notes:*

*Scottish Water asset plans can be obtained from our appointed asset plan providers:*

*Site Investigation Services (UK) Ltd*

*Tel: 0333 123 1223*

*Email: [sw@sisplan.co.uk](mailto:sw@sisplan.co.uk)*

*[www.sisplan.co.uk](http://www.sisplan.co.uk)*

*Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area then they should write to the Customer Connections department at the above address.*

*If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.*

*Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.*

*The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.*

*Please find all of our application forms on our website at the following link;*

*<https://www.scottishwater.co.uk/business/connections/connecting-yourproperty/new-development-process-and-applications-forms>*

*Next Steps:*

*Single Property/Less than 10 dwellings*

*For developments of less than 10 domestic dwellings (or non-domestic equivalent) we will require a formal technical application to be submitted directly to Scottish Water or via the chosen Licensed Provider if non domestic, once full planning permission has been granted. Please note in some instances we will require a Pre-Development Enquiry Form to be submitted (for example rural location which are deemed to have a significant impact on our infrastructure) however we will make you aware of this if required.*

*10 or more domestic dwellings:*

*For developments of 10 or more domestic dwellings (or non-domestic equivalent) we require a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.*

*Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.*

*Non Domestic/Commercial Property:*

*Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened up to market competition for non-domestic customers. All Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at [www.scotlandontap.gov.uk](http://www.scotlandontap.gov.uk)*

*Trade Effluent Discharge from Non Dom Property:*

*Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and laundrettes. Activities not covered include hotels, caravan sites or restaurants.*

*If you are in any doubt as to whether or not the discharge from your premises is likely to be considered to be trade effluent, please contact us on 0800 778 0778 or email.*

*TEQ@scottishwater.co.uk using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found using the following link <https://www.scottishwater.co.uk/business/ourservices/compliance/trade-effluent/trade-effluent-documents/trade-effluent-noticeform-h>*

*Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.*

*For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.*

*The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at [www.resourceefficientscotland.com](http://www.resourceefficientscotland.com)*

*If the applicant requires any further assistance or information, please contact our Development Operations Central Support Team on 0800 389 0379 or at [planningconsultations@scottishwater.co.uk](mailto:planningconsultations@scottishwater.co.uk).*

## **SEPA**

*We have no objection to this planning application. Please note the advice provided below.*

### *1. Flood risk*

*We have no objection to the proposed development on flood risk grounds. Notwithstanding this we would expect Edinburgh Council to undertake their responsibilities as the Flood Prevention Authority.*

#### *Technical Report*

*1.1 Review of the SEPA Flood Map indicates that the site lies outwith the 0.5% annual probability (or 1 in 200-year) flood extent and may therefore be at low risk of flooding. There is an indication of surface water flooding in surrounding areas although we hold no further information on this flood risk and would advise that Edinburgh Council may hold more detailed knowledge.*

*1.2 We note that the proposals are to discharge surface water from the site to the existing sewer network. Management of surface water is primarily a matter for the Local Authority and Scottish Water to determine.*

*1.3 Given the site is not shown to be at flood risk and we hold no further information on flood risk, we have no objection to the proposals. Should Edinburgh Council wish for any further comments they should provide further detail on the nature of the perceived flood risk.*

### *2. Water environment*

*2.1 Planning authorities have been designated responsible authorities under the Water Environment and Water Services (Designation of Responsible Authorities and Functions) Order 2006. As such authorities are required to carry out their statutory functions in a manner that secures compliance with the objectives of the Water Framework Directive (i) preventing deterioration and (ii) promoting improvements in the water environment in order that all water bodies achieve "good" ecological status by 2015 and there is no further deterioration in status. This will require water quality, quantity and morphology (physical form) to be considered.*

#### *Surface water*

*2.1 We expect surface water from all developments to be treated by SUDS in line with Scottish Planning Policy (Paragraph 268) and, in developments of this scale, the requirements of the Water Environment Controlled Activities Regulations (CAR). SUDS help to protect water quality and reduce potential for flood risk. Guidance on the design and procedures for an effective drainage system can be found in Scotland's Water Assessment and Drainage Assessment Guide.*

2.2 The proposed SUDS should accord with the SUDS Manual (C753) and the importance of preventing runoff from the site for the majority of small rainfall events (interception) is promoted. The applicant should use the Simple Index Approach (SIA) Tool to ensure the types of SUDS proposed are adequate.

2.3 Construction phase SUDS should be used on site to help minimise the risk of pollution to the water environment. Further detail with regards construction phase SUDS is contained in Chapter 31 of SUDS Manual (C753).

2.4 Comments should be requested from Scottish Water where the SUDS proposals would be adopted by them and, where appropriate, the views of your authority's roads department and flood prevention unit should be sought on the SUDS strategy in terms of water quantity and flooding issues.

#### Waste water

2.5 The waste water to be connected to public sewer is acceptable. The applicant should consult with Scottish Water (SW) to ensure a connection to the public sewer is available and whether restrictions at the local sewage treatment works will constrain the development.

2.6 We recommend that the applicant keeps in regular contact with SW to ensure such a connection is available at the time of development of the site, as SW facilities may have accepted discharge from other developments before construction commences at this site.

2.7 It should be noted that should a connection to the public sewer not be achievable then we would be required to be re-consulted as any private waste water discharge would require authorisation under Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR). Given the size of the development SEPA would have concerns over such an authorisation, which could in turn potentially constrain development at the site.

### 3. Sustainable waste management

3.1 Scottish Planning Policy Paragraph 190 states that "All new development including residential, commercial and industrial properties should include provision for waste separation and collection to meet the requirements of the Waste (Scotland) Regulations." In accordance with this policy, the relevant Local Development Plan and the Scottish Government Planning and Waste Management Advice, space should be designated within the planning application site layout to allow for the separation and collection of waste, consistent with the type of development proposed. This includes provision to separate and store different types of waste, kerbside collection and centralised facilities for the public to deposit waste for recycling or recovery ("bring systems"). Please consult the council's waste management team to determine what space requirements are required within the application site layout.

*Scottish Planning Policy (Paragraph 192) states that planning authorities should consider requiring the preparation of sites management plans for construction sites. In the interests of seeking best practice and meeting the requirements of Scottish Planning Policy, we recommend that a site waste management plan (SWMP) is submitted, showing which waste materials are going to be generated and how they are going to be treated and disposed.*

*3.2 All wastes should be handled in accordance with the "waste management duty of care" - residual contamination should be dealt with through the local authority planning and contaminated land departments.*

#### *4. Contaminated land*

*4.1 Advice on land contamination issues should be sought from the local authority contaminated land specialists because the local authority is the lead authority on these matters under Part IIA of the Environmental Protection Act 1990 except for matters relating to radioactively contaminated land or special sites.*

#### *5. Air quality*

*5.1 The local authority is the responsible authority for local air quality management under the Environment Act 1995, however we recommend that this development proposal is assessed alongside other developments that are also likely to contribute to an increase in road traffic. This increase will exacerbate local air pollution and noise issues, particularly at busy junctions and controlled crossing points. Consideration should therefore be given to the cumulative impact of all development in the local area in the ES or planning submission. Further guidance regarding these issues is provided in NSCA guidance (2006) entitled Development Control: Planning for Air Quality. Detailed advice for the applicant.*

#### *6. Flood risk*

*6.1 The SEPA Flood Maps have been produced following a consistent, nationally-applied methodology for catchment areas equal to or greater than 3km<sup>2</sup> using a Digital Terrain Model (DTM) to define river corridors and low-lying coastal land. The maps are indicative and designed to be used as a strategic tool to assess flood risk at the community level and to support planning policy and flood risk management in Scotland. For further information please visit <http://www.sepa.org.uk/environment/water/flooding/flood-maps/>*

*6.2 Please note that we are reliant on the accuracy and completeness of any information supplied by the applicant in undertaking our review, and can take no responsibility for incorrect data or interpretation made by the authors.*

*6.3 The advice contained in this letter is supplied to you by SEPA in terms of Section 72 (1) of the Flood Risk Management (Scotland) Act 2009 on the basis of information held by SEPA as at the date hereof. It is intended as advice solely to Edinburgh Council as Planning Authority in terms of the said Section 72 (1).*



## *Regulatory advice for the applicant*

### *7. Regulatory requirements*

*7.1 Details of regulatory requirements and good practice advice for the applicant can be found on the Regulations section of our website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the regulatory team in your local SEPA office at:*

*Edinburgh Office Silvan House SEPA 3rd Floor 231 Corstorphine Road Edinburgh EH12 7AT*

*Tel: 0131 449 7296*

*If you have any queries relating to this letter, please contact me by telephone on 01786 452430 or e-mail at [planning.se@sepa.org.uk](mailto:planning.se@sepa.org.uk).*

## **Marchmont and Sciennes Community Council**

### *Executive summary*

*The design as seen from the central corridor through the site is both well planned and balanced. However, it is inward looking and fails to fully integrate with the community. There are three principal issues that are of concern to the Marchmont and Sciennes Community Council*

*1. The inclusion of parking in front of the main hospital block prevents the conversion of the section of Sciennes Road in front of this site and Sciennes school, into a play street. If more parking spaces are required, then locating them underground is a far better solution.*

*2. Downing Group have no commercial interest in improving Sylvan Place, as they have located the affordable housing in it and have set the back of the student accommodation on it. As a result, the quality place-making that is evident in the core of the development has not been carried through to this street. This needs to be rectified by increasing the distance between the new and existing buildings in Sylvan Place, to allow the pavement to be widened and trees and other soft landscaping to be included. Also, the new pavilion block at the North end and the terminal building of the student accommodation at the South end need to be reconfigured to honour the street.*

*3. Downing Group have made a concession to the Marchmont and Sciennes Development Trust in providing an area for community use. However, the space is too small. With the proposal that Sciennes Road becomes a play street now well advanced, and with a change of management at the school, a combined school/community resource should be re-examined.*

*We note that there are areas in the design that might also need to be addressed:*

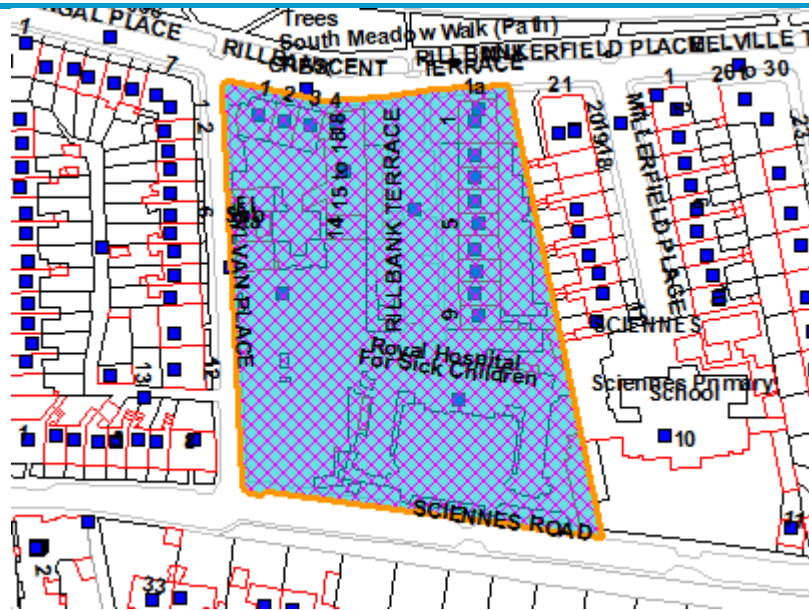
- There is no plan to restore or manage the Phoebe Anna Traquair murals, only drawings to show how the remainder of the building that they are housed in, will be utilised.*

- *The frontage of the new pavilion block facing The Meadows appears to jar with the rhythm of the other buildings along this section of road.*
- *The addition of rooms at the side of the main hospital wings with rainscreen cladding, using the current footprint of the recently added escape stairs, may be inappropriate.*

*We ask you to reject the planning application as currently presented on the following grounds:*

- *The floor area committed to student accommodation exceeds that of the other new build on the site, contrary to the requirements of the council's own Student Housing Guidelines.*
- *The quality of the Sylvan Place street environment does not meet the recommendations for new high density local streets, as set out in the Scottish Governments "Designing Streets" document and the council's own "Street Design Guidance".*
- *The parking in front of the main hospital block, instead of basement parking, is contrary to the City of Edinburgh's Local Development Plan section Tra 4 "Design of Off-Street Car and Cycle Parking".*

## Location Plan



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**END**

# Development Management Sub Committee

Wednesday 6 February 2019

## Application for Conservation Area Consent 18/02720/CON At Royal Hospital For Sick Children, 9 Sciennes Road, Edinburgh Substantial demolition in a Conservation Area.

Item number	6.1(c)
Report number	
Wards	B15 - Southside/Newington

### Summary

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The proposed demolition accords with the guidance set out within Historic Environment Scotland's document "Managing Change in the Historic Environment" and non-statutory guidance. The loss of the buildings is necessary for the related redevelopment proposals that will enhance this part of the conservation area. The associated benefits from the redevelopment of the site outweigh any townscape or heritage loss. There are no material considerations that outweigh this conclusion.

### Links

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<a href="#">Policies and guidance for this application</a>	LDPP, LEN02, LEN05, NSG, NSLBCA, CRPMAR, OTH,
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# Report

## **Application for Conservation Area Consent 18/02720/CON At Royal Hospital For Sick Children, 9 Sciennes Road, Edinburgh Substantial demolition in a Conservation Area.**

### **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 approximately 1.72 hectares in area. It lies to the south of the Meadows, and is bounded by Sciennes Road, Sylvan Place, Rillbank Crescent, and Millerfield Place.

The site is currently occupied by a variety of buildings which make up the accommodation for the Royal Hospital for Sick Children. The main hospital building is a Category B listed building (LB30480, listing date 15/01/92), built in 1892-95, designed by George Washington Browne. The building is formed in a U-shaped block framing a courtyard area, with the principal elevation addressing Sciennes Road to the south. The central administrative block extends to four storeys in height and the two symmetrical ward wings are three storeys in height.

The hospital building has been altered over the years and has lost significant external detailing. It has had several additions made to it and new linkages between buildings provided.

To the north east is a mortuary chapel, also designed by George Washington Browne (1895) built at the same time as the main hospital building. This building is Category A listed (LB52347, listing date 26 May 2015) and contains the first complete mural scheme by Phoebe Traquair, one of only three in Scotland. The mortuary chapel building was extended in footprint (1904) and height by an additional storey (1931).

A pharmacy store building is located to the immediate east of the main hospital building, adjoining the boundary with Sciennes Primary School. This is a single storey building with pitched slate roof, and is likely to have been built in the late 19th century.

Hospital related uses expanded into surrounding terraced villas located on Rillbank Terrace (both sides) and Millerfield Place (west side) during the 20th century, and several properties have been extended to the rear to provide additional accommodation. There have been further additions of modular buildings to the rear of Rillbank Terrace/ Millerfield Place, which result in a dense and somewhat cluttered built environment within this part of the site.

To the south of the site is Sciennes Road, along which a strip of open space is located along the southern edge, used in part by Sciennes Primary School as outdoor play space. Detached residential properties back onto Sciennes Road, and this residential character extends into the Grange neighbourhood of the city to the south of the site. 15 and 17 Hatton Place is a residential dwelling located to the immediate south of the open space strip, and is a category C listed semi-detached property (LB30339, listing date 15 January 1992). The rear elevation of this building is located opposite the main hospital building.

The north of the site is bounded by Rillbank Terrace which runs parallel to Melville Drive, separated by a strip of grassy open space within which mature trees are situated. The extensive open space of the Meadows lies beyond Melville Drive, giving the northern edge of the site an open aspect, punctuated by the mature trees.

The east of the site is bounded by Millerfield Place which comprises a row of Category C listed terraced properties (LB30455, listing date 15 January 1992) which are in private residential use, and the Category B listed Sciennes Primary School (LB30479, listing date 15 January 1992).

The west of the site is bounded by Sylvan Place, which contains a mix of tenement and terraced residential properties. Several terraced residential properties (Nos 1-5 Sylvan Place, to the northern end (west side) of Sylvan Place and Nos. 1-7 Fingal Place are Category B listed (LB30483, LB30484 and LB30371, listing date for all groupings 14 December 1970).

The wider surrounding area is predominantly residential in character, comprising a mixture of tenements and terraced properties to the north of Sciennes Road, and less dense, detached residential properties to the south of Sciennes Road. Marchmont local centre is located approximately 100m to the west of the site boundary and contains a mix of retail and commercial uses at the ground floor levels of tenement buildings.

There are a total of 28 trees present on the site currently, which are varying in quality and condition.

Access into the site at present is located via Rillbank Terrace to the north, Sciennes Road to the south and Sylvan Place to the west.

This application site is located within the Marchmont, Meadows and Bruntsfield Conservation Area.

## **2.2 Site History**

13 June 2018 - Planning Application submitted for mixed use development comprising residential (8 houses and 118 flats), student accommodation 323 beds, communal space, cycle/car parking provision, public realm enhancements, associated works and infrastructure. Development involves partial demolition of existing buildings, erection of new buildings and change of use/conversion of retained buildings. Application currently pending determination. (Application reference 18/02719/FUL).

20 June 2018 - Application for listed building consent submitted for internal and external alterations of Category B-listed Main Building of the Royal Hospital for Sick Children to convert to residential use including rear extensions, minor alteration, including sensitive reinstatement and repair of the building. Application pending determination. (Application reference 18/02722/LBC).

20 June 2018 - Application for listed building consent submitted for Internal and external alterations of Category C-listed Nos. 11-21 (inclusive) Millerfield Place to convert to residential use including rear extensions; minor alteration, including sensitive reinstatement and repair of garden boundary walls. Application pending determination. (Application reference 18/02723/LBC).

20 June 2018 - Application for Listed Building Consent submitted for Internal and external alteration to Category A- listed Mortuary Chapel building to convert to public and residential use; conservation and repair of murals in situ; removal of 20th century hospital extensions with associated fabric repairs and reinstatement, currently pending determination. (Application reference 18/02725/LBC).

## **Main report**

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### **3.1 Description Of The Proposal**

Demolition is required to facilitate the mixed use re-development of Royal Hospital for Sick Children (RHSC) site, as per the associated application for planning permission (18/02719/FUL).

The proposal is for the demolition of approximately 4885 sqm of later extensions to the Royal Hospital for Sick Children at Sciennes Road. Buildings for demolition include:

- All hospital buildings fronting the eastern side of Sylvan Place including all adjoining portacabins, standalone service buildings, an electrical substation and steel containers. This grouping includes the former Outpatients building;
- 1 Rillbank Crescent;
- Link and ancillary standalone buildings to the south (rear) of the main hospital building;
- Portacabins to the rear of Rillbank Terrace; and
- Extensions and plant room to the rear of properties on the western side of Millerfield Place.

#### *Supporting information*

The applicant has submitted the following documents in support of the application which are available to view via the Planning and Building Standards Online Services:

- Planning Statement;
- Design and Access Statement; and
- Heritage Statement.

### 3.2 Determining Issues

Do the proposals harm the character or appearance of the conservation area? If they do, there is a strong presumption against granting of consent.

In determining applications for conservation area consent, the Development Plan is not a statutory test. However the policies of the Local Development Plan (LDP) inform the assessment of the proposals and are a material consideration.

### 3.3 Assessment

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

- a) the demolition will adversely affect the character and appearance of the conservation area;
- b) any impacts on equalities or human rights are acceptable; and
- c) comments raised have been addressed.

#### a) Impact of Demolition on Conservation Area

The Marchmont, Meadows and Bruntsfield Conservation Area Character Appraisal identifies the essential architectural character of the Marchmont area as *"well-proportioned tenements planning in long blocks that take advantage of the gently sloping site. Scots Baronial style is noted as the principal architectural style, and tenemental front gardens provide setting to buildings. The area is characterised by Victorian and Georgian tenemental perimeter blocks that are of uniform height, massing and use of stone and slated roofs. There is a predominance of residential uses within the area, and the mature landscape of the Meadows and Bruntsfield Links with its rich historical background forms the core of the Conservation Area. The main RHSC building is identified as a focal point within the Conservation Area"*.

The character appraisal describes the success of the area as being in the diversity of detailing contained within a carefully controlled development. These principles should be applied to new development. The character appraisal welcomes the conservation of existing and provision of new trees and encourages the reinstatement of historically accurate railings to enhance the general streetscape. In addition, it notes that new development should take the opportunity to reduce on-street clutter caused by bins and other street furniture.

The demolition of an unlisted building within a conservation area, in accordance with policy Env 5: Conservation Areas - Demolition of Buildings, will only be allowed in exceptional circumstances. The proposal must be considered against the tests set out in policy Env 2: Listed Buildings - Demolition, in conjunction with Env 5, essentially meaning that it is assessed in the same manner as the demolition of a listed building. The Historic Environment Scotland Planning Statement (HESPS) (2016) sets out that such applications for demolition will be assessed against:

- a) the importance of the building;



- b) the condition of the building;
- c) the economic viability of reusing the building; and
- d) the wider public benefits.

In general, HESPS states Conservation Area Consent should only be granted for the demolition of buildings that are deemed not to make a contribution to the character and appearance of the conservation area when accompanied with proposals for acceptable replacement buildings or good quality development and design that will preserve and enhance the character and appearance of the conservation area.

The impact that demolition will have on the character of the conservation area based on the above assessment criteria has been considered for each of the building groupings set out for demolition. It is noted that Historic Environment Scotland (HES) has raised no objections to the demolition but has provided comments on the proposed demolition of 1 Rillbank Crescent and the former Outpatients Building on Sylvan Place. These are considered specifically in the assessment below.

#### *Main hospital extensions and ancillary buildings*

The Surgical building (1990) A&E building (1992) and infill link building (1959) are located in the south west of the site and form a large extension to the west of the main hospital building, occupying the corner between Sylvan Place and Sciennes Road. The former Outpatients building (1903) is set within this series of buildings, but will be assessed separately below.

This building grouping have been constructed in a variety of styles and materials and does not present a cohesive or positive addition to the main hospital building. They obscure the western elevation of the main hospital building and are not representative of the characteristics of the wider Conservation Area. Internally, they are designed to function as hospital buildings and would present difficulties in conversion to alternative uses. They are not considered to make a positive contribution to the townscape character, and their demolition is acceptable.

The ancillary buildings located to the southwest of the site along the Sylvan Place boundary have developed in a piecemeal manner, and provide buildings for storage and servicing of the main hospital. These building types do not offer a straightforward opportunity for conversion to alternative uses due to their bespoke functional nature. The buildings present a broken, inactive frontage to Sylvan Place, and allow for open views into the rear of properties along Rillbank Terrace. They do not complete the block, and have a detrimental impact on the character of the street.

The development of these buildings has resulted in the removal of boundary walls, rear gardens and rear extensions to villas of Rillbank Crescent in order to locate these buildings and an associated car parking area. These buildings do not contribute positively to the character of the Conservation Area, and their demolition is acceptable.

Existing boundary walls around the main hospital building will be retained and refurbished where feasible. New stone walls will also be provided across the site which will contribute to and enhance the conservation area. A portion of the stone wall along Sciennes Road will be removed to allow new pedestrian access route through the site to be formed. This loss is acceptable given the wider development context and benefits that the new area of public realm will bring to the area.

### *Former Outpatients Building*

The Former Outpatients building occupies a frontage directly onto Sylvan Place and is adjoined to the main hospital building by the later A&E building and surgical buildings which flank it on either side. It is a two storey largely symmetrical building faced in buff sandstone, comprised of seven bays with the two outer bays being slightly larger. The building has been absorbed into the wider hospital functions and is no longer coherent as an individual building. The HES listing for the main hospital building notes that the former Outpatients building is not considered to be of any special interest in listing terms.

The building is two storeys in height, meaning it conflicts with the predominant nature of the conservation area, which is characterised by a mix of four and five storey Scottish Baronial tenements. The building has a stone frontage and presents a relatively severe frontage, positioned directly onto the pavement of Sylvan Place. The architecture of this building does not relate to the main hospital building. The applicant has noted that whilst designed by the partnership of Peddie Washington Browne, the Outpatients building is of the Edwardian Renaissance style, a style that George Washington Browne did not move in the direction of until slightly later, and therefore it is unlikely to have been designed by him. With the exception of the main frontage, the building has long been absorbed into the wider hospital functions and uses and is not coherent as a separate building. This makes it unviable to retain and convert the building for alternative uses.

It is recognised that, whilst lacking in detailed architectural quality, the former Outpatients building makes some contribution to the character of the street through its use of traditional materials. However, the building is difficult to appreciate at street level, and its location part way along the street means that it does not relate well to the surrounding buildings, or form part of a coherent group of buildings. Furthermore, the overall character of Sylvan Place is compromised by the break down in continuity and consistency along the eastern side of the street as a result of the incremental development of the hospital buildings.

With the exception of the entranceway to the Outpatients' building which provides access to the A&E department, the buildings on the eastern side of Sylvan Place are inward facing and relate poorly to the street. This would impact adversely on any future conversion of the building, as this poor quality relationship would continue.

Consideration has been made to the proposed design replacement for this site further on in this report, and it is noted that the proposed buildings fronting onto Sylvan Place will as a whole, be set back from the street frontage by 2.5m to 3.2m, which reflects the existing set back present along much of the western side of Sylvan Place. Were the Outpatients building be retained, it would not be possible to achieve this extent of building set back along the east side Sylvan Place, nor would an improved pattern of fenestration and vertical articulation be achieved. All of these elements of the proposed design would contribute to an improved rhythm in the building frontage of the eastern side of Sylvan Place, and overall sense of balance of scale across Sylvan Place as a whole.

In summary, it is considered that retention of this building would preclude the opportunity to create an overall improvement to the character and appearance of the street. The proposed redevelopment of the complete western side of the block provides the optimum opportunity to achieve this objective. The proposed demolition of the Outpatients building is therefore considered in balance to be appropriate and acceptable.

### *1 Rillbank Crescent*

1 Rillbank Crescent occupies the end unit of a short terrace of three north facing townhouses, contemporary with Rillbank Terrace. The terrace does not reach the corner with Sylvan Place, and instead ends abruptly with a gable end facing onto a single storey outbuilding extension, leaving an irregular area of open space. This does not follow the predominant pattern of a corner tenement pavilion being present as is found at the north end of adjacent streets, and on the opposite corner of Sylvan Place and Fingal Place. The existing building form of 1 Rillbank Crescent therefore provides a weak spot in the overall urban structure, which is not in-keeping with the wider pattern of development. It has a detrimental impact on the wider townscape. This is particularly apparent when viewing the street frontage of Rillbank Crescent from the wider context of Melville Place and the Meadows, where the missing pavilion corner at Sylvan Place is clearly evident, and interrupts the prevailing pattern of development.

It is recognised that 1 Rillbank Crescent does offer some contribution to the townscape and character of the Conservation Area due to its traditional architectural form, and role within the short terrace of Rillbank Crescent. However, it is noted that 1 Rillbank Crescent has been altered externally more significantly than the adjoining properties on Rillbank Crescent through a series of alterations. These include the removal of original outbuildings on the corner of Sylvan Place and replacement with a chemical store in the late 20th century, addition of dormer windows, and removal of chimney pots and an ashlar balustrade parapet with dies. The contribution that the building makes to the overall terrace is lessened by these alterations. Furthermore, the development of land to the rear of Rillbank Crescent has led to the loss of rear garden areas and boundary walls, further diminishing the historical value of the building and its grounds.

No specific information has been made available regarding the condition of the building due to its current use as a hospital facility. The retention and conversion of 1 Rillbank Crescent in its current form would remove the opportunity to provide a pavilion form of development on this corner which reflects the pattern of the wider townscape. Due to the location of the existing end terrace set away from and adjacent to a gap corner site, its incorporation as part of a new building to return along Sylvan Place or new development is difficult and would compromise the development. In this regard, re-use of the existing building would not make a positive contribution to the overall townscape and character of the wider conservation area.

The design of the alternative proposal for this block is considered in section 3(c) below. It seeks to create a strong pavilion form at the corner of Sylvan Place and Rillbank Crescent, which will connect to the existing properties on Rillbank Crescent and more effectively punctuate the street corner to complete the prevailing pattern of nearby streets. Traditional materials and a simple architectural form are proposed.

On balance, it is considered that the architectural value that 1 Rillbank Crescent contributes to its immediate location on the street at present does not match the potential to improve the overall urban form and townscape of the wider Conservation Area. It is concluded that the demolition of this property in this instance is appropriate, and that any local impact on the character of the street through the loss of the building will be offset and enhanced by the overall improvement to the wider townscape character.

#### *Portacabins to the rear of Rillbank Terrace*

Several portacabins are located to the rear of Rillbank Terrace, providing a range of ancillary hospital uses included a cafeteria. These are not visible from the surrounding streets and are of a cluttered and unplanned nature. They do not make a positive contribution to the character of the conservation area. In this regard, there is no requirement to assess these against the provisions of policy Env 2, and their demolition is considered to be acceptable.

#### *Millerfield Place extensions and plant room*

The recent extensions to the rear of properties on Millerfield Place are piecemeal in nature, and are not visible from the surrounding streets. They are of mixed quality and materials and are not considered to make a positive contribution to the character of the Conservation Area. In this regard, there is no requirement to assess these against the provisions of policy Env 2, and their demolition is considered to be acceptable.

#### *Replacement Development*

The proposed redevelopment of the site is the subject of a separate application for planning permission (reference 18/02719/FUL). The assessment of the full planning application addresses the issues of the principle of the proposed use, the development's impact upon the character and appearance of the conservation area, setting of the listed building, design, transport, amenity, landscape, infrastructure, sustainability, equalities and all other material considerations, including public representations.

The proposed mix of residential development, student housing and community space is acceptable in principle in this location, and is in keeping with the prevailing use characteristics of the conservation area.

The contemporary design, scale and massing of the proposed new buildings (affordable housing and student housing blocks) are subservient to the main hospital listed building, and use an appropriate mix of traditional and contemporary materials. They respond appropriately to the existing building heights and forms in the surrounding area. The proposals will allow for an increased set back of buildings along the Sylvan Place frontage, which will balance with existing front garden grounds on the western side of the street and improve the streetscape.

The proposed affordable housing block will remove the existing corner void at Rillbank Crescent and Sylvan Place and form a new pavilion building on this corner. This will more effectively "bookend" Sylvan Place, following the existing wider street pattern of the wider area and improving the balance and structure of the townscape.

These interventions will have a positive impact on the character of the conservation area, and will strengthen the positive characteristics that already exist.

### *Summary*

The redevelopment will significantly improve the main hospital building by removing later extensions that have adversely impacted this built heritage asset and the character of the surrounding area. The demolition of the contemporary hospital extensions and ancillary buildings will have a wholly positive impact, as these make no contribution to the conservation area at present, and detract from the original design of the hospital building.

The demolition of unlisted historic accretions to the original buildings, including 1 Rillbank Crescent and the former Outpatients building provide an opportunity to significantly improve the spatial integrity of the site. It is considered that demolition is acceptable subject to the provision of suitable replacement buildings as proposed under the accompanying planning application (18/02719/FUL) which will enhance and preserve the character of the conservation area.

On balance, the loss of traditional buildings required to facilitate these changes will be outweighed by the overall improvement to the urban structure and opportunity that the development provides to reinstate the architectural set-piece of the main hospital building. The proposed demolitions are appropriate and acceptable.

### **b) Equalities and human rights**

The demolition of the existing building will not have an adverse impact on equalities or human rights.

## **c) Public comments**

### *Material comments*

- Demolition of buildings within a conservation area is contrary to policy ENV 5 - addressed in Section 3.3 (a).
- No demolition until replacement plans have been approved - addressed in section 3.3 (a).
- There are too many gap sites already - addressed in Section 3.3 (a).
- The development does not preserve the character and appearance of the conservation area - addressed in Section 3.3 (a).
- Design of the proposed building - addressed in Section 3.3 (a).
- The roofline of the proposed building is out of scale with existing buildings - addressed in section 3.3(a).
- Demolition of 1 Rillbank Crescent is inconsistent with conservation of the essential character of the Marchmont, Meadows and Bruntsfield Conservation Area - addressed in Section 3.3 (a).
- Demolition of 1 Rillbank Crescent is inconsistent with the Council's Sustainable Development Strategy - a Sustainability Assessment has been completed as part of application 18/02719/FUL.
- The removal of 1 Rillbank Crescent will have a negative impact on the landscape of the Meadows - addressed in Section 3.3 (a).
- Demolition is unnecessary and the existing building should be incorporated into the development scheme - addressed in Section 3.3 (a).
- The proposed building does not enhance or preserve the setting of the Conservation Area - addressed in Section 3.3 (a).
- The proposal to demolish an historic wall to the west of the main hospital building does not acknowledge its B-listed status - addressed in Section 3.3 (a).
- Lack of provision of condition/ structural reports for 1 Rillbank Crescent and the former Outpatient's buildings to inform proposal for demolition of these buildings - addressed in section 3.3 (a).

## **Conclusion**

The proposed demolition accords with the guidance set out within Historic Environment Scotland's document "Managing Change in the Historic Environment" and non-statutory guidance. The loss of these buildings is necessary for the related redevelopment proposals that will enhance this part of the conservation area. The associated benefits from the redevelopment of the site outweigh any townscape or heritage loss. There are no material considerations that outweigh this conclusion.

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

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

#### **Conditions:-**

1. The applicant shall secure the implementation of a programme of historic building recording, analysis, reporting and publication, interpretation, and conservation in accordance with a written scheme of investigation. This work shall be conducted in association with the implementation of this consent with the final report being submitted to the Council, as planning authority, within 6 months of the completion of demolition works hereby approved.
2. The care and protection of the murals in the RHSC Mortuary Chapel Building, before, during and after building works shall be carried out in accordance with the supplementary addendum report "RHSC Mortuary Chapel (Edin) - Phoebe Traquair Murals" dated 27 July 2018.

#### **Reasons:-**

1. In order to safeguard the interests of archaeological heritage.
2. In order to safeguard the character of the statutorily listed building.

#### **Informatives**

It should be noted that:

1. No demolition shall start until the applicant has confirmed in writing the start date for the new development by the submission of a Notice of Initiation.

### **Financial impact**

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

There are no financial implications to the Council.

### **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:**

The application has been assessed and has no impact in terms of equalities or human rights.

### **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**

Six letters of objection were received in relation to this application. An assessment of these 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**

Adopted Edinburgh Local Development Plan

**Date registered**

13 June 2018

**Drawing numbers/Scheme**

01, 02,

**David R. Leslie**

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Julie Ross, Planning Officer

E-mail:julie.ross@edinburgh.gov.uk Tel:0131 529 4468

**Links - Policies**

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**Relevant Policies:**

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

LDP Policy Env 2 (Listed Buildings - Demolition) identifies the circumstances in which the demolition of listed buildings will be permitted.

LDP Policy Env 5 (Conservation Areas - Demolition of Buildings) sets out criteria for assessing proposals involving the demolition of buildings within a conservation area.

**Relevant Non-Statutory Guidelines**

**Non-statutory guidelines 'LISTED BUILDINGS AND CONSERVATION AREAS'** provides guidance on repairing, altering or extending listed buildings and unlisted buildings in conservation areas.

The Marchmont, Meadows and Bruntsfield Conservation Area Character Appraisal emphasises the well proportioned Victorian tenemental perimeter blocks with Baronial detailing and the substantial area of the open parkland formed by the Meadows and Bruntsfield Links.

**Other Relevant policy guidance**

# Appendix 1

## **Application for Conservation Area Consent 18/02720/CON At Royal Hospital For Sick Children, 9 Sciennes Road, Edinburgh Substantial demolition in a Conservation Area.**

### **Consultations**

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#### **Historic Environment Scotland**

##### *1 Rillbank Crescent*

*The terraced house at 1 Rillbank Crescent makes a positive contribution to the character of the conservation area and an effort should, in our view, be made to retain, adapt and reuse the building.*

*The development site is located in the eastern part of the Marchmont district of the Marchmont, Meadows and Bruntsfield Conservation Area. This part of the conservation area is characterised by Victorian tenemental perimeter blocks interspersed with occasional Georgian and Victorian terraces along the south side of the Meadows.*

*Historic Environment Scotland's Policy Statement (June 2016) notes that the demolition of even a single building and the construction of a new building or buildings in its place could result in harm to the character or appearance of a conservation area, or part of it. If the building is considered to be of any value, either in itself or as part of a group, a positive attempt should always be made by the planning authority to achieve its retention, restoration and sympathetic conversion to some other compatible use before proposals to demolish are seriously investigated. Built in the 1860s, Rillbank Crescent, along with Millerfield Place and Rillbank Terrace are early examples of planned terraces with full height canted bay windows. 1 Rillbank Crescent, which is paired with the adjacent villa, has retained Italian Renaissance architectural detailing such as the bracketed cills, round-arched doorway and prominent cornicing. It forms part of a good group of terraced villas with an open aspect onto the meadows and makes a strong, positive contribution to the character of the conservation area. In our view, this end terrace building should be retained, creatively adapted and incorporated into the new development. The proposed demolition of this building should be resisted.*

## *Out-patients building, Sylvan Place*

*The decorative ashlar facades on the Sylvan Place elevation of the 1903 two-storey outpatients building is an example of quality masonry work and again make a positive contribution to the conservation area. They are also the work of George Washington Browne, the architect of the main hospital building, but in blonde sandstone. We would ask that consideration be given to incorporating the stone façade within the new development, perhaps as a base to new housing. (there would be scope to open up the ground floor). This would tie the new building more successfully into the overall site and conservation area.*

*Another option would be for careful down-taking and creative reuse (within the development) of the pair of well detailed, first floor dentilled, segmental pediments supported by attached columns, and the reuse of the remainder of the high-quality ashlar stonework.*

*We would recommend either of these options are investigated.*

*Planning authorities are expected to treat our comments as a material consideration, and this advice should be taken into account in your decision making. Our view is that the proposals do not raise historic environment issues of national significance and therefore we do not object. However, our decision not to object should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on listed building/conservation area consent, together with related policy guidance.*

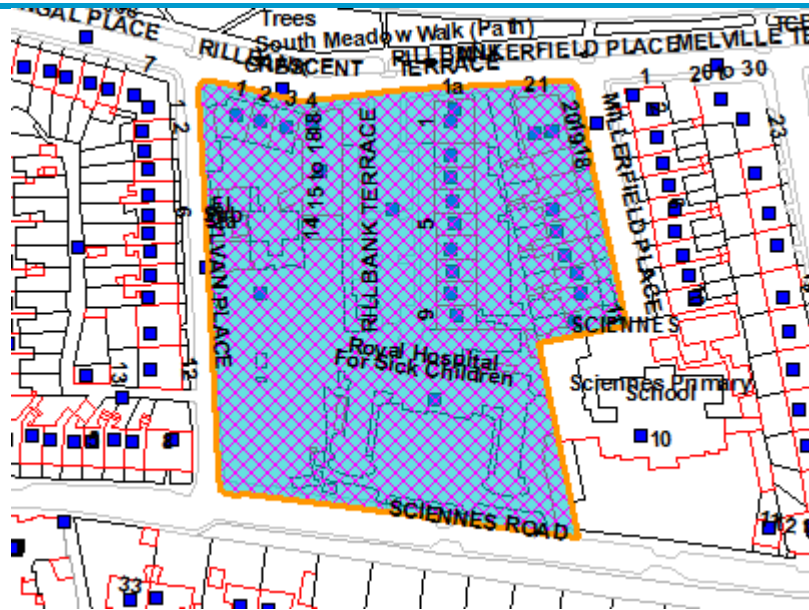
### *Further Information*

*This response applies to the application currently proposed. An amended scheme may require another consultation with us. Guidance about national policy can be found in our 'Managing Change in the Historic Environment' series available online at [www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes/](http://www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes/).*

*Technical advice is available through our Technical Conservation website at [www.engineshed.org](http://www.engineshed.org).*

*As this application involves the demolition of an unlisted building in a conservation area, if consent is granted there is a separate requirement through section 7 of the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997 (as amended) to allow us the opportunity to carry out recording of the building. To avoid any unnecessary delay in the case of consent being granted, applicants are strongly encouraged to complete and return the Consent Application Referral Form found at [www.historicenvironment.scot/about-us/what-we-do/survey-and-recording/threatened-buildings-survey-programme](http://www.historicenvironment.scot/about-us/what-we-do/survey-and-recording/threatened-buildings-survey-programme).*

## Location Plan



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**END**

# Development Management Sub Committee

Wednesday 6 February 2019

**Application for Listed Building Consent 18/02722/LBC  
At Royal Hospital For Sick Children, 9 Sciennes Road,  
Edinburgh**

**Internal and external alteration to Category B-listed main hospital building to convert to residential use; removal of 20th century extensions, with associated fabric repairs and reinstatement; alteration to boundary wall to form public realm; alteration of former curtilage Pharmacy Store to convert to residential use.**

<b>Item number</b>	6.1(d)
<b>Report number</b>	
<b>Wards</b>	B15 - Southside/Newington

## Summary

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The proposals for the restoration of this historic building and its conversion to a suitable, sustainable use, safeguards the character and special interest of this listed building and its setting, in compliance with relevant development plan policies and the Council's non-statutory guidance on Listed Buildings and Conservation Areas. Furthermore, the proposals safeguard and enhance the character and appearance of the Marchmont, Meadows and Bruntsfield Conservation Area and are consistent with the Conservation Area Character Appraisal, which recognises the contribution this land mark building makes to the Area's character.

## Links

[Policies and guidance for this application](#)

LDPP, LEN03, LEN04, LEN06, CRPMAR, CRPMAR,

# Report

## **Application for Listed Building Consent 18/02722/LBC At Royal Hospital For Sick Children, 9 Sciennes Road, Edinburgh**

**Internal and external alteration to Category B-listed main hospital building to convert to residential use; removal of 20th century extensions, with associated fabric repairs and reinstatement; alteration to boundary wall to form public realm; alteration of former curtilage Pharmacy Store to convert to residential use.**

### **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 approximately 1.72 hectares in area. It lies to the south of the Meadows, and is bounded by Sciennes Road, Sylvan Place, Rillbank Crescent, and Millerfield Place.

The site is currently occupied by a variety of buildings which make up the accommodation for the Royal Hospital for Sick Children. The main hospital building is a Category B listed building (LB30480, listing date 15/01/92), built in 1892-95, designed by George Washington Browne. The building is formed in a U-shaped block framing a courtyard area, with the principal elevation addressing Sciennes Road to the south. The central administrative block extends to four storeys in height and the two symmetrical ward wings are three storeys in height.

The hospital building has been altered over the years and has lost significant external detailing. It has had several additions made to it and new linkages between buildings provided.

To the north east is a mortuary chapel, also designed by George Washington Browne (1895) built at the same time as the main hospital building. This building is Category A listed (LB52347, listing date 26 May 2015) and contains the first complete mural scheme by Phoebe Traquair, one of only three in Scotland. The mortuary chapel building was extended in footprint (1904) and height by an additional storey (1931).

A pharmacy store building is located to the immediate east of the main hospital building, adjoining the boundary with Sciennes Primary School. This is a single storey building with pitched slate roof, and is likely to have been built in the late 19th century.



Hospital related uses expanded into surrounding terraced villas located on Rillbank Terrace (both sides) and Millerfield Place (west side) during the 20th century, and several properties have been extended to the rear to provide additional accommodation. There have been further additions of modular buildings to the rear of Rillbank Terrace/ Millerfield Place, which result in a dense and somewhat cluttered built environment within this part of the site.

To the south of the site is Sciennes Road, along which a strip of open space is located along the southern edge, used in part by Sciennes Primary School as outdoor play space. Detached residential properties back onto Sciennes Road, and this residential character extends into the Grange neighbourhood of the city to the south of the site. 15 and 17 Hatton Place is a residential dwelling located to the immediate south of the open space strip, and is a category C listed semi-detached property (LB30339, listing date 15 January 1992). The rear elevation of this building is located opposite the main hospital building.

The north of the site is bounded by Rillbank Terrace which runs parallel to Melville Drive, separated by a strip of grassy open space within which mature trees are situated. The extensive open space of the Meadows lies beyond Melville Drive, giving the northern edge of the site an open aspect, punctuated by the mature trees.

The east of the site is bounded by Millerfield Place which comprises a row of Category C listed terraced properties (LB30455, listing date 15 January 1992) which are in private residential use, and the Category B listed Sciennes Primary School (LB30479, listing date 15 January 1992).

The west of the site is bounded by Sylvan Place, which contains a mix of tenement and terraced residential properties. Several terraced residential properties (Nos 1-5 Sylvan Place, to the northern end (west side) of Sylvan Place and Nos. 1-7 Fingal Place are Category B listed (LB30483, LB30484 and LB30371, listing date for all groupings 14 December 1970).

The wider surrounding area is predominantly residential in character, comprising a mixture of tenements and terraced properties to the north of Sciennes Road, and less dense, detached residential properties to the south of Sciennes Road. Marchmont local centre is located approximately 100m to the west of the site boundary and contains a mix of retail and commercial uses at the ground floor levels of tenement buildings.

There are a total of 28 trees present on the site currently, which are varying in quality and condition.

Access into the site at present is located via Rillbank Terrace to the north, Sciennes Road to the south and Sylvan Place to the west.

This application site is located within the Marchmont, Meadows and Bruntsfield Conservation Area.

## 2.2 Site History

13 December 2017 - Proposal of application notice approved for a Mixed use development comprising residential (houses and flats) purpose-built student accommodation, commercial use (Classes 1, 2 and 3), community use (Class 10 and 11), cycle and car parking provision and ancillary works. Development will involve demolition of some existing buildings, new build development and alteration/conversion of existing buildings. (Application reference 17/05052/PAN).

13 June 2018 - Planning Application submitted for mixed use development comprising residential (8 houses and 118 flats), student accommodation 323 beds, communal space, cycle/car parking provision, public realm enhancements, associated works and infrastructure. Development involves partial demolition of existing buildings, erection of new buildings and change of use/conversion of retained buildings. Application currently pending determination. (Application reference 18/02719/FUL).

20 June 2018 - Application for listed building consent submitted for Internal and external alterations of Category C-listed Nos. 11-21 (inclusive) Millerfield Place to convert to residential use including rear extensions; minor alteration, including sensitive reinstatement and repair of garden boundary walls. Application pending determination. (Application reference 18/02723/LBC).

20 June 2018 - Application for Conservation Area Consent submitted for substantial demolition in a Conservation Area, currently pending determination. (Application reference 18/02720/CON)

20 June 2018 - Application for Listed Building Consent submitted for Internal and external alteration to Category A- listed Mortuary Chapel building to convert to public and residential use; conservation and repair of murals in situ; removal of 20th century hospital extensions with associated fabric repairs and reinstatement, currently pending determination. (Application reference 18/02725/LBC).

## Main report

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### 3.1 Description Of The Proposal

The proposals comprise Internal and external alteration to Category B-listed main hospital building to convert to residential use; removal of 20th century extensions, with associated fabric repairs and reinstatement; alteration to boundary wall to form public realm; alteration of former curtilage Pharmacy Store to convert to residential use.

The proposed alterations and restoration to the main hospital building include:

- Downtaking of unlisted, recent 20th century infill development and extensions on both corners of north facing, rear elevation and replacement with metal, contemporary style cladding and glazing.
- Downtaking of bed and stair tower at centre of north elevation and reinstatement and or repair of original masonry facade.
- Re-instatement of two original dormers, to match existing, at site of existing bed and stair tower.
- Removal of infill development on east and west wings of north facing, front elevation and replacement with new windows and glazed balconies.

- Recladding of escape tower on the east elevation of east wing, (and west elevation of west wing), with cladding matching that on north elevation.
- Replacement of two, single storey extensions on roof of central building with light weight, glazed extensions.
- Alterations to windows, including formation of new doorway within existing window on east elevation of west wing, formation of new window openings on north and west elevations and formation of new entrance door, for disabled access on south elevation.
- Down taking of internal walls, suspended ceilings and stairs installed during 20th century and installation of new central stairway.
- Reconfiguration of floor layout to form separate apartments and new stair and lift cores.
- The replacement of existing windows where necessary, with timber double glazed units to match the existing, with details subject to the Council's approval.

The proposed works for the conversion to the former pharmacy store to form two apartments include:

- The refurbishment or replacement of exiting windows with either timber or aluminium framework.
- Replacement of timber cladding with metal, rain screen cladding.
- The removal of redundant service apparatus.
- Downtaking of internal walls and reconfiguration of existing floor layouts.

The proposals include the restoration of the red sandstone, boundary wall and gate piers on the Sciennes Road frontage and the formation of a new opening in the boundary wall on the west side of this frontage, to provide pedestrian access to the area of public realm. This will necessitate the removal of a section of the existing wall on this frontage.

### *Supporting Information*

The following documents have been provided in support of the application;

- Planning Statement;
- Heritage Statement; and
- Design and Access Statement.

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

### **3.2 Determining Issues**

In considering whether to grant consent, special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. For the purposes of this issue, preserve, in relation to the building, means preserve it either in its existing state or subject only to such alterations or extensions as can be carried out without serious detriment to its character.

Do the proposals harm the character or appearance of the conservation area? If they do, there is a strong presumption against granting of permission. In determining applications for listed building consent, the Development Plan is not a statutory test. However the policies of the Local Development Plan (LDP) inform the assessment of the proposals and are a material consideration.

### **3.3 Assessment**

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

- a) The proposals will impact on the character and special interest of the listed building;
- b) The proposals will safeguard the setting of the listed building;
- c) The proposals will preserve or enhance the character or appearance of the conservation area;
- d) Any impacts of equalities and human rights have been addressed; and
- e) Any comments raised have been addressed.

#### **a) The Impact on the Character and Special Interest of the Listed Buildings**

In determining applications for listed building consent, the Development Plan is not a statutory test. However the policies of the Local Development Plan (LDP) inform the assessment of the proposals and are a material consideration.

Policy Env 4 of the LDP states that alterations to listed buildings will be permitted where these alterations are justified and where there is no diminution of the building's interest. The Guidance on Listed Buildings and Conservation Areas presumes against any alterations that would seriously detract from the character of the listed building.

#### **Alterations and Extensions to Hospital Building**

Historic Environment Scotland (HES) guidance 'Managing Change in the Historic Environment: Extensions' states that: Extensions to listed buildings must protect the character and appearance of the building and should be subordinate in scale and form; located on a secondary elevation and designed in a high quality manner, using appropriate materials. The small scale additions to this listed building consist of the replacement of non-original infill development on the east and west sides of the north elevation and replacement of existing extensions at roof level with glazed, roof top extensions.

The proposed roof top extensions are slightly higher and have a slightly larger footprint than the existing additions at roof level. Historic Environment Scotland has raised concerns that the location of these extensions would result in the obstruction of original, stone mullion and transom windows on both gable elevations and detract from the roofscape. At present there are existing, unsympathetic style additions located at these locations, which have a different massing. The proposed lightweight, largely transparent appearance of the proposed replacement structures minimises their visual impact. Their location on each gable end of the central building, is in keeping with the building's symmetrical layout. On balance, they are considered an appropriate, contemporary response, which is suitably subservient in scale and form and safeguards the character and special interest of the listed building. However, further drawings will be required, showing details of how the extensions will be fixed to the gable ends of the listed building. This information will be required by condition.

The proposed infill development at both corners of the north facing, rear elevation replace the existing infill development on the east side of the building and more substantial extensions to the hospital accommodation on the west side. The existing additions on this part of the building block views of the original façade and detract from the building's character and setting. The use of aluminium framed glazing and 'Rainscreen' cladding in the replacement façade treatment will create a clear contrast between the original and new elements of the building and ensure that the original façade is more coherent and legible. It is concluded that the overall impact of these interventions, when considered alongside the merits of the respective redevelopment scheme (as proposed under application reference 18/02719/FUL), will safeguard the special interest of this building and its character.

#### Proposed Window Alterations

The HES guidance note on 'Managing Change in the Historic Environment: Windows' states that where the location of new windows are appropriate in principle, the design must take account of the size, proportion, materials and detailing of the surrounding windows. It further advises that generally replacement windows should seek to match the original windows in design, form, method of opening and materials.

The proposed new windows on the south elevation of both the east and west wings and their associated, glazed balconies, replace unsympathetic style, infill developments at these locations. Their matching, centralised location on each wing, enhance the symmetrical appearance of the overall southern elevation. Their height and proportions are similar to the original windows on this part of the building and in keeping with the strong vertical proportions on these gable ends.

Although welcoming the removal of these 20th century, lounge balcony infills, HES has raised concerns about the appropriateness of the proposed glazed balconies and their reflective qualities. It has requested that an alternative design solution is considered, which is sympathetic to the bold, Baroque style of this building. The design and materials used in these alterations contrasts with that of the original listed building. However, their light weight structure provides a minimalist intervention, which although clearly modern in style, is relatively unobtrusive and has no significant impact on the character and special interest of the listed building. Overall these alterations represent a considerable enhancement in comparison with the existing, unsympathetic style infill development at these locations.

The proposed installation of new window openings and fenestration on both the rear elevation and west elevation, at ground floor level, are the same width as the original windows on these elevations. They also follow their alignment, in accordance with the principles of HES Managing Change guidance. A condition is proposed, requiring enlarged drawings of the proposed window design, to ensure that the framework and glazing pattern matches those on existing windows.

The proposals include provision for the replacement of existing windows, where necessary on the building. If approved such proposals will require to conform to Council's non statutory guidance on Listed Buildings and Conservation Areas which advises that:

*'The complete replacement of original windows will only be approved where they have clearly deteriorated beyond practicable repair. Proposals must be accompanied by evidence demonstrating that they are beyond repair; a professional survey may be requested. In the event that replacement windows can be justified, they should be designed to replicate the original details, including materials, design and opening method.'*

If approved, a condition will therefore be necessary, requiring that an inspection is carried out, prior to the commencement of new development, to assess and record the condition of existing windows on the building. The results of this survey should provide sufficient evidence of those which are identified as beyond repair and requiring suitable replacement. A further condition, requiring full details of all proposed replacement windows, is necessary, to ensure that they are a suitable match for those to be replaced. Where any such replacement windows are installed, only slim profile, double glazing will be acceptable, in accordance with the Council's relevant non statutory guidance.

The proposals include the retention of the decorative leaded glazing, which is a significant feature on the rear elevation, in accordance with advice given in the Council's non statutory guidance on Listed Buildings and Conservation Areas and protects this aspect of the building's special interest and character.

#### Other External Alterations

HES has requested that the applicant considers the removal, rather than re-cladding of the existing stair escape towers on the outside elevation of each wing of the hospital building. The applicant has advised that the construction of these interventions will have resulted in considerable damage to the original, external building fabric. Any associated restoration scheme is therefore likely to be complex. It is acknowledged that these recent interventions are not situated at such sensitive locations as the other larger and more prominent 20th century interventions proposed for removal. On balance, their re-cladding is considered acceptable in this context, given the overall benefits brought about to the character and special interest of this listed building through the overall, proposals for the restoration and conversion this listed building.

## Pharmacy Store Alterations

The proposed alterations to the pharmacy store, to allow for its conversion to residential accommodation, provides for the character of the existing building to be retained, alongside the introduction of some contemporary design alterations. The refurbishment and or replacement of windows where necessary is acceptable, subject to the submission of suitable glazing specifications, as will be required by planning condition.

The removal of redundant services and signage will enhance the building's character and appearance. The replacement of the weatherboarding on the elevation facing onto the courtyard, with metal Rainscreen cladding, compliments the contemporary alterations to the main hospital building. Existing features on this elevation have been largely altered, with original openings boarded over or painted out. On balance, the proposed replacement façade treatment is not considered to adversely affect the character or special interest of the listed building. The sandstone façade facing on to Sciennes Road frontage is to be retained in its current form, thereby safeguarding the character and Special interest of this building and the attached, sandstone boundary wall.

The Architectural Heritage Society of Edinburgh objected to the extract vent on a window on the Sciennes Road frontage of this building, given its proposed residential use. However, it is noted that this equipment will be removed as part of the overall proposals.

## Boundary Wall Works

Historic Environment Scotland's document Managing Change in the Historic Environment: External Walls states that external walls of a historic building are an important element of defining its character. The design, materials and methods of construction, including the colour texture and finish of stonework all contribute to its character.

In the Listed Building Description entry for the RHSC, the existing boundary wall treatment is described as comprising:

*'low coursed rubble walls to centre with tall balustrade frieze and pair of symmetrical gateways with squared columns capped by tall, three tiered pyramidal caps on ball feet. Solid walls extend to either side with 4 round arched details to coping stones.'*

A 'V' shaped section of the boundary wall to the west of the hospital entrance on Sciennes Road, which has a total length of 10 metres (inclusive of its return), will be removed. This will enable open access to the public realm and north south route. This section of wall is incomplete and no longer continues to the corner of the RHSC site, due to construction of the accident and emergency corner building in 1992. It contains no significant decorative details, and its loss is considered justifiable in the context of the proposed redevelopment scheme, which includes significant improvements to the public realm on this part of the site. Its removal will allow for views over the landscaped courtyard and new pedestrian access route situated between the hospital building and new development to the west (proposed under planning application reference 18/02719/FUL). Full specifications of the design, jointing and stonework details used in the proposed restoration scheme and at the proposed new opening position will be required by planning condition, to ensure this work matches the existing.

### Internal Works

The HES list entry for this building notes that the only surviving interior detail to the main block is the main entrance lobby and inner hall which retains its original plan form with double doors and decorative timber glazed fanlights and cornicing. Elsewhere the applicant indicates that the survival of historic features is piecemeal and in many cases compromised. The Heritage report notes that the administration block has the greatest potential for containing any surviving architectural features. However, difficulties in accessing the interior of the listed building, owing to its existing use, has meant that it has only been partially inspected at this stage.

As full information of the building interior is not available at this stage, a condition is proposed requiring the carrying out of a detailed survey of the building interior, providing records of all significant architectural or historic features found and details of any proposed mitigation measures to be undertaken. The results of the survey will require to be submitted for the approval of the Planning Authority.

In conclusion it is considered that these conservation led proposals, will safeguard the character and special interest of the listed building, in accordance with the requirements of LDP Policy Env 4 and the Council's relevant non statutory guidance. Conditions are included, requiring any additional information where necessary, to ensure that the full details are acceptable.

### **b) Impact on the setting of the Listed Building**

LDP Policy Env 3 states that development within the curtilage or affecting the setting of a listed building will only be permitted if not detrimental to the architectural character, appearance or historic interest of the building or its setting.

Historic Environment Scotland's document 'Managing Change in the Historic Environment: Setting' defines setting as 'the way the surroundings of a historic asset or place contributes to how it is understood, appreciated and experienced'. Contributory factors can include views to, from and across or beyond the historic asset and key vistas that give the historic asset a context.



The immediate setting of this listed building includes the main hospital building, the category 'C' listed pharmacy building and the front forecourt facing onto Sciennes Road, which is bounded by the listed wall and piers. The building is best appreciated when seen from its principal elevation on the Sciennes Road frontage, where its relatively large size and distinct red sandstone facade gives it a strong presence on this street frontage. However, it can also be appreciated in views from the south, where it forms a terminating point in views across the Meadows towards the head of Rillbank Terrace.

The partial restoration of the ornate boundary wall on the south facing site frontage, will safeguard this important feature and enhance the building's setting on this prominent frontage. The associated proposals for improvements to the landscaping and public realm in the courtyard fronting on to Sciennes Road, as proposed under planning application reference 18/02719/FUL will further enhance the building's setting from this aspect.

The removal of the existing 20th century buildings and other interventions on the north and west sides of this listed building (as considered under application reference 18/02720/CON), will greatly improve the setting of the listed building. These buildings currently screen much of the north and west elevations and detract from its character and setting. The dountaking of these structures will substantially open up the site, and form a new public realm around the main hospital. This will enable the original form and architectural character and of the building, set within surrounding open space, to be seen and appreciated, as originally intended by its architect.

In conclusion it is considered that the proposals as a whole, safeguard and enhance the setting of this listed building, in compliance with the provisions of LDP policy Env 3 (listed Buildings - Setting).

### **c) Impact on the setting of the Conservation Area**

Policy Env 6 presumes against development that does not preserve or enhance the special character and appearance of the Conservation Area and or that this inconsistent with the conservation area character appraisal.

The Marchmont, Meadows and Bruntsfield Conservation Area Character Appraisal identifies the essential architectural character of the Marchmont area as well-proportioned tenements planning in long blocks that take advantage of the gently sloping site. Scots Baronial style is noted as the principal architectural style, and tenemental front gardens provide setting to buildings. The area is characterised by Victorian and Georgian tenemental perimeter blocks that are of uniform height, massing and use of stone and slated roofs. There is a predominance of residential uses within the area, and the mature landscape of the Meadows and Bruntsfield Links with its rich historical background forms the core of the Conservation Area. The main RHSC building is identified as a focal point within the Conservation Area.

The removal of the existing 20th century buildings and other interventions on the north and west sides of this listed building, as referred to in section 3.3 (b) above, will greatly improve the setting of the listed building. These proposals will significantly enhance the setting of this distinct red sandstone, landmark building and the contribution it makes towards the character of the conservation area.

The general improvements brought about through the restoration scheme, including the removal of unsympathetic infill developments on the building frontage, as well as other recent additions, will further enhance the contribution this landmark building makes to the character and appearance of the Conservation Area.

The partial restoration of the ornate boundary wall on the south facing site frontage will also make a positive contribution to the streetscape, in accordance with the guidance given in the Conservation Area Character Appraisal.

In conclusion, the proposals will both preserve and enhance the special character and appearance of the Marchmont, Meadows and Bruntsfield Conservation Area, by enhancing the character and setting of this listed, building, which is recognised as an important landmark building.

#### **d) Equalities and Human Rights**

An Equalities and Human Rights Impact assessment was carried out in relation to the proposals subject to the relevant planning application site covering the overall redevelopment proposals covering the hospital grounds (reference 18/02719/FUL). The findings are summarised in the report to committee on that application.

A new disabled access entrance will be created on the north elevation of this listed building and a lift is proposed within this part of the building. Vehicle parking spaces for disabled drivers will be provided in the rear courtyard. These proposals will provide safe and convenient access provision for both future residents and visitors with mobility impairments to this building. Other lifts are proposed elsewhere in the building.

The provision of disabled access on the frontage of the building and its proposed wings was not found feasible. This would necessitate the provision of substantial ramp structures, owing to the change in levels at that location. Such structures would seriously detract from the character and special interest of these prominent elevations. The proposals for disabled access are safe and convenient and considered the best solution given the constraints involved in the conversion of this listed building.

#### **e) Public Comments**

##### *Material Objections*

- Existing boundary walls should be retained and repaired where possible and not impacted upon by new development - this matter is addressed in sections 3.3(a) and (b).
- Inappropriate cladding materials for alterations to main building - these should be more in keeping with traditional materials - this matter is addressed in section 3.3 (a).
- Building fenestration should be regularised and the original window to wall ratio respected - this matter is addressed in section 3.3(a).
- Lack of sufficient drawings details. The submitted drawings and background information provides sufficient detail on which to base a decision. Conditions are included where any additional detailing is required.

- The new external screens to the pharmacy store are inappropriate. Building should have retained timber detailing and proposed glazed areas reduced - this matter is addressed in section 3.3(a).
- Inappropriate location of extract vent in the gable sash and case window of the pharmacy store - this matter is addressed in section 3.3(a).

#### *Material Comments in Support*

- Support for the intention to restore the main hospital building as a stand-alone building - this is a matter addressed in section 3.3 (b).

#### *Non-Material Comments*

- Concerns regarding proposals for underground parking provision - this aspect of the proposal is not part of this listed building application and is addressed in paragraph 3.3 of the report on planning application reference 18/02719/FUL.
- Proposed student building is too tall and unsympathetic in design and will impact adversely on the main hospital building - the proposals for these new buildings are not subject to this Listed Building Application and are addressed in the report on planning application 18/02719/FUL.
- Building line at Sciennes Road should be set back to allow re-instatement of the front boundary wall - the proposals for development on this part of the site are not part of this listed building application and are addressed in paragraph 3.3 of the report on planning application 18/02719/FUL.

### **Conclusion**

The proposals for the restoration of this historic building and its conversion to a suitable, sustainable use, safeguards the character and special interest of this listed building and its setting, in compliance with relevant development plan policies and the Council's non statutory guidance. Furthermore, the proposals safeguard and enhance the character and appearance of the Marchmont, Meadows and Bruntsfield Conservation Area and are consistent with the Conservation Area Character Appraisal, which recognises the contribution this landmark building makes to the Area's character.

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

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

#### **Conditions:-**

1. No works shall commence on site until a 1:20 drawing is submitted for the approval of the Planning Authority, showing the full details of:
  - a) All existing stonework to be removed or replaced on the existing sandstone boundary wall on Sciennes Road; and
  - b) Details of the proposed replacement stonework, including specifications of the sandstone, coursing pattern, finish and jointing and relevant architectural or decorative details, including the design details at the position where the wall meets the proposed new pedestrian access opening, on its western end.

2. Upon vacant possession of the main hospital building, a detailed survey shall be undertaken of the building interior, or any areas to be exposed as a result of the approved scheme, to assess and record all features of architectural or historic interest found and; proposals for any mitigation measures to be undertaken, including the repair, and/or retention of any such features within the finalised layout proposals. The results of this survey shall be submitted in a report to the Planning Authority, to include detailed plans of the building interior, showing any modifications proposed, as a result of the proposed findings.
3. Prior to commencement of works hereby approved, a survey of the existing windows shall be undertaken to assess and record their condition. Where windows are to be replaced evidence shall be submitted to demonstrate that they are beyond reasonable repair and details of any replacement windows shall be submitted for the approval of the Council, as planning authority. Such details shall include size, depth, profile, materials, design of glazing pattern and method of opening.
4. Prior to the commencement of works, detailed drawings and sections at 1: 20 scale shall be submitted for the approval of the Planning Authority of the proposed glazed balconies. The submitted plans shall identify their precise positioning on the existing building and proposed means of fixing to the existing building fabric.
5. Prior to the execution of works, 1:20 scale drawings and sectional drawings shall be submitted, for the written approval of the Planning Authority, providing clear details of the exact positioning of the proposed glazed, roof top extensions, in relation to the existing architectural features on the adjacent, gable ends of the pitched roof on the main hospital building; and the fixings to be used to attach these structures to the adjacent building fabric.
6. All areas of the existing building where the original building façade is to be reinstated under the approved plans shall be replaced with natural sandstone to match the colour, texture, pattern of coursing and jointing of the existing façade on this building.
7. Full details of all additional windows to be installed at the positions indicated on the approved plans shall be submitted, for the approval of the Planning Authority, including 1:20 scale drawings showing:
  - a) The dimensions, design, including size and depth and profile of the proposed framework and materials, glazing pattern and means of opening.
  - b) The proposed window surround design and materials.

No works shall commence on site until these details have been approved in writing by the Planning Authority.

**Reasons:-**

1. In order to retain and/or protect important elements of the existing character and amenity of the site.

2. To ensure that all features of special interest within this building are fully recorded and protected where necessary and where appropriate, provide for the finalised proposals to incorporate any additional features of special interest found, within the building interior.
3. To ensure that adequate justification has been provided for the removal of the original windows, in the interests of safeguarding the character and special interest of the listed building.
4. In order to safeguard the character and special interest of the listed building.
5. In order to ensure that the character and special interest of the listed building is safeguarded.
6. In order to ensure that the character and special interest of the listed building is safeguarded.
7. In order to safeguard the character of the statutorily listed building.

### **Informatives**

It should be noted that:

1. The works hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. This consent is for listed building consent only. Work must not begin until other necessary consents, eg planning permission, have been obtained.

### **Financial impact**

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

Contributions have been required under the legal agreement in respect of the corresponding planning application for these works (planning application reference 18/02719/FUL). The relevant contributions are to be made towards health care, education and local transport infrastructure.

### **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:**

The proposals subject to this application were assessed in terms of equalities and human rights under the respective planning application for the proposed works (application reference 18/02719/FUL). The impacts are identified in the Assessment section of the report to committee on that application.

## **Sustainability impact**

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

This application is not subject to 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**

The application was advertised on 26 June 2018. A total of three representations were received, including two from neighbouring occupiers and one from the Architectural Heritage Society of Scotland.

## **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 Edinburgh Local Development Plan identifies the Royal Hospital for Sick Children site as lying within the Urban Area. The site is located within the Marchmont, Meadows and Bruntsfield Conservation Area.

**Date registered**

13 June 2018

**Drawing numbers/Scheme**

1-16, 17A, 18- 20, 21A, 22-33,

Scheme 1

**David R. Leslie**  
Chief Planning Officer  
PLACE  
The City of Edinburgh Council

Contact: Julie Ross, Planning Officer  
E-mail:julie.ross@edinburgh.gov.uk Tel:0131 529 4468

**Links - Policies**

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**Relevant Policies:**

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

LDP Policy Env 3 (Listed Buildings - Setting) identifies the circumstances in which development within the curtilage or affecting the setting of a listed building will be permitted.

LDP Policy Env 4 (Listed Buildings - Alterations and Extensions) identifies the circumstances in which alterations and extensions to listed buildings will be permitted.

LDP Policy Env 6 (Conservation Areas - Development) sets out criteria for assessing development in a conservation area.

The Marchmont, Meadows and Bruntsfield Conservation Area Character Appraisal emphasises the well proportioned Victorian tenemental perimeter blocks with Baronial detailing and the substantial area of the open parkland formed by the Meadows and Bruntsfield Links.

# Appendix 1

## **Application for Listed Building Consent 18/02722/LBC At Royal Hospital For Sick Children, 9 Sciennes Road, Edinburgh**

**Internal and external alteration to Category B-listed main hospital building to convert to residential use; removal of 20th century extensions, with associated fabric repairs and reinstatement; alteration to boundary wall to form public realm; alteration of former curtilage Pharmacy Store to convert to residential use.**

### **Consultations**

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#### **Response - Historic Environment Scotland**

*We welcome sensitive proposals that can offer a sustainable, long term future for distinctive, landmark historic buildings such as category B listed Royal Hospital for Sick Children.*

*The Royal Hospital for Sick Children is a late 19th century purpose built childrens' hospital. It is an early significant work by the architect George Washington Browne, a prominent Scottish architect of the period, and has fine Free Renaissance and Baroque stone detailing, such as the entrance porch.*

*The building has been extended to the west and north, however its late 19th century design and U-plan is discernible, particularly to the entrance elevation, and is a focal point in the urban streetscape which is largely characterised by tenements. The building forms an important architectural group with the category A listed mortuary chapel to the north east. We will be responding separately on your Council's consultation on proposals for the mortuary chapel (your ref: 18/02725/LBC).*

*The proposed conversion of the building to residential use would see the removal of later, 20th century extensions. Their removal offers a welcome opportunity to regain the building's original, bold architectural form. The hospital's prominent, flanking, 3-storey pavilion wings make a particularly strong contribution to the character and appearance of the building. Inappropriate modern infilling of the south facing balconies, removal of the open stone parapets on the octagonal corner towers and addition of full height escape towers all detract significantly from the building's special interest.*



*We would ask that the removal of the modern escape stair towers along with balustrade reinstatement to the octagonal towers (and main building) be included within the proposed works. Removal of the unsympathetic escape stair towers and reinstatement of the octagonal towers' missing parapets would significantly enhance the building's appearance (the design and access statement includes photographs showing the original appearance of the pavilion wings).*

*Whilst welcoming the proposed removal of the modern day lounge balcony infills facing Sciennes Road, the current proposal for replacement glazed balconies on the pavilions' south elevations should be reconsidered. The reflective quality of glazed balustrades in this location could in our view detract from the building's character. We would ask that a design solution, sympathetic to the hospital's bold Baroque style be developed. If it is not possible to reinstate the original form of the infill, (which would be most welcome) a more appropriate design could be adopted.*

#### *The scheme*

*We would ask that the removal of the modern escape stair towers along with balustrade reinstatement to the octagonal towers (and main building) be included within the proposed works. Removal of the unsympathetic escape stair towers and reinstatement of the octagonal towers' missing parapets would significantly enhance the building's appearance (the design and access statement includes photographs showing the original appearance of the pavilion wings).*

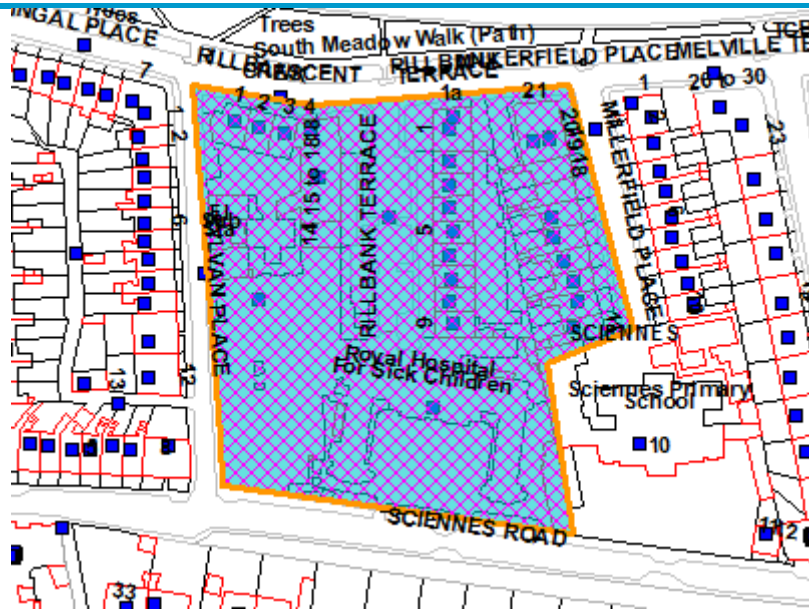
*Whilst welcoming the proposed removal of the modern day lounge balcony infills facing Sciennes Road, the current proposal for replacement glazed balconies on the pavilions' south elevations should be reconsidered. The reflective quality of glazed balustrades in this location could in our view detract from the building's character. We would ask that a design solution, sympathetic to the hospital's bold Baroque style be developed. If it is not possible to reinstate the original form of the infill, (which would be most welcome) a more appropriate design could be adopted.*

*The scheme includes proposals for the addition of elevated, roof-top glazed box extensions on the side gables of the building's central block. These extensions would obscure a range of original stone mullion and transom windows on both east and west gable elevations and would detract from the building's roofscape, being visible in numerous views from north and south. We would ask that these elements be removed from the proposals.*

*Planning authorities are expected to treat our comments as a material consideration, and this advice should be taken into account in your decision making. Our view is that the proposals do not raise historic environment issues of national significance and therefore we do not object. However, our decision not to object should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on listed building/conservation area consent, together with related policy guidance.*

*This response applies to the application currently proposed. An amended scheme may require another consultation with us.*

## Location Plan



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**END**

# Development Management Sub Committee

Wednesday 6 February 2019

**Application for Listed Building Consent 18/02723/LBC  
At Royal Hospital For Sick Children, 9 Sciennes Road,  
Edinburgh**

**Internal and external alterations of Category C-listed Nos. 11-21 (inclusive) Millerfield Place to convert to residential use including rear extensions; minor alteration, including sensitive reinstatement and repair of garden boundary walls.**

<b>Item number</b>	6.1(e)
<b>Report number</b>	
<b>Wards</b>	B15 - Southside/Newington

## Summary

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The proposals for the restoration of this group of listed buildings and their restoration and conversion to their original use, safeguards the character and special interest of this listed building and enhances its setting, in compliance with relevant development plan policies and the Council's non statutory guidance. Furthermore, the proposals are found to safeguard and enhance the character and appearance of the Marchmont, Meadows and Bruntsfield Conservation Area and are consistent with the Conservation Area Character Appraisal, by ensuring that the existing, primary elevation retains its uniform design and strong presence on this street frontage.

## Links

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<a href="#">Policies and guidance for this application</a>	LDPP, LEN03, LEN04, LEN06, NSLBCA, NSHOU, CRPMAR,
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# Report

## **Application for Listed Building Consent 18/02723/LBC At Royal Hospital For Sick Children, 9 Sciennes Road, Edinburgh Internal and external alterations of Category C-listed Nos. 11-21 (inclusive) Millerfield Place to convert to residential use including rear extensions; minor alteration, including sensitive reinstatement and repair of garden boundary walls.**

### **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 approximately 1.72 hectares in area. It lies to the south of the Meadows, and is bounded by Sciennes Road, Sylvan Place, Rillbank Crescent, and Millerfield Place.

The site is currently occupied by a variety of buildings which make up the accommodation for the Royal Hospital for Sick Children. The main hospital building is a Category B listed building (LB30480, listing date 15/01/92), built in 1892-95, designed by George Washington Browne. The building is formed in a U-shaped block framing a courtyard area, with the principal elevation addressing Sciennes Road to the south. The central administrative block extends to four storeys in height and the two symmetrical ward wings are three storeys in height.

The hospital building has been altered over the years and has lost significant external detailing. It has had several additions made to it and new linkages between buildings provided.

To the north east is a mortuary chapel, also designed by George Washington Browne (1895) built at the same time as the main hospital building. This building is Category A listed (LB52347, listing date 26 May 2015) and contains the first complete mural scheme by Phoebe Traquair, one of only three in Scotland. The mortuary chapel building was extended in footprint (1904) and height by an additional storey (1931).

A pharmacy store building is located to the immediate east of the main hospital building, adjoining the boundary with Sciennes Primary School. This is a single storey building with pitched slate roof, and is likely to have been built in the late 19th century.

Hospital related uses expanded into surrounding terraced villas located on Rillbank Terrace (both sides) and Millerfield Place (west side) during the 20th century, and several properties have been extended to the rear to provide additional accommodation. There have been further additions of modular buildings to the rear of Rillbank Terrace/ Millerfield Place, which result in a dense and somewhat cluttered built environment within this part of the site.

To the south of the site is Sciennes Road, along which a strip of open space is located along the southern edge, used in part by Sciennes Primary School as outdoor play space. Detached residential properties back onto Sciennes Road, and this residential character extends into the Grange neighbourhood of the city to the south of the site. 15 and 17 Hatton Place is a residential dwelling located to the immediate south of the open space strip, and is a category C listed semi-detached property (LB30339, listing date 15 January 1992). The rear elevation of this building is located opposite the main hospital building.

The north of the site is bounded by Rillbank Terrace which runs parallel to Melville Drive, separated by a strip of grassy open space within which mature trees are situated. The extensive open space of the Meadows lies beyond Melville Drive, giving the northern edge of the site an open aspect, punctuated by the mature trees.

The east of the site is bounded by Millerfield Place which comprises a row of Category C listed terraced properties (LB30455, listing date 15 January 1992) which are in private residential use, and the Category B listed Sciennes Primary School (LB30479, listing date 15 January 1992).

The west of the site is bounded by Sylvan Place, which contains a mix of tenement and terraced residential properties. Several terraced residential properties (Nos 1-5 Sylvan Place, to the northern end (west side) of Sylvan Place and Nos. 1-7 Fingal Place are Category B listed (LB30483, LB30484 and LB30371, listing date for all groupings 14 December 1970).

The wider surrounding area is predominantly residential in character, comprising a mixture of tenements and terraced properties to the north of Sciennes Road, and less dense, detached residential properties to the south of Sciennes Road. Marchmont local centre is located approximately 100m to the west of the site boundary and contains a mix of retail and commercial uses at the ground floor levels of tenement buildings.

There are a total of 28 trees present on the site currently, which are varying in quality and condition.

Access into the site at present is located via Rillbank Terrace to the north, Sciennes Road to the south and Sylvan Place to the west.

This application site is located within the Marchmont, Meadows and Bruntsfield Conservation Area.

## 2.2 Site History

13 June 2018 - Planning application submitted for mixed use development comprising residential (8 houses and 118 flats), student accommodation 323 beds, communal space, cycle/car parking provision, public realm enhancements, associated works and infrastructure. Development involves partial demolition of existing buildings, erection of new buildings and change of use/conversion of retained buildings. This application currently pending determination. (Application reference 18/02719/FUL).

13 June 2018 - Application for listed Building Consent submitted for Internal and external alteration to Category B-listed main hospital building to convert to residential use; removal of 20th century extensions, with associated fabric repairs and reinstatement; alteration to boundary wall to form public realm; alteration of former curtilage Pharmacy Store to convert to residential use. This application is pending determination. (Application reference 18/02722/LBC).

20 June 2018 - Application for Conservation Area Consent submitted for substantial demolition in a Conservation Area, including all hospital buildings on the east side of Sylvan Place, including the former outpatients building, 1 Rill bank Place, as well as ancillary, standalone buildings, extensions and outbuildings, to the rear of properties on Millerfield Place. This application is currently pending determination. (Application reference 18/02720/CON).

20 June 2018 - Application for Listed Building Consent submitted for Internal and external alteration to Category A- listed Mortuary Chapel building to convert to public and residential use; conservation and repair of murals in situ; removal of 20th century hospital extensions with associated fabric repairs and reinstatement, currently pending determination. (Application reference 18/02725/LBC).

## Main report

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### 3.1 Description Of The Proposal

It is proposed to convert the existing (category 'C' listed) townhouses and tenement building on the west side of Millerfield Place from hospital use to residential use. The proposed alterations include the reinstatement of these properties to provide eight, four and five bedroom townhouses at the original terraced dwelling houses and one to four bedroom sized apartments at the tenement block.

The proposals require some reconfiguration of the existing floor plans. At ground floor level, this mainly relate to the downtaking of the wall between the kitchens and adjoining, rear facing rooms, to form an open plan kitchen and living space.

The erection of identical, ground floor, rear extensions, on all townhouses is also proposed. This will necessitate the removal of all existing extensions in the rear curtilage areas and the remaining, offshoot buildings on this terrace. The removal of the original pair of windows (where present) and a section of the external wall on the existing rear elevations, is also proposed, in order to form new openings to these extensions. One new window is to be installed adjacent to each of the proposed extensions.

The proposed extensions which are 5.3 metres wide and 3.7 metres deep have a flat roof and have a mainly glazed, contemporary style form. One additional roof light is further proposed on the rear facing roof plane of each property. This roof light which is approximately 1.3 metres wide and 0.6 metres deep, is located the same distance from the existing ridgeline as the smaller, traditional style roof lights on these parts of the building.

The proposals also provide for the removal of two existing doors and one small window on the rear elevation of the tenement building and replacement with two sets of patio doors.

The proposals further provide for the replacement of existing, timber double glazed windows, where necessary, to match those on the existing buildings.

Other minor alterations are proposed, including the reinstatement and repair of existing garden boundary walls.

### *Supporting Information*

The following documents have been provided in support of the application;

- Planning Statement;
- Heritage Statement; and
- Design and Access Statement.

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

## **3.2 Determining Issues**

In considering whether to grant consent, special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. For the purposes of this issue, preserve, in relation to the building, means preserve it either in its existing state or subject only to such alterations or extensions as can be carried out without serious detriment to its character.

Do the proposals harm the character or appearance of the conservation area? If they do, there is a strong presumption against granting of permission.

In determining applications for listed building consent, the Development Plan is not a statutory test. However the policies of the Local Development Plan (LDP) inform the assessment of the proposals and are a material consideration.

## **3.3 Assessment**

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

- a) The proposals will impact on the character and special interest of the listed building;
- b) The proposals will safeguard the setting of the listed building;

- c) The proposals will preserve or enhance the character or appearance of the conservation area;
- d) Any impacts of equalities and human rights have been addressed; and
- e) Any comments raised have been addressed.

### **a) The Impact on the Character and Special Interest of the Listed Buildings**

In determining applications for listed building consent, the Development Plan is not a statutory test. However the policies of the Local Development Plan (LDP) inform the assessment of the proposals and are a material consideration.

Policy Env 4 of the LDP states that alterations to listed buildings will be permitted where these alterations are justified and where there is no diminution of the building's interest. The Guidance on Listed Buildings and Conservation Areas presumes against any alterations that would seriously detract from the character of the listed building.

Historic Environment Scotland (HES) guidance 'Managing Change in the Historic Environment: Extensions' states that:

'Extensions to listed buildings must protect the character and appearance of the building and should be subordinate in scale and form; located on a secondary elevation and designed in a high quality manner, using appropriate materials.'

The Council's non statutory guidance on Listed Buildings and Conservation Areas (LBCA) advises that: 'Extensions should not normally exceed 50% of the width of any elevation.'

The proposed extensions occupy approximately 70% of the width of the rear elevation at each of these properties, which exceeds the Council's guidance. However, they have a relatively low profile and light weight form, and are otherwise suitably subservient in appearance on this relatively enclosed, secondary elevation.

Their contemporary appearance accords with the Council's guidance on LBCA, which states that it is usually acceptable for an addition to be different and distinguishable from the existing building, in terms of its design. The proposed use of glazing as the main facing material will ensure that the extension is readily understood as an addition to the original building, with the main building clearly retaining its dominance. Overall the form and design of these buildings is considered in keeping with relevant Council guidance and has no significant impact on the character and special interest of the listed buildings.

The alterations to the rear result in the loss of the original offshoot buildings and the more modern extensions. There is no consistent pattern within these rear areas and the modern incongruous extensions dominate and detract from the character of this listed building. The removal of the original offshoot buildings has to be considered in the context of the overall redevelopment of the properties. The extensions bring together a number of positive alterations to allow the properties to return to residential use. This is a significant conservation gain. Overall the alterations and extensions to the rear will re-establish a regular pattern of development on this terraced elevation.



## Window Alterations

The HES guidance note on 'Managing Change in the Historic Environment: Windows' states that where the location of new windows are appropriate in principle, the design must take account of the size, proportion, materials and detailing of the surrounding windows. It further advises that in general, replacement windows should seek to match the original windows in design, form, method of opening and materials.

There are no specifications included for the proposed new windows next to the extensions on the rear elevation, the two sets of patio doors on the rear elevation of the tenement building, or the roof lights to be installed on the rear facing roof plane.

The proposed patio doors are modern in appearance and contrast with that of the existing traditional style windows on this elevation. However, they are situated at basement level, where their visibility will be limited. Their impact on the character of the building is therefore relatively minor.

The height of the proposed roof lights on the rear facing roof plane aligns with those of the existing roof lights and is close to the ridgeline. However, their width is considerably in excess of the adjacent roof lights. It would be expected that the proposed roof lights incorporate conservation style, flush fixings, in order to ensure that they do not appear as overly obtrusive features on the listed building group.

Full details will be required by condition, in the form of detailed drawings and specifications, to ensure that the design and materials used and means of opening are suitable for these locations. Details will also be required by means of planning condition of the proposals for the treatment of the window surround and reinstatement of stonework on the surrounding facade, in order to ensure that these alterations are carried out in a sensitive manner.

The proposals further include provision for the replacement of existing windows, where necessary on the building. A condition is therefore necessary, requiring that an inspection is carried out, prior to the commencement of new development, to assess and record the condition of existing windows on the building. The results of this survey should provide sufficient evidence of those which are identified as beyond repair and requiring suitable replacement. A further condition, requiring full details of all proposed replacement windows is necessary, to ensure that they are a suitable match for those to be replaced. Where any such replacement windows are installed, only slim profile, double glazing will be acceptable, in accordance with the Council's relevant non statutory guidance.

## Boundary Walls

Historic Environment Scotland's guidance note: Managing Change in the Historic Environment: External Walls recognises that external walls are an important element in defining the character of a historic building. The design, materials and methods of construction, including colour, texture and finish of stone work all contribute to its character.

The proposals include a scheme for the restoration and repair of the rear boundary wall, which is included within the listed building schedule for these buildings. However, no details have been submitted for the proposed restoration scheme, other than an indication that some minor openings will be required for access provision. A condition will therefore be necessary requiring full details of the areas to be repaired or replaced and specifications for the proposed replacement stonework and jointing, as well as other alterations, to ensure that this scheme is carried out in a suitable manner.

### Internal Works

As noted in the representations, there is only limited information available at this stage regarding the proposed internal alterations. Although existing and proposed floor plans are available, the applicants have advised that it was not possible to carry out a full survey of these building interior while they are in use for hospital related purposes. As a result, it has not been possible to establish the full extent of original features retained within the buildings and plan for their potential restoration at this stage. A condition will therefore be necessary, requiring the undertaking of a detailed survey of the building interior, to record all significant architectural or decorative features found and proposals for their restoration and repair, where relevant, including the reinstatement of any missing parts, as appropriate. The results of this survey and the associated restoration scheme will require to be approved by the Planning Authority.

The proposed layout will result in the dountaking of some internal walls, in order to adapt this building to residential use. However, these proposals which include the removal of the wall between the kitchen and rear living room, do not affect any of the principal, front facing rooms. As a result they will safeguard these important aspects of the building's character and special interest, in accordance with the Council's LBCA guidance on such alterations.

It is acknowledged that the proposed scheme of conversion and restoration of these listed buildings will affect some aspects of their character and special interest. However, it is accepted that these changes are justifiable, given the significant benefits of returning of these listed buildings to the use for which they were designed. The proposals will not result in any detrimental impacts to their principal façades or overall architectural integrity, as a group, which are important components of the buildings' special interest. Accordingly, the proposals are considered in compliance with the provisions of LDP policy Env 4.

The proposals also accord with the overall provisions of the Council's non statutory guidance on LBCA, as they safeguard the overall character of the listed buildings and result in no significant damage. Conditions will be attached, were necessary to ensure that the detailed proposals are carried out in a suitably sensitive manner.

### **b) Impact on the setting of the Listed Building**

LDP Policy Env 3 states that development within the curtilage or affecting the setting of a listed building will only be permitted if not detrimental to the architectural character, appearance or historic interest of the building or its setting.

Historic Environment Scotland's document 'Managing Change in the Historic Environment: Setting' defines setting as 'the way the surroundings of a historic asset or place contributes to how it is understood, appreciated and experienced'. Contributory factors can include views to, from and across or beyond the historic asset and key vistas that give the historic asset a context.

The main setting of these listed terraced properties includes their immediate curtilage, including back and front garden grounds. At present the rear garden grounds are largely occupied by an incongruous collection of extensions used for hospital related purposes. The removal of these unsympathetic additions and replacement with more domestic, scaled rear extensions and return of the remaining space to gardens will benefit the setting of these dwelling houses, as will the proposals for the restoration of the original boundary wall.

The proposed landscape scheme, which is addressed in the report on planning application reference 18/02719/FUL, allows for the replanting of a number of trees in this area thus addressing this aspect of the site's setting. The low profile form of proposed extensions to the rear of the buildings will have no impact on their main frontages, or unity as a group, on the street frontage. Furthermore, the proposals which do not affect the frontage of this terrace, will not impact on current views to and from this terrace over the Meadows

In conclusion it is considered that the proposals safeguard and enhance the setting of this listed building, in compliance with the provisions of LDP policy Env 3 (listed Buildings - Setting).

### **c) Impact on the setting of the Conservation Area**

Policy Env 6 presumes against development that does not preserve or enhance the special character and appearance of the Conservation Area and or that this inconsistent with the conservation area character appraisal.

The Marchmont, Meadows and Bruntsfield Conservation Area Character Appraisal identifies the essential architectural character of the Marchmont area as well-proportioned tenements planning in long blocks that take advantage of the gently sloping site. Scots Baronial style is noted as the principal architectural style, and tenemental front gardens provide setting to buildings. The area is characterised by Victorian and Georgian tenemental perimeter blocks that are of uniform height, massing and use of stone and slated roofs. There is a predominance of residential uses within the area, and the mature landscape of the Meadows and Bruntsfield Links with its rich historical background forms the core of the Conservation Area. The main RHSC building is identified as a focal point within the Conservation Area.

The return of these properties to domestic use will re-inforce the mainly residential character of this part of the Conservation Area. The proposals will allow for the principal elevations of these listed properties, to remain in their original form and continue to provide a uniform, stone built facade on this street frontage, thereby ensuring that this important characteristic of the streetscape is safeguarded. The proposed rear extensions, which are low profile in form and at a relatively secluded location, will not impact on the view from the public street.

The reinstatement of former garden areas to the front and rear gardens of this terrace will enhance with the character of the Victorian terraces within the conservation area.

The proposals to restore the original low boundary walls will enhance the character and appearance of the Conservation Area. However, further details, including enlarged drawings showing extent of downtakings and replacement stonework will be required by planning condition to ensure that this element of the proposals is carried out in a sensitive manner.

In conclusion, the proposals will both preserve and enhance the special character and appearance of the Marchmont, Meadows and Bruntsfield Conservation Area, by safeguarding the character and enhancing the setting of this listed, building, which is recognised as an important landmark building. In so doing, they accord with the relevant provisions of LDP policy Env 6.

#### **d) Equalities and Human Rights**

An Equalities and Human Rights Impact assessment was carried out in relation to the proposals subject to the relevant planning application site covering the overall redevelopment proposals covering the hospital grounds (reference 18/02719/FUL). The findings are summarised in the report to committee on that application.

#### **e) Public Comments**

##### *Material Objections*

- Internal features of buildings have not been properly surveyed or assessed - this is addressed in section 3.3(a).
- Objection to the extent listed building fabric to be removed in the construction of proposed extensions - this is addressed in section 3.3(a).
- Proposals have a lack of sensitivity to the surrounding built environment - this is addressed in section 3.3(a).
- Lack of thorough assessment of the interiors, to allow for the proposals to be properly assessed - this issue is addressed in paragraph 3.3(a).
- Objection to massing and width of proposed extensions - this is addressed in section 3.3(a).
- Lack of information on proposed boundary walls which are proposed for restoration - this issue is addressed in paragraph 3.3(b).

##### *Material Comments in Support*

- Support for the conversion of these properties back to residential use.

##### *Non-Material Comments*

- Issues relating to parking provision and public realm on Sciennes Road - these matters which are not relevant to the listed building application, are addressed in the report to committee on planning application reference 18/02719/FUL.
- Lack of affordable housing for families - this matter which is not material to listed building application is addressed in the report to committee on planning application reference 18/02719/FUL.

- Lack of sufficient garden space.

## **Conclusion**

The proposals for the restoration of this group of listed buildings and their restoration and conversion to their original use, safeguards the character and special interest of this listed building and enhances its setting, in compliance with relevant development plan policies and the Council's non statutory guidance. Furthermore, the proposals are found to safeguard and enhance the character and appearance of the Marchmont, Meadows and Bruntsfield Conservation Area and are consistent with the Conservation Area Character Appraisal, by ensuring that the existing, primary elevation retains its uniform design and strong presence on this street frontage.

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

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

#### **Conditions:-**

1. Upon vacant possession of the buildings, a detailed survey shall be undertaken of the building interior, or any areas to be exposed as a result of the approved scheme, to assess and record all features of architectural or historic interest found and; proposals for any mitigation measures to be undertaken, including the repair, and/or retention of any such features within the finalised layout proposals. The results of this survey shall be submitted in a report to the Planning Authority, to include detailed plans of the building interior, showing any modifications proposed, as a result of the proposed findings.
2. The existing stonework shall be repaired, and missing sections replaced, using natural stone chosen to match the existing stonework.
3. Prior to commencement of works hereby approved, a survey of the existing windows shall be undertaken to assess and record their condition. Where windows are to be replaced evidence shall be submitted to demonstrate that they are beyond reasonable repair and details of any replacement windows shall be submitted for the approval of the Council, as planning authority. Such details shall include size, depth, profile, materials, design of glazing pattern and method of opening.
4. Detailed drawings of all proposed velux roof lights, to include specifications for conservation style, flush fixings, shall be submitted to and approved by the Planning Authority, prior to the commencement of development.

#### **Reasons:-**

1. In order to safeguard the character of the statutorily listed building.
2. In order to safeguard the character of the statutorily listed building.
3. In order to safeguard the character of the statutorily listed building.
4. In order to safeguard the character of the statutorily listed building.

## **Informatives**

It should be noted that:

1. This consent is for Listed Building Consent only. Work must not begin until other necessary consents, eg Planning Permission, have been obtained.
2. The works hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.

## **Financial impact**

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

Contributions have been required under the legal agreement in respect of the corresponding planning application for these works (planning application reference 18/02719/FUL). The relevant contributions are to be made towards health care, education and local transport infrastructure.

## **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:**

The proposals subject to this application were assessed in terms of equalities and human rights under the respective planning application for the proposed works (application reference 18/02719/FUL). The impacts are identified in the Assessment section of the report to committee on that application.

## **Sustainability impact**

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

This application is not subject to 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**

The application was advertised on 26 June 2018. Two letters of representation were received, including one from the Architectural Heritage Society for Scotland and one from the Grange Prestonfield Community Council.

## 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 Edinburgh Local Development Plan identifies the application site as lying within the Urban Area. The site is located within the Marchmont, Meadows and Bruntsfield Conservation Area.

**Date registered**

13 June 2018

**Drawing numbers/Scheme**

01-15,

Scheme 1

**David R. Leslie**

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Julie Ross, Planning Officer

E-mail:julie.ross@edinburgh.gov.uk Tel:0131 529 4468

**Links - Policies**

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**Relevant Policies:**

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

LDP Policy Env 3 (Listed Buildings - Setting) identifies the circumstances in which development within the curtilage or affecting the setting of a listed building will be permitted.

LDP Policy Env 4 (Listed Buildings - Alterations and Extensions) identifies the circumstances in which alterations and extensions to listed buildings will be permitted.

LDP Policy Env 6 (Conservation Areas - Development) sets out criteria for assessing development in a conservation area.

**Non-statutory guidelines** 'LISTED BUILDINGS AND CONSERVATION AREAS' provides guidance on repairing, altering or extending listed buildings and unlisted buildings in conservation areas.



**Non-statutory guidelines** 'GUIDANCE FOR HOUSEHOLDERS' provides guidance for proposals to alter or extend houses or flats.

The Marchmont, Meadows and Bruntsfield Conservation Area Character Appraisal emphasises the well proportioned Victorian tenemental perimeter blocks with Baronial detailing and the substantial area of the open parkland formed by the Meadows and Bruntsfield Links.

# Appendix 1

**Application for Listed Building Consent 18/02723/LBC  
At Royal Hospital For Sick Children, 9 Sciennes Road,  
Edinburgh**

**Internal and external alterations of Category C-listed Nos.  
11-21 (inclusive) Millerfield Place to convert to residential  
use including rear extensions; minor alteration, including  
sensitive reinstatement and repair of garden boundary walls.**

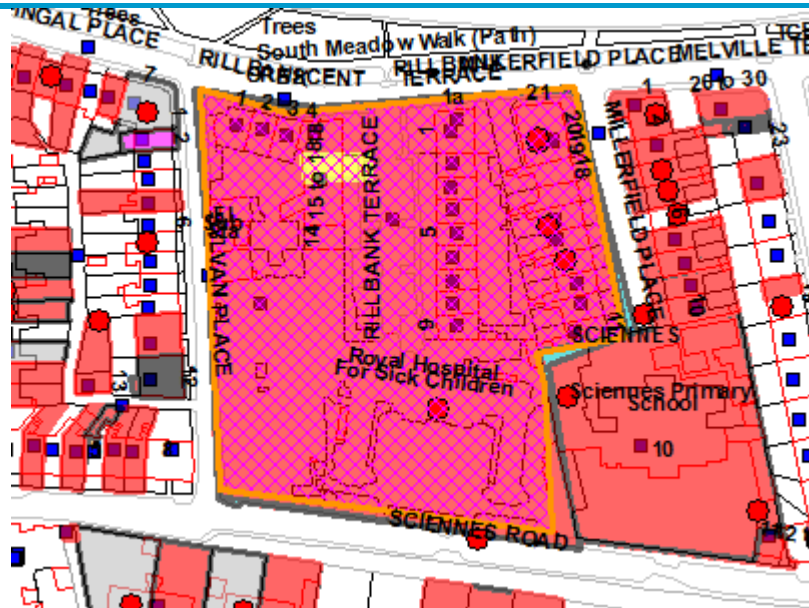
## **Consultations**

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Historic Environment Scotland (HES) was consulted on this application as it relates to the wider proposals affecting the overall hospital grounds, which are subject to planning application reference 17/ 02719/FUL and the listed building applications for the mortuary chapel and main hospital building, which are all the subject of further reports to this committee, (Listed building application references 18/ 02725/LBC and 18/02722/LBC).

HES has made no response to this application which affects a category 'C' listed building.

## Location Plan



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**END**

# Development Management Sub Committee

Wednesday 6 February 2019

**Application for Listed Building Consent 18/02725/LBC  
At Royal Hospital For Sick Children, 9 Sciennes Road,  
Edinburgh**

**Internal and external alteration to Category A- listed  
Mortuary Chapel building to convert to public and  
residential use; conservation and repair of murals in situ;  
removal of 20th century hospital extensions with  
associated fabric repairs and reinstatement.**

<b>Item number</b>	6.1(f)
<b>Report number</b>	
<b>Wards</b>	B15 - Southside/Newington

## Summary

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The proposed development accords with the guidance set out within Historic Environment Scotland's document "Managing Change in the Historic Environment" and the non-statutory guidance. The need to ensure that appropriate conservation and management of the Traquair Murals can be delivered through the attached conditions and the associated planning application. There are no material considerations which outweigh this conclusion.

## Links

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<a href="#"><u>Policies and guidance for this application</u></a>	LDPP, LEN02, LEN05, LEN06, NSG, NSLBCA, CRPMAR, OTH,
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# Report

## **Application for Listed Building Consent 18/02725/LBC At Royal Hospital For Sick Children, 9 Sciennes Road, Edinburgh**

**Internal and external alteration to Category A- listed  
Mortuary Chapel building to convert to public and residential  
use; conservation and repair of murals in situ; removal of  
20th century hospital extensions with associated fabric  
repairs and reinstatement.**

### **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 application refers to the Royal Hospital for Sick Children, Sciennes Road. This listed building consent application concerns the mortuary chapel building, which is located to the immediate south of the main hospital building and was built at the same time as the main hospital building (1895). Both buildings were designed by George Washington Browne.

The mortuary chapel building is Category A listed (reference LB52347, listing date 26 May 2015) and contains the first complete mural scheme by Phoebe Traquair, one of only three in Scotland. The mortuary chapel building was extended in footprint (1904) and height by an additional storey (1931). The building has been heavily altered since its initial construction.

The building is designed in a Jacobean style and is constructed from red Corsehill sandstone as part of Washington Browne's design for the main hospital building. It is a small, rectangular, four-bay building. At the left of the principle elevation at ground floor level is a pair of stone doorways, in a slightly advanced double bay. To the right is a mullioned, tripartite window. The rear elevation is a plainer brick construction. The west elevation is largely obscured by later development that abuts the chapel building, and the eastern elevation contains gable fenestration in the form of a leaded quad-partite window and ground floor level and a c1931 tripartite window above.

The building has an irregular mansard roof to the front elevation, within which three box dormers (two of which are double dormers) are positioned. This roof extension is not original to the building, dating from the 1930s.

The western most bay creates an intimate lobby into the chapel which has, as described in the list entry description, an "outstanding decorative scheme with richly symbolic Arts and Craft murals by the artist Phoebe Traquair." The small chapel room is dominated by the mural panels which sit above a timber dado rail, which depict angels singing the Sanctus on a background of horizontal bands representing the days of creation. The coombed ceiling is also painted with murals.

This application site is located within the Marchmont, Meadows and Bruntsfield Conservation Area.

## **2.2 Site History**

13 June 2018 - Planning Application submitted for mixed use development comprising residential (8 houses and 118 flats), student accommodation 323 beds, communal space, cycle/car parking provision, public realm enhancements, associated works and infrastructure. Development involves partial demolition of existing buildings, erection of new buildings and change of use/conversion of retained buildings. Application currently pending determination. (Application reference 18/02719/FUL).

20 June 2018 - Application for Conservation Area Consent submitted for substantial demolition in a Conservation Area, currently pending determination. (Application reference 18/02720/CON).

20 June 2018 - Application for listed building consent submitted for internal and external alterations of Category B-listed Main Building of the Royal Hospital for Sick Children to convert to residential use including rear extensions, minor alteration, including sensitive reinstatement and repair of the building. Application pending determination. (Application reference 18/02722/LBC).

20 June 2018 - Application for listed building consent submitted for Internal and external alterations of Category C-listed Nos. 11-21 (inclusive) Millerfield Place to convert to residential use including rear extensions; minor alteration, including sensitive reinstatement and repair of garden boundary walls. Application pending determination. (Application reference 18/02723/LBC).

## **Main report**

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### **3.1 Description Of The Proposal**

The proposed alterations to the exterior of the mortuary chapel include the refurbishment/ replacement of windows where necessary, removal of redundant unnecessary services and penetration holes and clearance of redundant signage. A rear glazed extension will also be replaced.

Internally, the chapel room will remain unchanged, beyond works required for the conservation, repair and monitoring for the preservation in situ of the Traquair murals. Appropriate environmental monitoring and management is proposed to ensure that the murals are preserved appropriately. Alternative uses for the chapel space are extremely limited and none to date have come forward. Access to the murals will be managed by the applicant as long term operators of the student block.

The remainder of the mortuary chapel building will be reconfigured to provide two one-bedroom flatted apartments, one at ground floor level and one at first floor. These will be accessed via a separate access from the chapel room. The layout of the residential accommodation has been designed to avoid kitchen and bathroom areas above the murals to prevent damage that may be caused by accidental flooding.

### *Supporting information*

The applicant has submitted the following document in support of the application which are available to view via the Planning and Building Standards Online Services;

- Design and Access Statement.
- Heritage Statement.
- Mortuary Chapel Condition Report and Supplementary Addendum Report.

## **3.2 Determining Issues**

In considering whether to grant consent, special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. For the purposes of this issue, preserve, in relation to the building, means preserve it either in its existing state or subject only to such alterations or extensions as can be carried out without serious detriment to its character.

Do the proposals harm the character or appearance of the conservation area? If they do, there is a strong presumption against granting of permission.

In determining applications for listed building consent, the Development Plan is not a statutory test. However the policies of the Local Development Plan (LDP) inform the assessment of the proposals and are a material consideration.

## **3.3 Assessment**

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

- a) the proposals will impact on the character of the listed building;
- b) the proposals will preserve or enhance the conservation area;
- c) any impacts of equalities and human rights have been addressed; and
- d) any comments raised have been addressed.

### **a) Character of Listed Building and its Setting**

In determining applications for listed building consent, the Development Plan is not a statutory test. However the policies of the Local Development Plan (LDP) inform the assessment of the proposals and are a material consideration.

LDP Policy Env 4 permits proposals to alter or extend a listed building where the alterations or extensions are justified; there will be no unnecessary damage to the building's historic structure or diminution of its interest; and any additions are in keeping with other parts of the building.

Historic Environment Scotland's (HES) document "Managing Change in the Historic Environment" notes that the majority of listed buildings are adaptable, and that "change should therefore be managed to protect a building's special interest while enabling it to remain in active use. Each case must be judged on its own merits but in general terms listing rarely prevents adaptation to modern requirements but ensures that work is done in a sensitive and informed manner."

Historic Environment Scotland's document, "Managing Change in the Historic Environment: Setting" defines setting as "*...the way the surroundings of a historic asset or place contribute to how it is understood, appreciated and experienced.*" Contributory factors can include views to, from and across or beyond the historic asset and key vistas that give the historic asset a context.

#### *Character of listed building*

The chapel building has been significantly altered, including a new roof extension in 1931 which introduced three dormer windows (two of which are double windows) to the first floor level. The building has a network of pipework and ducting on its exterior, which is particularly prevalent on its east elevation.

The proposed alterations to the exterior of the chapel building are restorative in nature and will have a positive impact on the exterior of the building. The replacement of the rear glazed extension covers the same footprint as the existing glazed extension and is appropriate in form and materials. These proposals are acceptable and will have no detrimental impact on the external character of the listed building.

The proposed alterations to the interior of the chapel building includes the development of two one-bedroom apartments. This will include re-structuring the internal floorspace of the eastern part of the ground floor and all of the first floor of the building to form residential accommodation. No development is proposed within the chamber containing the Traquair murals. It should be noted that the murals are contained within a small space (a single bedroom size) within an independent unit to the adjacent spaces. The size of the chapel therefore restricts its potential for any future re-use.

Historic Environment Scotland (HES) has identified in their consultation response the need for a sustainable, publicly accessible long-term future for the Traquair murals. The need to conserve the heritage value of the murals and to maintain public access to them has been considered in this application and is addressed through the related planning application.



A Condition Report and Supplementary Addendum Report has been prepared for the Mortuary Chapel by the Scottish Wall Paintings Conservators, and submitted with this application. Generally, the murals are found to be in very good condition with only minor deterioration since the previous condition survey was undertaken by HES in 2008. The Supplementary Addendum Report takes account of the proposed use of part of the mortuary chapel building for two residential apartments and sets out recommendations for protection of the murals before, during and following building works. A condition is attached to this consent with respect to this.

HES has commented that they would prefer only one residential unit to be included in the building alongside the chapel room. This is to allow the additional space to be used for ancillary space for the chapel, to facilitate and support ongoing community and potential uses. The applicant has engaged with several heritage groups including HES, National Museum of Scotland, The Mansfield Traquair Trust and the Scottish Redundant Churches Trust to discuss the potential future management of the mortuary chapel building. To date, there has been no approach from any of these parties to formalise involvement in the management or ownership of the chapel building. These discussions and a review of the updated condition survey of the murals has concluded that the best conservation option for the murals is for them to remain in situ within the chapel building.

It is proposed that Downing Group will be responsible for the ongoing conservation and maintenance of the buildings. This will allow for access from interested members of the public to view the murals at pre-arranged times and during public events such as Doors Open Days. A management agreement will require to be prepared to this effect and a condition to deal with this is attached to the related planning application. The listed building consent relates to the physical works being carried out to the building and the need for protection during those works.

The addendum report sets out a number of key recommendation to prevent damage to the murals from the creation of residential accommodation within the building. This includes environmental monitoring, and a range of conservation treatment proposals prior, during and after building works. Kitchens/ bathrooms within the building will be located at the eastern side of the building only to minimise any risk from flooding of the domestic properties. For further prudence, a protective membrane is recommended to be fitted between the chapel ceiling and the floor of the bedroom above. These recommendations are aligned with guidance set out by Historic Environment Scotland in their comments on the application.

It is noted that the rooms outwith the chapel itself have been used historically for mortuary purposes and office space without any restrictions on these uses for fear of risking damage to the murals. There has therefore been an active use in these parts of the building for the duration of its occupancy. The proposals will require that regular surveys of the murals are undertaken by a conservator to monitor any changes in the murals (twice annually in the first post-construction year, followed by annual surveys), which goes beyond any current management scheme in place for the murals. On balance, it is considered that the management actions set out within the supplementary addendum report provide adequate assurances that the murals will not be put at risk as a result of the development.

### *Setting of listed building*

The mortuary chapel building is ancillary in nature and sits to the north east of the main hospital building. It has a group architectural value with the main hospital building, however the later additions to the chapel diminish the architectural relationship between the mortuary chapel and the main hospital building.

The immediate setting of the mortuary chapel will be significantly improved through the removal of the later extensions to the main hospital building which currently adjoin the western elevation of the building. In addition, the creation of a new area of public realm around the mortuary chapel building will improve access to the chapel building and create a stronger and more attractive interface between the chapel, main hospital building and the new public space. The group relationship between the main hospital building and the mortuary chapel building will be unaffected by proposals, as these will both remain in situ. The proposals are acceptable, and will have no detrimental impact on the setting of the listed building.

### **b) The proposals will preserve or enhance the conservation area**

*The Marchmont, Meadows and Bruntsfield Conservation Area Character Appraisal identifies the essential architectural character of the Marchmont area as "well-proportioned tenements planning in long blocks that take advantage of the gently sloping site. Scots Baronial style is noted as the principal architectural style, and tenemental front gardens provide setting to buildings. The area is characterised by Victorian and Georgian tenemental perimeter blocks that are of uniform height, massing and use of stone and slated roofs. There is a predominance of residential uses within the area, and the mature landscape of the Meadows and Bruntsfield Links with its rich historical background forms the core of the Conservation Area".*

The main hospital building is identified as a focal point within the Conservation Area. The mortuary chapel building is ancillary to the main hospital building and is largely hidden from the surrounding street network. Architecturally, the building is already much altered and the proposed further external alterations which are restorative in nature will improve the quality of the listed building in terms of its setting within the conservation area. The introduction of residential apartments to this building is in keeping with the mix of residential properties in the surrounding area and will not impact adversely on the conservation area setting. The proposed changes to the building will incorporate it into the proposed new public realm, and will also for easier public access for any visitors to the mortuary chapel. The proposal is acceptable.

### **c) Any impacts of equalities and human rights have been addressed**

There are no impacts in relation to equalities or human rights.

### **d) Any comments raised have been addressed**

- Proposed works are inappropriate for listed building/ listed art work due to flood or fire risk from domestic use. Residential accommodation should not be provided within this building (addressed in section 3.3(a)).
- Impact of development on the Traquair murals (addressed in section 3.3(a)).

- Change of ownership of Mortuary Chapel building threatens its future. Lack of clarity of future management of scheme (addressed in section 3.3(a)).
- Concern over future conservation of murals if the development was to be sold to another party in the future (addressed in section 3.3(a)).
- Murals should be removed and permanently sited elsewhere (addressed in section 3.3(a)).
- Murals should be conserved and consolidated, and remain protected and made accessible to the public in the long term (addressed in section 3.3(a)).
- External access to the murals could cause climatic change impacts (addressed in section 3.3(a)).
- The mortuary chapel building should be used as tribute to the heritage of the hospital (addressed in section 3.3(a)).
- The proposals do not include any interpretation/ information on the murals or the history of the hospital (addressed in section 3.3(a)).
- Building should be brought back to its original rectangular block by demolishing the existing conservatory/ extension (addressed in section 3.3(a)).
- Ownership and management of murals should be by a heritage organisation suitable experienced in this area. If not, murals should be moved off-site. (addressed in section 3.3(a)).
- Conservation report provides limited recommendations for protection before and during building works. (addressed in section 3.3(a)).
- Further ancillary accommodation to support public access to the building should be included in the Mortuary Chapel building. (addressed in section 3.3(a)).

## **Conclusion**

The proposed development accords with the guidance set out within Historic Environment Scotland's document "Managing Change in the Historic Environment" and the non-statutory guidance. The need to ensure that appropriate conservation and management of the Traquair Murals can be delivered through the attached conditions and those attached to the related planning application. There are no material considerations which outweigh this conclusion.

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

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

#### **Conditions:-**

1. The existing stonework shall be repaired, and missing sections replaced, using natural stone chosen to match the existing stonework.
2. Prior to commencement of works hereby approved, a survey of the existing windows shall be undertaken to assess and record their condition. Where windows are to be replaced evidence shall be submitted to demonstrate that they are beyond reasonable repair and details of any replacement windows shall be submitted for the approval of the Council, as planning authority. Such details shall include size, depth, profile, materials, design of glazing pattern and method of opening.

3. The care and protection of the murals in the RHSC Mortuary Chapel Building, before, during and after building works shall be carried out in accordance with the supplementary addendum report "RHSC Mortuary Chapel (Edin.) - Phoebe Traquair Murals" dated 27 July 2018.
4. Details of the protective membrane between the RHSC Chapel Mortuary Building and the bedroom accommodation above shall be submitted and approved by the Council, as planning authority. The approved membrane shall be installed prior to occupation of the dwelling and maintained in perpetuity in relation to the residential use of the building.

#### **Reasons:-**

1. In order to safeguard the character of the statutorily listed building.
2. In order to safeguard the character of the statutorily listed building.
3. In order to safeguard the character of the statutorily listed building.
4. In order to safeguard the character of the statutorily listed building.

#### **Informatives**

It should be noted that:

1. Any further internal or external alterations to the building will require listed building consent to ensure that due consideration is given to the ongoing conservation of the Traquair murals.

#### **Financial impact**

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

There are no financial implications to the Council.

#### **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:**

The application has been assessed and has no impact in terms of equalities or human rights.

## **Sustainability impact**

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

This application is not subject to the sustainability requirements of the Edinburgh Design Guidance.

## **Consultation and engagement**

---

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

Pre-application discussions took place on this application.

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

The application was advertised on 26 June 2018.

Fourteen objections have been received, including one from the Mansfield Traquair Trust and Architectural Heritage Society of Scotland and twelve from members of the public.

## **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 Edinburgh Local Development Plan identifies the Royal Hospital for Sick Children site as lying within the Urban Area. The site is located within the Marchmont, Meadows and Bruntsfield Conservation Area.

**Date registered**

13 June 2018

**Drawing numbers/Scheme**

01, 02, 03,

**David R. Leslie**  
Chief Planning Officer  
PLACE  
The City of Edinburgh Council

Contact: Julie Ross, Planning Officer  
E-mail: [julie.ross@edinburgh.gov.uk](mailto:julie.ross@edinburgh.gov.uk) Tel: 0131 529 4468

**Links - Policies**

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**Relevant Policies:**

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

LDP Policy Env 2 (Listed Buildings - Demolition) identifies the circumstances in which the demolition of listed buildings will be permitted.

LDP Policy Env 5 (Conservation Areas - Demolition of Buildings) sets out criteria for assessing proposals involving the demolition of buildings within a conservation area.

LDP Policy Env 6 (Conservation Areas - Development) sets out criteria for assessing development in a conservation area.

## **Relevant Non-Statutory Guidelines**

**Non-statutory guidelines** 'LISTED BUILDINGS AND CONSERVATION AREAS' provides guidance on repairing, altering or extending listed buildings and unlisted buildings in conservation areas.

The Marchmont, Meadows and Bruntsfield Conservation Area Character Appraisal emphasises the well proportioned Victorian tenemental perimeter blocks with Baronial detailing and the substantial area of the open parkland formed by the Meadows and Bruntsfield Links.

## **Other Relevant policy guidance**

# Appendix 1

## **Application for Listed Building Consent 18/02725/LBC At Royal Hospital For Sick Children, 9 Sciennes Road, Edinburgh Internal and external alteration to Category A- listed Mortuary Chapel building to convert to public and residential use; conservation and repair of murals in situ; removal of 20th century hospital extensions with associated fabric repairs and reinstatement.**

### **Consultations**

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#### **Historic Environment Scotland**

##### *Our Advice*

*The Category A listed Mortuary Chapel at the Royal Hospital for Sick Children contains the first, of only three complete interior mural schemes in Scotland by the internationally renowned Scottish Arts and Crafts artist, Phoebe Anna Traquair. The chapel was designed in 1895 by George Washington Browne as an ancillary building to the main hospital, and it is understood that he designed the chapel to accommodate the murals which were to be installed.*

*The exceptional quality of Traquair's mural scheme gives the building its special interest and cultural significance. Externally, the structure has modest architectural form and the other interior spaces are of lesser significance. To ensure a sustainable, publicly accessible long-term future for this internationally significant interior the current proposals should be reconsidered. The provision of ancillary accommodation, such as a toilet, small kitchen and storage facilities should be included to facilitate and support ongoing community and other potential uses for the exceptional chapel interior. Otherwise, it risks being mothballed.*

*The proposed conversion of the building should, in our view, be reconfigured from two down to one residential unit that would occupy part of the building. This would allow space for additional support accommodation which would link through the existing doorway to the chapel. To protect the chapel, any revised proposal must ensure that the room space above it is kept free of water supply pipes, drainage or wet central heating pipework.*

*In conclusion, we cannot support the current plans for the A listed building. Allowing ancillary support and breakout space for the chapel will ensure it has the best opportunity of being reused in the future, either as a community space within the new housing development, or as a venue for Doors Open Day and other similar occasions. We would suggest that its future maintenance is guaranteed via conditions on any listed building consent.*



Planning authorities are expected to treat our comments as a material consideration, and this advice should be taken into account in your decision making. Our view is that the proposals do not raise historic environment issues of national significance and therefore we do not object. However, our decision not to object should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on listed building/conservation area consent, together with related policy guidance.

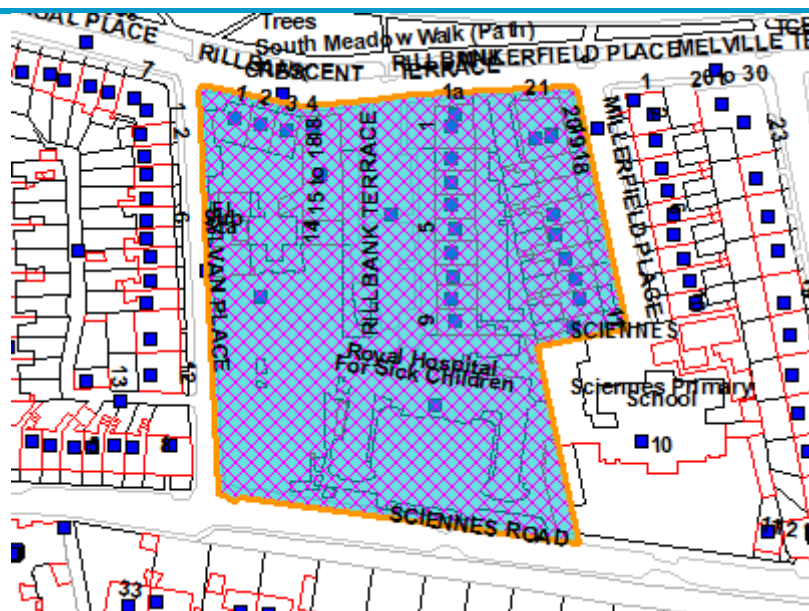
### Further Information

This response applies to the application currently proposed. An amended scheme may require another consultation with us.

Guidance about national policy can be found in our 'Managing Change in the Historic Environment' series available online at [www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes/](http://www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes/).

Technical advice is available through our Technical Conservation website at [www.engineshed.org](http://www.engineshed.org).

## Location Plan



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**END**

# Development Management Sub Committee

Wednesday 6 February 2019

**Application for Planning Permission 18/02748/FUL  
At Roof Terrace, Waverley Mall, 3 Waverley Bridge  
Reconfiguration of roof-top structures and construction of  
new commercial accommodation (Class 1, 2 and 3), internal  
cinema use (Class 11) and creation of external multi-use  
space to include external seating area, performance space,  
open air cinema, festival/seasonal event space, pop-ups,  
farmers market and musical entertainment (Classes 1, 2, 3  
and 11).**

<b>Item number</b>	7.1
<b>Report number</b>	
<b>Wards</b>	B11 - City Centre

## Summary

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The proposal is an appropriate city centre development of a high quality design which will contribute to the role of the city centre as a strategic business and regional shopping centre and which will support the city centre retail core. The proposal will preserve the character and appearance of the New Town Conservation Area, the Outstanding Universal Value of the Old and New Towns of Edinburgh World Heritage site; and will not have a detrimental impact on the setting of nearby listed buildings. The proposal does not raise any issues in respect of road safety, loss of open space or the quality of the proposed public realm and will not have a detrimental impact on the living conditions of nearby residents. The proposal complies with the adopted Edinburgh Local Development Plan and the Edinburgh Design Guidance.

## Links

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[Policies and guidance for this application](#)

LDPP, LDEL01, LDEL02, LRET07, LEN01, LEN03, LEN06, LEN18, LDES01, LDES04, LDES08, LRET02, NSG, NSGD02, CRPNEW, LHOU07,

# Report

**Application for Planning Permission 18/02748/FUL  
At Roof Terrace, Waverley Mall, 3 Waverley Bridge  
Reconfiguration of roof-top structures and construction of  
new commercial accommodation (Class 1, 2 and 3), internal  
cinema use (Class 11) and creation of external multi-use  
space to include external seating area, performance space,  
open air cinema, festival/seasonal event space, pop-ups,  
farmers market and musical entertainment (Classes 1, 2, 3  
and 11).**

## 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 the roof and two lower floors of the Princes Mall Shopping Centre. The roof of the centre consists of public space and terraced area which incorporates a stand-alone building adjacent to its northern boundary which is currently occupied by costa coffee and a separate building adjacent to the southern boundary which serves as a tourist information centre. The roof has a total area of 790 square metres, with the sections not occupied by buildings consisting of a mixture of open plaza and walkways interspersed with grassy areas and glazed roofing. The plaza and walkways are finished in silver grey granite paving.

The site lies adjacent to the southern side of Princes Street and the eastern side of Waverley Bridge. The roof sits slightly lower than Princes Street and the shopping mall is only directly accessible via steps or ramp down from the pavement on Princes Street. The main access to the lower floors of the shopping centre is taken from Waverley Bridge. A separate access to the lower floors is available from Waverley Steps.

The surrounding area is predominantly commercial in nature and is characterised by historic commercial buildings interspersed with contemporary style commercial buildings. This includes several important listed buildings including the Royal British Hotel (category B, listing reference: LB29502, listing date: 20/02/1985), the former Forsyth's Department Store (category A, listing reference: LB29503, listing date:14/09/1966) and the Balmoral Hotel (category B, listing reference: LB30315, listing date:14/06/1994). The Balmoral Hotel is located directly to the east of the site. Princes Street Gardens and the Scott Monument are located directly to the west.

The site is located in the Old and New Towns of Edinburgh World Heritage Site.

The site lies within the New Town Conservation Area. The southern edge of the site directly abuts the boundary of the Old Town Conservation Area.

## **2.2 Site History**

The site has an extensive planning history relating to its use as a commercial building and the numerous temporary activities and structures which have taken place on the rooftop. The following application is relevant to the proposal:

27 Feb 2004 - Planning permission refused for extensions and alterations to Princes Mall at plaza level (Class 1 and/or Class 3 use), as amended (application reference: 02/02689/FUL).

## **Main report**

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### **3.1 Description Of The Proposal**

The proposal seeks planning permission for the construction of a new single storey U shaped commercial building on the roof of Princes Mall. The building will provide floor space for several commercial premises which will operate either as retail units (class 1), financial, professional or other services (class 2) or cafes/restaurants (class 3). The building will be set around a new plaza area consisting of square granite setts separated by granite slabs which will be set down from Princes Street and accessed by pre cast concrete steps. A new entrance to the lower level mall will be located within a new glazed entrance pavilion in the north western corner of the building. The units will incorporate their exhaust and ventilation systems within the building with any odours being exhausted through a series of ventilation grilles in the south east corner of the building.

The external elevations of the new U shaped building will consist primarily of a bronze copper alloy cladding which will also be utilised for the door and window frames. Security gates will be incorporated into the frontages of each of the commercial units within the building, and also along the northern boundary of the site with Princes Street. The development will be aligned so as to allow the southern pavement on Princes Street to be widened by 3.3 metres.

The existing commercial building close to the northern boundary of the site which is currently occupied by Costa Coffee will be realigned and redesigned in order to match the appearance of the main commercial building with its roof incorporating a roof terrace.

The roof of the building will be formed of a large scale mosaic of coloured glazed ceramic tiles separated by marble granite. The roof will also include a walkway which will extend along its southern elevation between Waverley Bridge and Waverley Steps.

The southern elevation of the upper mall level will be altered by the insertion of glazing and sections of the bronze copper alloy cladding used for the main building.

The proposal also seeks permission for the use of the plaza as a multi-use external space which can accommodate performance space, farmers markets, pop ups, musical entertainment and an open air cinema. Consent is also sought to change the use of the largest retail units within the lower level of the mall from a retail unit (class 1) to either financial professional or other services (class 2), a cafe or restaurant (class 3) or an internal cinema (class 11).

### Supporting Documents

The applicant has submitted the following supporting documents which are available to view via planning and building standards online services:

- Transport Statement;
- Design and Access Statement;
- Noise Impact Assessment; and
- Visualisations.

### **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 harm the character or appearance of the conservation area? If they do, there is a strong presumption against granting of permission.

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 proposal is acceptable in principle;
- b) The design of the proposal is acceptable and will contribute towards a sense of place;
- c) the proposal will preserve the character and appearance of the Old and New Town Conservation Area and the outstanding universal value of the Old and New Towns of Edinburgh World Heritage Site;
- d) the proposal will have a detrimental impact on the setting of any listed buildings;
- e) the proposal is acceptable in respect of the potential loss of open space;

- f) the proposal raises any issues in respect of transport and road safety;
- g) the proposal will have a detrimental impact on the amenity of nearby residents;
- h) the proposal raises any issues in respect of infrastructure contributions,
- i) any issues raised by objectors have been assessed, and
- j) any other material considerations have been addressed.

a) Principle of the Proposal

The application site is located within the city centre area in the adopted Edinburgh Local Development Plan (LDP). LDP Policy Del 2 states that development which lies within the area of the City Centre as shown on the Proposals Map will be permitted which retains and enhances its character, attractiveness, vitality and accessibility and contributes to its role as a strategic business and regional shopping centre and Edinburgh's role as a capital city. In addition, policy Ret 2 states that retail development within the city centre retail core will be granted having regard to whether the proposal will provide high quality, commercially attractive units to a high standard of design that will strengthen the role of Edinburgh as a regional shopping centre, safeguard historic character and improve the appearance of the city centre.

The proposal involves the development of high quality commercial and retail space in a prominent city centre location, contributing to the role of the city as a strategic business and regional shopping centre. The design of the individual units is considered to be of a suitable high standard which reflects the important location of the site.

The proposal includes provision for the introduction of an internal cinema use within the existing Waverley Mall. Policy Ret 7 supports the principle of entertainment and leisure developments within the city centre area and this use is therefore acceptable.

The proposal complies with policies Del 2, Ret 2 and Ret 7 and is acceptable in principle.

b) Design of the Proposal

Policy Des 1 states that planning permission will be granted for development where it is demonstrated that the proposal will create or contribute towards a sense of place.

The proposal has a strong design concept which employs high quality materials and utilises the whole of the site to create a sense of place. The use of a bronze copper alloy cladding as the predominant material for the external elevations will ensure that the building will have a muted external appearance and is able to suitably blend into the surrounding streetscape in an appropriate manner, whilst still maintaining its distinctive contemporary design.

The development will provide a more positive connection with Princes Street and Waverley Bridge. The awkward stepped corner will be removed with a more legible entrance at this important corner. The corner is simplified to a modern bronze and glazed design which provides interaction with the street rather than turning its back on the area. The existing southern boundary wall is altered to include openings which provide a relationship between the building and the Old Town to the south.

The public plaza area forms an important aspect of the scheme which has been integrated into the design of the proposal as a whole. The use of granite setts for the main plaza paving squares separated by granite slabs is appropriate and will ensure a high quality co-ordinated appearance which serves to complement the appearance of the proposal and the wider streetscape of Princes Street.

The rooftop has been designed to replicate the original formality of Waverley Market. The formal designed garden is echoed in the mosaic modern interpretation.

The proposal encompasses a high quality design concept and will contribute towards a sense of place. The proposal complies with policy Des 1.

#### c) Character and Appearance of the New Town Conservation Area and Outstanding Universal Value of the World Heritage Site

Policy Env 6 states that development within a conservation area or affecting its setting will be permitted which preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant conservation area character appraisal. Policy Env 1 states that development which would harm the qualities which justified the inscription of the Old and New Towns of Edinburgh as a World Heritage Site would have a detrimental impact on a Site's setting will not be permitted. Policy Des 4 states that planning permission will be granted for development where it is demonstrated that it will have a positive impact on its surroundings. Policy Des 8 states that planning permission will be granted for development where all external spaces, and features have been designed as an integral part of the scheme as a whole.

The New Town Conservation Area Character Appraisal places a particular emphasis on the numerous viewpoints throughout the New Town into the surrounding city as being a key aspect in contributing to the character of the conservation area stating:

*Terminated vista within the grid layouts and the long distance views across and out of the Conservation Area are important features. The grid layout follows the topography throughout the area providing a formal hierarchy of streets with controlled vistas and planned views both inward and outward and particularly northwards over the estuary. The cohesive, historic skyline makes an important contribution to the Conservation Area and it is particularly crucial to control building heights, particularly along skyline ridges.*



There is one relevant Outstanding Universal Value (OUV) of the Old and New Towns of the Edinburgh World Heritage Site that corresponds to this application. The first paragraph of the Statement of Outstanding Universal Value in the World Heritage Site Management Plan states that:

*"the juxtaposition of these two distinctive townscapes distinctive townscapes (the Old and New Towns), each of exceptional historic and architectural interest, which are linked across the landscape divide, the great arena of Sir Walter Scott's Waverley Valley, by the urban viaduct, North Bridge, and by the Mound, creates the outstanding urban landscape."*

The new building will alter the existing views to the south across the Waverley Valley and towards the Old Town. Edinburgh World Heritage have outlined within their consultation response that the proposal will serve to raise the base of the view across the Old Town, and it is acknowledged that views of several buildings situated along Market Street from the section of Princes Street adjacent to the site will be partially affected by the proposed building.

The views along Princes Street to the west alter as an individual moves along the street edge. The mass of the building has been positioned adjacent to the southern edge of the site. This allows the juxtaposition of the distinctive characteristics of the Old and New Towns to be appreciated and valued. The views across the Waverley Valley are maintained and the layer of the Old Town can be fully appreciated from the New Town.

The position of the building has been altered during the pre-application process and has taken into account considerations and recommendations which have been made by the Edinburgh Urban Design Panel regarding potential developments on the site. The position of the building allows a positive relationship between the main building on the site and Princes Street. A key feature of the proposals is the pulling back of the building edge from Princes Street and the widening of the pavement. Not only does this provide a more positive pedestrian environment at the top of the existing Waverley Steps, and westwards past the bus stop locations, it also provides a strong visual connection westwards along Princes Street to the Scott Monument. This alteration to the building line provides a positive impact on the appearance of the conservation area.

Whilst it is acknowledged that the proposal will affect the existing views of the Old Town, the overall effect on both the character of the conservation area and the OUV is balanced by the improvements which the proposal will bring to the appearance of the existing Princes Mall rooftop and the opening up of views westward towards the Scott Monument. The current rooftop layout has a disjointed appearance due to its varying levels, separate commercial units which lack any sense of coherency and the presence of the stand-alone tail fin structures. The proposal has a strong design concept which employs high quality materials and which utilises the whole of the rooftop in a constructive manner. The proposal will serve to bring a sense of uniformity to the appearance of the rooftop which it is currently lacking, improving the overall character of the streetscape.

The proposal will preserve the character and appearance of the Conservation Area and will not have a detrimental impact on the outstanding universal value of the Old and New Towns of Edinburgh World Heritage Site. The proposal complies with policies Env 1, Env 6 and Des 4.

#### d) Impact on the Setting of Listed Buildings

Policy Env 3 states that development affecting the setting of a listed building will be permitted only if not detrimental to the architectural character, appearance or historic interest of the building, or to its setting.

The site contributes to the setting of a number of listed buildings and structures. These include the Royal British Hotel (category B, listing reference: LB29502, listing date: 20/02/1985), the former Forsyth's Department Store (category A, listing reference: LB29503, listing date: 14/09/1966) and the Balmoral Hotel (category B, listing reference: LB30315, listing date: 14/06/1994). The Balmoral Hotel is the building which will be most directly affected by the development as it lies directly to the east of the site.

Views of the hotel from the west of the site on Princes Street and Waverley Bridge will be marginally affected. The ground floor level of the western elevation of the hotel will be partially obscured from view due to the position of the development. However, the degree of obscuration is considered acceptable and the views of the upper floors of the building will not be impacted. In addition, the view of the lower floors of the hotel from Waverley Bridge is already partially obscured owing to the variance in topography within the surrounding area. The development will also incorporate a suitable degree of separation from the hotel, being set back 7 metres from Waverley Steps and 15 metres from the hotel itself, ensuring that it does not encroach upon the building to an unacceptable degree.

The main body of the building is set back from Princes Street by a sufficient degree to ensure that it does not affect the setting of the former Forsyth's Department Store and the Royal British Hotel.

The proposal will not have a detrimental impact on the setting of any nearby listed building and complies with policy Env 3.

#### e) Loss of Open Space

LDP policy Env 18 states that proposals involving the loss of open space will not be permitted unless it is demonstrated that there will be no significant impact on the quality or character of the local environment.

The existing roofspace areas which are publically accessible are designated as open space within the LDP.

The proposal includes provision for a section of public realm open space within the centre of the site which will remain accessible to members of the public during daytime hours. The presence of security gates along the northern boundary of the site will enable the plaza to be secured during night time hours, reducing the possibility of anti-social behaviour taking place on the site to the benefit of the city as a whole. The roofspace element of Princes Mall will therefore retain its existing function and the overall impact on the provision of public space within the site will therefore be negligible. There will be no significant impact on the quality or character of the local environment.

The proposal complies with LDP policy Env 18.

#### f) Transport and Road Safety

The Roads Authority was consulted on the proposal and raised no objection.

The Princes Street pavement adjacent to the northern side of the site will be increased in width by around 3.3 metres. This is a positive alteration to the streetscape and will aid in the movement of pedestrians to and from the site, and also with the flow of individuals emerging from the top of Waverley Steps. The proposal does not raise any issues in respect of road safety or transport.

#### g) Impact on the Amenity of Nearby Residents

LDP Policy Hou 7 states that developments, including changes of use, which would have a materially detrimental effect on the living conditions of nearby residents, will not be permitted.

The proposals seeks to utilise the plaza area for a variety of entertainment and commercial uses including farmers markets, festival/seasonal event space, an open air cinema and musical entertainment.

The roof of Princes Mall has an extensive history of being utilised for various entertainment uses during the festival and Christmas periods. It is therefore considered appropriate to allow the plaza to be used for such activities during the festival and Christmas periods in the future. The grant of consent for the use of the plaza for entertainment, retail and food and drink uses does not remove the requirement for the applicant to ascertain separate grants of consent for the construction of any temporary physical structures on the land which do not benefit from permitted development rights.

The applicant has undertaken a noise impact assessment outlining the expected noise levels which may result from the entertainment uses which are proposed for the plaza. Environmental Protection requested that a condition is attached to any consent requiring noise levels not to exceed certain limits which are specified within the assessment. However, the specific technical requirements of this condition are of such a nature that they would be very difficult to enforce through the planning system.

The undertaking of events such as farmers markets or an open air cinema requires an application to the Council's licensing section in order to ascertain public entertainment or market operator's licence. Such licences are able to impose their own separate restrictions on noise levels which can emanate from events taking place within the plaza. It is therefore considered more practical and appropriate for noise levels from commercial activity taking place on the plaza roof to be controlled separately through licensing legislation. This allows sufficient controls which is tailored to specific events and activities.

Planning policy does not protect the amenity of hotel users and construction working on the site is not controlled through the planning system. Having regards to concerns which have been raised by the Balmoral Hotel, an informative will be included to advise the developer to liaise directly with the adjacent hotels regarding the arrangements for such matters to ensure concerns raised can be addressed.

The proposal will not have a materially detrimental impact on the living conditions of nearby residents and complies with LDP policy Hou 7.

#### h) Infrastructure Contributions

Policy Del 1 states that proposals will be required to contribute to the existing and proposed tram network.

The Roads Authority have advised that the applicant will be required to contribute the net sum of £201,901 to the Edinburgh Tram in line with the approved Tram Line Developers Contributions report. This amount will be secured by a legal agreement prior to be concluded prior to the issuing of a formal consent.

The proposal complies with policy Del 1.

#### i) Issues raised by objectors

#### **Material Representations - Objections**

- Principle of the proposal is not acceptable - addressed in section 3.3 (a).
- Proposal does not support the city centre retail core - addressed in section 3.3 (a).
- Proposal will have an adverse impact on the outstanding universal value of the World Heritage Site - addressed in section 3.3 (c).
- Proposal will have an adverse impact on the character and appearance of the New Town Conservation Area - addressed in section 3.3 (c).
- Proposal will have an adverse impact on the setting of listed buildings - addressed in section 3.3 (d).
- Proposal does not result in the creation of suitable standard of public realm - addressed in section 3.3 (c).
- Proposal breaches the requirement set down in the act of parliament which limits development on the southern side of Princes Street - addressed in section 3.3 (j).

#### **Non-Material Objections**

- Noise and disturbance during construction work - The planning authority cannot control the hours under which construction operations take place on a site or noise from construction. These matters are subject to separate legislation under the remit of Environmental Protection.

## j) Other Material Considerations

Any development which takes place on the roof of Waverley Mall has been historically required to remain below certain height levels which have been set out in various acts of parliament, most recently the City of Edinburgh District Council Order Confirmation Act 1991. Section 35 of the 1991 act specifies that no buildings shall be constructed on the roof of the mall beyond a height of 4.55 metres above the south footpavement of Princes Street. This represents an overall acceptable height of 71.522 metres above ordinance datum (OAD).

The building will measure 3.3 metres above the current floor level of the roof of the mall at its highest point, representing an overall height of 69.625 metres OAD. The railing attached to the edge of the walkway situated along the southern boundary of the new building's roof will have an overall height of 70.925 metres OAD. The proposed development on the site is therefore below the levels outlined in the act of parliament. The grant of planning permission does not absolve the applicant from complying with the requirements of the 1991 Act.

### Conclusion

In conclusion, the proposal is an appropriate city centre development of a high quality design which will contribute to the role of the city centre as a strategic business and regional shopping centre and which will support the city centre retail core. The proposal will preserve the character and appearance of the New Town Conservation Area, the Outstanding Universal Value of the World Heritage site; and will not have a detrimental impact on the setting of nearby listed buildings. The proposal does not raise any issues in respect of road safety, loss of open space or the quality of the proposed public realm and will not have a detrimental impact on the living conditions of nearby residents. The proposal complies with policies Del 1, Del 2, Ret 2, Des 4, Des 1, Des 8, Env 6, Env 1, Env 3, Env 18 and Hou 7 of the adopted Edinburgh Local Development Plan and the Edinburgh Design Guidance.

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

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

#### **Conditions:-**

1. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Planning Authority before work is commenced on site; Note: samples of the materials may be required.
2. Prior to the commencement of development, full details of the proposed design of the security gates to be sited along the northern boundary of the site and within the frontages of the individual commercial units will be submitted to and approved in writing by the planning authority.
3. Prior to the commencement of development, full details of the design of the proposed railings which are to be located on the raised walkway adjacent to the southern elevation of the site shall be submitted to and approved in writing by the planning authority.

4. Prior to the commencement of development, full details of the proposed design and materials to be used for the mosaic tiles on the roof shall be submitted to and approved in writing by the planning authority. Note: samples of the proposed tiles will be required including details on the reflective properties and a sample panel on site.
5. The use of the external multi-use space as detailed in the description of development shall be limited to the area as shown of drawing PL20. No use of this space shall commence until a management plan is submitted to and approved by the Planning Authority for the use of this area which details the months that the space shall be used. Any physical structures proposed may require the benefit of additional planning permission.

**Reasons:-**

1. In order to enable the planning authority to consider this/these matter/s in detail.
2. In order to enable the planning authority to consider this/these matter/s in detail.
3. In order to enable the planning authority to consider this/these matter/s in detail.
4. In order to enable the planning authority to consider this/these matter/s in detail.
5. In the interest of the proper planning of the area.

**Informatives**

It should be noted that:

1. Consent shall not be issued until a suitable legal agreement has been concluded in relation to tram contributions totalling £201,901.

The legal agreement should be concluded within 6 months of the date of this notice. If not concluded within that 6 month period, a report will be put to committee with a likely recommendation that the application be refused.

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.
4. The applicant proposes to widen the existing footway along Princes Street by 3.3m wide to improve active travel conditions along the corridor.

5. Any sign mounted perpendicular to the building (i.e. overhanging the footway) must be mounted a minimum of 2.25m above the footway and 0.5m in from the carriageway edge to comply with Section 129(8) of the Roads (Scotland) Act 1984.
6. The City of Edinburgh Council acting as Roads Authority reserves the right under Section 93 of The Roads (Scotland) Act 1984 to adjust the intensity of any non-adopted lighting applicable to the application address.
7. Net GFA of the existing and proposed use = 1,531m<sup>2</sup>. Tram contribution is based on 50% net GFA for class 1 use and 50% for class 3 use. Proposed 765.5 m<sup>2</sup> class 1 use based in Zone 1 = £69,943; proposed 765.5 m<sup>2</sup> class 3 based in Zone 1 = £131,958; tram contribution for 1, 531 m<sup>2</sup> GFA(50% class 1 and 50% class 3) = £201,901.
8. The proposed site is on or adjacent to the operational Edinburgh Tram. An advisory note should be added to the decision notice, if permission is granted, noting that it would be desirable for the applicant to consult with the tram team regarding construction timing. This is due to the potential access implications of construction / delivery vehicles and likely traffic implications as a result of diversions in the area which could impact delivery to, and works at, the site. Tram power lines are over 5m above the tracks and do not pose a danger to pedestrians and motorists at ground level or to those living and working in the vicinity of the tramway. However, the applicant should be informed that there are potential dangers and, prior to commencing work near the tramway, a safe method of working must be agreed with the Council and authorisation to work obtained. Authorisation is needed for any of the following works either on or near the tramway:
  - o Any work where part of the site such as tools, materials, machines, suspended loads or where people could enter the Edinburgh Tram Hazard Zone. For example, window cleaning or other work involving the use of ladders;
  - o Any work which could force pedestrians or road traffic to be diverted into the Edinburgh Trams Hazard Zone;
  - o Piling, using a crane, excavating more than 2m or erecting and dismantling scaffolding within 4m of the Edinburgh Trams Hazard Zone;
  - o Any excavation within 3m of any pole supporting overhead lines;
  - o Any work on sites near the tramway where vehicles fitted with cranes, tippers or skip loaders could come within the Edinburgh Trams Hazard Zone when the equipment is in use;
  - o The Council has issued guidance to residents and businesses along the tram route and to other key organisations who may require access along the line.

See our full guidance on how to get permission to work near a tram way  
<http://edinburghtrams.com/community/working-around-trams>
9. The applicant is advised to liaise directly with the Balmoral Hotel, Motel One and the Royal British Hotel to ensure they are suitably advised as to the arrangements for construction works on the site.

## **Financial impact**

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

The application is subject to a legal agreement for developer contributions.

## **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:**

The application has been assessed and has no impact in terms of equalities or human rights.

## **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. Design proposals were reported to the Edinburgh Urban Design Panel during the early stages of the application process. A summary of the initial recommendations of the panel is contained within their report dated 27 September 2017 which is included within the appendix to this report.

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

Neighbouring Residents were notified of the proposal on 18 June 2018. A site notice and notice in the Edinburgh Evening News advertising the proposal were published on 22 June 2018. Eight letters of objection were received regarding the proposal. A full summary of all the matters raised in representations are summarised in section 3.3 (i) of the main report.

## **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 located in the UNESCO World Heritage Site in the adopted Edinburgh Local Development Plan.

### **Date registered**

18 June 2018

### **Drawing numbers/Scheme**

01 - 26,

## **David R. Leslie**

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: James Allanson, Planning Officer

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## **Links - Policies**

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### **Relevant Policies:**

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

LDP Policy Del 1 (Developer Contributions and Infrastructure Delivery) identifies the circumstances in which developer contributions will be required.

LDP Policy Del 2 (City Centre) sets criteria for assessing development in the city centre.

LDP Policy Ret 7 (Entertainment and Leisure Developments - Preferred Locations) identifies the City Centre, at Leith and Granton Waterfront and town centres as the preferred locations for entertainment and leisure developments.

LDP Policy Env 1 (World Heritage Site) protects the quality of the World Heritage Site and its setting.

LDP Policy Env 3 (Listed Buildings - Setting) identifies the circumstances in which development within the curtilage or affecting the setting of a listed building will be permitted.

LDP Policy Env 6 (Conservation Areas - Development) sets out criteria for assessing development in a conservation area.

LDP Policy Env 18 (Open Space Protection) sets criteria for assessing the loss of open space.

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 4 (Development Design - Impact on Setting) sets criteria for assessing the impact of development design against its setting.

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

LDP Policy Ret 2 (City Centre Retail Core) sets criteria for assessing retail development in or on the edge of the City Centre Retail Core.

### **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.

**The New Town Conservation Area Character Appraisal** states that the area is typified by the formal plan layout, spacious stone built terraces, broad streets and an overall classical elegance. The buildings are of a generally consistent three storey and basement scale, with some four storey corner and central pavilions.

LDP Policy Hou 7 (Inappropriate Uses in Residential Areas) establishes a presumption against development which would have an unacceptable effect on the living conditions of nearby residents.

# Appendix 1

**Application for Planning Permission 18/02748/FUL  
At Roof Terrace, Waverley Mall, 3 Waverley Bridge  
Reconfiguration of roof-top structures and construction of  
new commercial accommodation (Class 1, 2 and 3), internal  
cinema use (Class 11) and creation of external multi-use  
space to include external seating area, performance space,  
open air cinema, festival/seasonal event space, pop-ups,  
farmers market and musical entertainment (Classes 1, 2, 3  
and 11).**

## **Consultations**

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### **Archaeology**

*Further to your consultation request I would like to make the following comments and recommendations concerning this application for the reconfiguration of roof-top structures and construction of new commercial accommodation (Class 1, 2 and 3), internal cinema use (Class 11) and creation of external multi-use space to include external seating area, performance space, open air cinema, festival/seasonal event space, pop-ups, farmers market and musical entertainment (Classes 1, 2, 3 and 11).*

*The current Waverley Mall is built on the site of the Victorian Vegetable Market. Internal ground works associated with this development, given the recent development history of the site, are not expected to have a significant archaeological impact as the construction of the current structure has likely removed any significant earlier deposits and 19th century fabric. Accordingly I have concluded that there are no archaeological implications in regards to this application.*

### **Historic Environment Scotland**

*This application proposes the reconfiguration of the roof of Waverley Mall. In March we provided advice to your Council for this emerging scheme and have included a copy as an Annex to this letter. Our comments focused on the likely impacts of such a development on the Outstanding Universal Value (OUV) of the Old and New Towns of Edinburgh World Heritage Site.*

*We maintain the view that development here will have both positive impacts, including the removal of the tall fins and increasing the pavement width along Princes Street, and negative impacts by increasing the overall height and therefore restricting certain views across the Waverley Valley to the Old Town. Such views are a major component of the OUV of the World Heritage Site.*

*The external design has been refined since the initial proposals and since our pre-application involvement. We see how the articulation of the south elevation, overlooking Waverley Station, has been improved. It appears to us to still have a horizontal emphasis which could potentially be improved upon, such as by introducing vertical elements in different materials. We welcome the use of a metal balustrade.*

*The Design & Access Statement outlines the vision for the central open courtyard, which we agree will be an improvement on the current situation, and identifies very broadly a range of activities which could be suited to the space. Due to the plans and supporting information presented with the application we are satisfied that what is being illustrated will not, overall, have a significant impact on the OUV of the World Heritage Site, or any nearby Category A listed buildings.*

*However, we would recommend that your Council explore with the applicant in more detail what future activities and events are envisaged - a number of classes of use are specifically mentioned in the description of works - and whether they will require built features or temporary structures. We assume future events, especially those requiring more substantial structures, even if temporary, will require separate planning permission.*

*The increase in height of the proposals will, to an extent, curtail certain views from Princes Street to the Old Town. This will have, on balance, a negative effect on the OUV of the World Heritage site. However, we consider that this increase in height is, at least partly, justified by the improved management, use and planning of the open space, which is currently an uncoordinated mix of temporary works and awkward planning. Therefore, if this development proceeds we will be far less inclined to support any future temporary uses, with more substantive structures, due to the cumulative impact on OUV. We would suggest that this element is carefully conditioned should your Council support the application.*

*Planning authorities are expected to treat our comments as a material consideration, and this advice should be taken into account in your decision making. Our view is that the proposals do not raise historic environment issues of national significance and therefore we do not object. However, our decision not to object should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on development affecting the historic environment, together with related policy guidance.*

### **Edinburgh World Heritage**

*Thank you for consulting EWH on this planning application. We have considered the proposals in relation to the outstanding universal value of the Old and New Towns of Edinburgh with particular reference to the juxtaposition of the Old and New Towns across the Waverley Valley, and the topography of the historic city centre.*

*We acknowledge that the proposals have a number of benefits in terms of tidying up the overall space and access to the area, including widening the pavement along Princes Street from the Balmoral across the Scott Monument, and is a result of the increased height (acknowledging that this is within the heights allowed by the act).*

*In these close views, the proposal serves to raise the base of the view across the Old Town, where the layering of different architectural styles from different eras across the precipitous topography creates a very special vista. In oblique views from the east, it also serves, in a relatively small way, to reduce the ability to perceive the impact of the Waverley Valley Gardens as a break in the urban fabric.*

*Our view is that there will be a minor negative impact on the outstanding universal value of the World Heritage Site. It is for the planning committee to balance this against the perceived benefits for the city. Please do not hesitate to contact me should you have any questions or queries relating to these comments*

### **Environmental Protection**

*The proposal is for new commercial and cinema use, as well as an outdoor multi-use space which would include musical entertainment and performances and an outdoor cinema.*

*Historically, this service has been in receipt of complaints from residents in the High Street, passers-by and neighbouring businesses about amplified music and vocals from the outdoor part of this premises.*

*A Noise Impact Assessment, carried out by Hoare Lea on behalf of the applicants has been submitted. This demonstrates the noise levels from amplified music and the open cinema would breach the expected standards within the nearby noise-sensitive receptors. The Noise Impact Assessment recommends mitigations measures to control noise levels from the above activities.*

*Therefore, Environmental Protection cannot support this application unless the following condition is attached:*

*The recommendations outlined in Chapter 6 of the Hoare Lea Noise Impact Assessment of 16 October 2018, shall be adhered to at all times, namely:*

*"6. Noise management plan.*

*To protect against noise levels exceeding the specified internal limits, it is advised that noise levels at the front of house do not exceed the limits specified in Table 7. These limits will mean that noise levels from the respective events will not be as loud as amplified music events that have taken place in the past. To ensure that these limits are not continuously exceeded, it is advised that a noise monitor with internet connectivity be installed at the front of house for each source. Should the measured values exceed the specified limits at any frequency, alerts would be sent to the relevant personnel to review and assess if any actions are required to protect against adverse impacts associated with noise.*

*Although the noise limits provided in Table 7 are LAeq, 15-minutes values, it is recommended that LAeq, 1-minute values be measured to provide reactive monitoring that can provide alerts if the 15-minute limit has the potential to be exceeded. The front of house location in the assessment has been considered to be 6m from the stage for the amplified music, and 4m from the screen for the cinema.*

Frequency Noise limit (dB, LAeq,15- minutes) at front of house at respective octave band frequency (Hz)

63	125	250	500	1K	2K	4K	Hz		
Amplified music		100	89	85	87	85	85	85	dB
Open-air cinema		79	77	77	72	68	67	62	dB

Table 7 - Noise limits for monitoring at front of house.

As part of this noise management plan, it is also advised that no activities from the proposed development take place outside of the hours of 07:00-23:00, without prior permission from the Local Authority."

### **Police Scotland**

I write on behalf of Police Scotland regarding the above planning application.

We would welcome the opportunity for one of our Police Architectural Liaison Officers to meet with the architect to discuss Secured by Design principles and crime prevention through environmental design in relation to this development.

### **Roads Authority**

Response dated July 31 2018

The application should be continued.

Reasons:

1. The applicant is required to provide total GFA for each of the proposed and existing uses to calculate for tram contribution of the proposed development in Zone 1.
2. The applicant proposes to widen the existing footway along Princes Street by 3.3m wide to improve active travel conditions along the corridor.
3. Any sign mounted perpendicular to the building (i.e. overhanging the footway) must be mounted a minimum of 2.25m above the footway and 0.5m in from the carriageway edge to comply with Section 129(8) of the Roads (Scotland) Act 1984;
4. The City of Edinburgh Council acting as Roads Authority reserves the right under Section 93 of The Roads (Scotland) Act 1984 to adjust the intensity of any non-adopted lighting applicable to the application address.

Response Dated August 21 2018

No objections to the application subject to the following being included as conditions or informatives as appropriate:

1. The applicant will be required to contribute the net sum of £201,901 (based on 17,155m<sup>2</sup> class 1/class 3 proposed use and existing 15,624m<sup>2</sup> class 1 use in Zone 1) to the Edinburgh Tram in line with the approved Tram Line Developer Contributions report. The sum to be indexed as appropriate and the use period to be 10 years from date of payment;
2. The applicant proposes to widen the existing footway along Princes Street by 3.3m wide to improve active travel conditions along the corridor.

3. Any sign mounted perpendicular to the building (i.e. overhanging the footway) must be mounted a minimum of 2.25m above the footway and 0.5m in from the carriageway edge to comply with Section 129(8) of the Roads (Scotland) Act 1984;
4. The City of Edinburgh Council acting as Roads Authority reserves the right under Section 93 of The Roads (Scotland) Act 1984 to adjust the intensity of any non-adopted lighting applicable to the application address.

Note:

a) Net GFA of the existing and proposed use = 1,531m<sup>2</sup>. Tram contribution is based on 50% net GFA for class 1 use and 50% for class 3 use. Proposed 765.5 m<sup>2</sup> class 1 use based in Zone 1 = £69,943; proposed 765.5 m<sup>2</sup> class 3 based in Zone 1 = £131,958; tram contribution for 1, 531 m<sup>2</sup> GFA(50% class 1 and 50% class 3) = £201,901

#### *TRAMS - Important Note:*

*The proposed site is on or adjacent to the operational Edinburgh Tram. An advisory note should be added to the decision notice, if permission is granted, noting that it would be desirable for the applicant to consult with the tram team regarding construction timing. This is due to the potential access implications of construction / delivery vehicles and likely traffic implications as a result of diversions in the area which could impact delivery to, and works at, the site. Tram power lines are over 5m above the tracks and do not pose a danger to pedestrians and motorists at ground level or to those living and working in the vicinity of the tramway. However, the applicant should be informed that there are potential dangers and, prior to commencing work near the tramway, a safe method of working must be agreed with the Council and authorisation to work obtained. Authorisation is needed for any of the following works either on or near the tramway:*

- o Any work where part of the site such as tools, materials, machines, suspended loads or where people could enter the Edinburgh Tram Hazard Zone. For example, window cleaning or other work involving the use of ladders;*
- o Any work which could force pedestrians or road traffic to be diverted into the Edinburgh Trams Hazard Zone;*
- o Piling, using a crane, excavating more than 2m or erecting and dismantling scaffolding within 4m of the Edinburgh Trams Hazard Zone;*
- o Any excavation within 3m of any pole supporting overhead lines;*
- o Any work on sites near the tramway where vehicles fitted with cranes, tippers or skip loaders could come within the Edinburgh Trams Hazard Zone when the equipment is in use;*

*o The Council has issued guidance to residents and businesses along the tram route and to other key organisations who may require access along the line.*

*See our full guidance on how to get permission to work near a tram way*

*<http://edinburghtrams.com/community/working-around-trams>*



## Edinburgh Urban Design Panel Meeting 27 September 2017

### 1 Recommendations

1.1 *The Panel recognised the challenges of the site. It acknowledged that there is scope and a need for improvement and change. However, it was unconvinced by the proposals and the additional storey primarily due to the impact on key views, the change in character of the south side of Princes Street, the effect on the public realm and the use/purpose of the new open space. The Panel did not support the principle of an additional storey.*

1.2 *In developing the proposals, the Panel suggests the following matters should be investigated:*

- *The re-modelling of the roof with more design ambition;*
- *Development of new entrance on the corner of Princes Street and Waverley Bridge as a stand-alone feature;*
- *Improving the open space at street level rather than on top of an additional storey;*
- *Integration of the public realm with Princes Street;*
- *Ways of re-planning, managing and using open space to prevent anti-social behaviour.*

### 2 Introduction

2.1 *The application site is located to the south side of Princes Street adjacent to Waverley Station. The site is the existing Waverley Mall and roof terrace. The site is over a number of levels and the main function is retailing. The adopted Edinburgh Local Development Plan identifies the site as being within the City Centre Retail Core.*

2.2 *The site is within the New Town Conservation Area and the Old and New Towns of Edinburgh World Heritage Site. There are a number of listed buildings within the vicinity of the site.*

2.3 *The site is subject to an Act of Parliament controlling the development heights. A subsequent public inquiry also set a development datum level. The centre has gone through change and remodelling from its original 1980s design. More recently, there have been a number of temporary planning permissions on the site for activities associated with the winter and summer festivals.*

2.4 *It is expected that the application will be defined as a Local Development and no formal consultation exercise will be required. However, it was noted that the applicants intend to hold consultation/ engagement events with the local community. This is the first time that these proposals have been reviewed by the Panel.*

2.5 *No declarations of interest were made by any Panel members in relation to this review.*

2.6 *This report should be read in conjunction with the pre-meeting papers.*

2.7 *This report is the view of the Panel and is not attributable to any one individual. The report does not prejudice any of the organisations who are represented at the Panel forming a differing view about the proposals at a later stage.*

### 3 Principle of Proposals

3.1 The Panel recognised that there were undeniable challenges with the site but it was not supportive of the principle of an additional storey for the following key reasons:

- Impact on views across to the Old Town and across the Waverley Valley which are fundamental to the outstanding universal value of the World Heritage Site;
- Change to the unique character of Princes Street as a one-sided street through the introduction of a significant length of building/street frontage along the pavement edge.

### 4 Open Space

4.1 The level of anti-social behaviour taking place on the existing open space was outlined which is exacerbated by the environmental design, poor lighting and lack of CCTV. The Panel noted that an additional storey would help to address the existing problems but only if access to the open space was restricted and it was closed at night.

4.2 The Panel discussed that any re-modelling of the existing open space should avoid hidden/ recessed spaces and consider lighting and CCTV linked to the Council system. Consideration could be given to how the future space is controlled and managed; for example Princes Street Gardens has limited anti-social activity as it can be closed off in the evenings.

4.3 The Panel agreed that the existing space does not work and there is an opportunity to improve it. There was a concern that new open space at a higher level would not be used because of a lack of visibility. The Panel questioned how and why people would go up to the new public space. By re-locating the open space on the additional storey and away from street level, there would be an overall sense of loss of space with the proposals.

### 5 Streetscape

5.1 The proposals would introduce a building frontage along the pavement on the south side of Princes Street. The Panel considered that this would exacerbate rather than improve what is already a congested area; potentially creating a space to avoid. Concerns were also raised about the level changes and how this will result in a lack of active shopping frontage. It was suggested that there is scope to introduce more meaningful public space at the pedestrian level which would have a better relationship with Princes Street.

## *6 New Development*

*6.1 The Panel recognised there was scope for new development for example, a new stand-alone entrance on the corner with Waverley Bridge. A bold piece of architecture surrounded with civic space on the existing pedestrian level but away from the street edge could also be an option. This could allow the market proposal to extend into the public space rather than be contained within the building. Any new development should connect with the floor below rather than being separated off.*

*6.2 It was considered that the project could have more ambition for its context. The architecture could focus on the cast iron work of the original market rather than masonry.*

*6.3 The market idea was welcomed but the reality of what the market is in practice needs to be explored and its linkages with the existing two tiers of retailing better demonstrated.*

*6.4 The Panel identified that there could be an alternative opportunity to create more retail space by developing into Waverley Station to create better linkages.*

## *7 Points of Information*

*7.1 The overall OS datum level may be lower; there needs to be caution about the heights in relation to this.*

*7.2 In preparation of future proposals, the Panel suggested that the design team include graphic information to show the full extent of the impact on views from various points.*

## Location Plan



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