

Planning Committee

10.00am, Monday, 11 December 2017

Restalrig Conservation Area Designation

Item number	8.1
Report number	
Executive/routine	Executive
Wards	14 Craigentenny / Duddingston
Council Commitments	15

Executive Summary

This report recommends the designation of the Restalrig Conservation Area, following consultation. It also recommends seeking the approval of Scottish Ministers for Article 4 Directions to bring various classes of permitted development under planning control, including development by statutory undertakers.

Restalrig Conservation Area Designation

1. Recommendations

- 1.1 It is recommended that the Committee agrees to:
 - 1.1.1 designate Restalrig as a conservation area; and
 - 1.1.2 seek the approval of Scottish Ministers for Article 4 Directions to restrict permitted development rights for development in Classes 7, 38, 39 and 40.

2. Background

- 2.1 The Council is responsible for the conservation and management of built heritage in the city including the designation of conservation areas.
- 2.2 The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 makes provision for every planning authority from time to time to determine which parts of their districts are areas of special architectural or historic interest, the character or appearance of which it is desirable to conserve or enhance, and designate such areas as conservation areas.
- 2.3 The Edinburgh Local Development Plan, adopted in 2016, states that an ongoing review of conservation areas will consider amendments to boundaries, opportunities for enhancement and the designation of new conservation areas.

3. Main report

Context

- 3.1 There are currently 49 conservation areas in Edinburgh, including city centre areas, Victorian suburbs and former villages. Each conservation area has its own unique character and appearance. It is for the planning authority to determine which parts of the city merit conservation area status.
- 3.2 The designation of Restalrig as a conservation area will support the conservation and enhancement of the historic village's unique character and history. An appraisal of Restalrig's historical and architectural significance is included in Appendix 1.

Restalrig Conservation Area

- 3.3 The proposed boundary of the conservation area includes:

- St Margaret's Parish Church, including graveyard, gatehouse and boundary walls;
- 62 Restalrig Road South; and
- The Deanery Wall.

St Triduana's Aisle, Chapel and Wellhouse is also a Scheduled Ancient Monument.

- 3.4 The original historic village of Restalrig was more extensive and included Craigentenny House, Restalrig House (now demolished) and the Kinloch Anderson factory. However, subsequent development has eroded the character of the wider area.
- 3.5 The listed buildings in the area reflect the historical significance of Restalrig and its importance as a centre of religious activity. The use of natural materials, such as rubble stone, create a sense of place and establishes the character of the proposed conservation area.
- 3.6 The principles of selection for designation as a conservation area are specified in Annex 3: Criteria for the Designation of a Conservation Area of the Historic Environment Policy Statement. The assessment of Restalrig in terms of this is shown in Appendix 2. This confirms that Restalrig meets the criteria for designation as a conservation area.

Consultation

- 3.7 The draft appraisal was published on the Council web site and promoted on the internet, social media and in the local area. An online questionnaire was set up to capture residents' views on the proposed designation of the conservation area. A summary of the results of the survey is in Appendix 3.
- 3.8 The proposed designation has also been discussed with community representatives from St Margaret's Church and the proposal has been advertised on their Facebook page.
- 3.9 40 responses were received. 39 of the respondents agree or strongly agree with the proposed conservation area designation. Only one disagrees with the proposed designation. There is, therefore, significant support for the proposed designation.
- 3.10 A number of comments refer to potential amendments to the proposed boundary of the proposed conservation area. Six respondents consider that the shop at Kemp's Corner should be included, one considers that the fire station adjoining the proposed boundary should be included and one notes that the house named 'Dunira' beside the Deanery wall should be included. This latter point has been accepted and 'Dunira' is included within the proposed boundary. However, the proposed boundary has been drawn tightly around the main historic and architectural features of interest in the area and the inclusion of the shop and fire station would diminish the quality of the proposed conservation area.

Outcomes of Conservation Area Status

- 3.11 Conservation area status demonstrates a commitment to positive action for the safeguarding and enhancement of built heritage. This status brings a number of additional controls:
- the demolition of unlisted buildings requires conservation area consent;
 - some permitted development rights are removed;
 - works to trees are controlled; and
 - alterations to windows can be controlled.
- 3.12 The Town and Country Planning (General Permitted Development) (Scotland) Order 1992, amended 2012, (abbreviated to GPDO), restricts the types of development which can be carried out in a conservation area without the need for planning permission. These include most alterations to the external appearance of dwelling houses and flats. Development is not precluded, but such alterations require planning permission and special attention will be paid to the potential effect of proposals.
- 3.13 Under Article 4 of the GPDO, the planning authority can seek the approval of the Scottish Ministers for Directions that restrict development rights further. The following Article 4 Directions are recommended for the proposed Restalrig Conservation Area:
- Class 7 - the erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure.
- Class 38 - water undertakings.
- Class 39 - development by public gas supplier.
- Class 40 - development by electricity statutory undertaker

Local Development Plan

- 3.14 Policy Env 5 (Conservation Areas – Demolition of Buildings) and Policy Env 6 (Conservation Area Development) of the Edinburgh Local Development Plan will apply to any proposals in the proposed conservation area. These limit permission for the demolition of buildings which are considered to make a positive contribution to the character of the area, unless there are exceptional circumstances.
- 3.15 Before conservation area consent is granted, planning permission must be approved for a replacement building. Planning permission will only be granted when the proposals preserve or enhance the special character or appearance of the conservation area.

4. Measures of success

- 4.1 Designation of Restalrig as a conservation area.
- 4.2 Approval of Article 4 Directions by Scottish Ministers.
- 4.3 Publication of the finalised appraisal document.

- 4.4 Better informed design and decision making, helping to protect the special character of the area.

5. Financial impact

- 5.1 There are no financial implications for the Council arising from this report.

6. Risk, policy, compliance and governance impact

- 6.1 There are no significant risks associated with approval of the document as recommended. Completion of the appraisal and the designation of the conservation area contributes to the Council's compliance with its statutory duty to review its conservation areas, as required in the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. The report also relates to Policy Env 6 of the Local Development Plan -Development within Conservation Areas.

7. Equalities impact

- 7.1 The aim of conservation area status is to enhance the quality of the area. This has the potential to improve quality of life and supports sustainable communities.
- 7.2 No infringements of rights have been identified. No negative impacts on equality have been identified.

8. Sustainability impact

- 8.1 The impacts of this report in relation to the three elements of the Climate Change (Scotland) Act 2009 Public Bodies Duties have been considered, and the outcomes are summarised below.
- The proposals in this report will reduce carbon emissions by encouraging the conservation of resources and energy embodied in existing buildings, rather than demolition and reconstruction, major generators of carbon emissions.
 - The need to build resilience to climate change impacts is not relevant to the proposals in this report because conservation of the built environment is not considered to be significantly affected, positively or negatively, in this regard.
 - The proposals in this report will help achieve a sustainable Edinburgh because the conservation and management of the historic environment contributes directly to sustainability in a number of ways. These include the energy and material invested in a building, the scope for adaptation and reuse, and the unique quality of historic environments which provide a sense of identity and continuity.

9. Consultation and engagement

- 9.1 The draft appraisal was published on the Council web site and promoted on the internet, social media and in the local area.
- 9.2 An online questionnaire was set up to capture residents' views on the proposed designation of the conservation area. 40 responses were received.

10. Background reading/external references

None

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11. Appendices

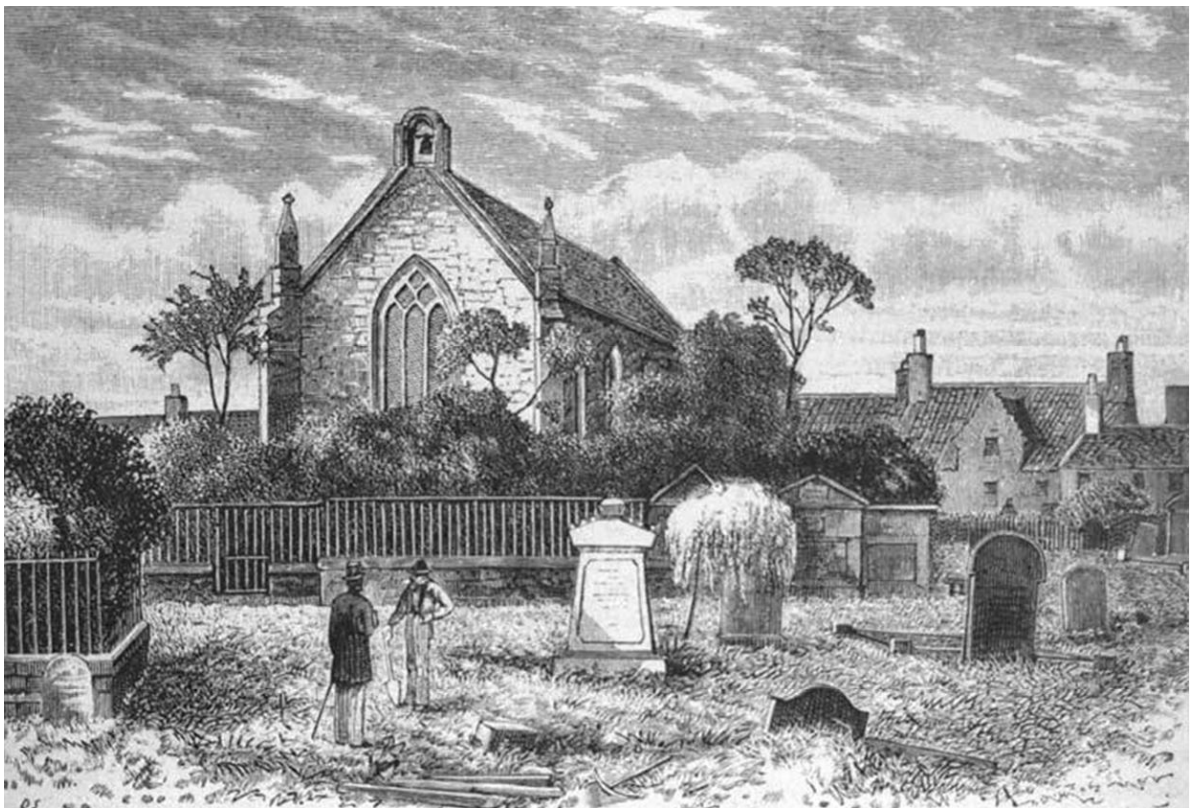
Appendix 1: Restalrig Conservation Area Character Appraisal.

Appendix 2: Conservation Area Designation Matrix.

Appendix 3: Summary of Consultation Responses.

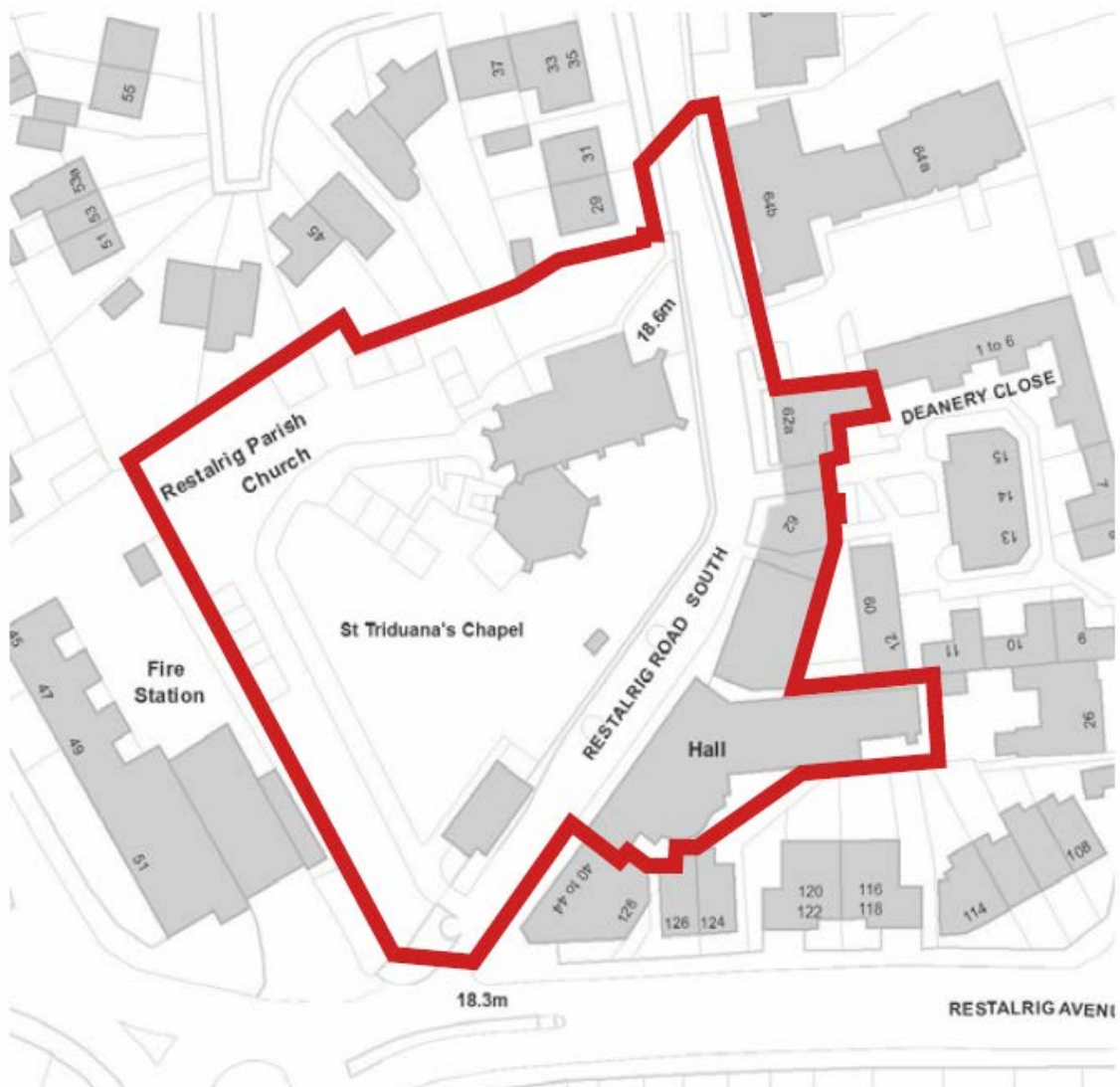
Appendix 1

Restalrig Conservation Area Character Appraisal



Location and Boundary

The area lies to the north east of the City. The proposed boundary of the Restalrig Conservation Area includes St Margaret's Parish Church, graveyard and surrounding buildings at the entrance to Restalrig Road South from Restalrig Avenue.



Statement of Significance

The proposed Restalrig conservation area is historically significant as a result of its development around the church. Within the area there are several listed buildings which are historically significant and form part of the prevailing character of the area. These include:

- St Margaret's Parish Church, including graveyard, gatehouse and boundary walls;
- 62 Restalrig Road South; and
- The Deanery Wall.

There is also a Scheduled Monument:

- St Triduana's Aisle, Chapel and Well house.

These buildings reflect the historical and architectural significance of the area and its development as centre of religious activities.



Historical Origins and Development

The village of Restalrig developed around the ancient parish church of St Margaret (formerly Restalrig Parish Church). The name Restalrig is a 15th century variant on the name Lestalric, recorded from the late 12th century. The area was part of a medieval estate owned by the De Lestalrics.

St Margaret's Church has its origins in the 12th century and formed the nucleus of the village. The original parish incorporated South Leith.



The village was the home of the cult of St Triduana. According to the most popular legend, St. Triduana was born in the city of Colossae in Phrygia in Asia Minor in the fourth century. She became a nun, travelled to Scotland in the company of St Rule with the bones of St Andrew and landed at Kilrymont, the old name for St Andrews. She then settled at Rescobie in present day Angus. Legend has it that Nectan, King of the Picts, fell in love with Triduana for her beautiful eyes. Triduana then tore out her eyes, skewered them on a thorn and gave them to the King. Triduana then settled in Restalrig where she spent the final years of her life.

St Triduana was soon invoked by the blind and a well, which sprung up at Restalrig, was visited for its powers to restore sight (*'mend the ene'*). Restalrig became the most celebrated place of pilgrimage in the Lothians and many miracles were attributed to the influence of St Triduana. It is recorded that people were visiting Restalrig as late as the 1920s seeking help for ophthalmic problems.

The Norman family of the De Restalrigs built a church on the site of the shrine to St Triduana. The church was enlarged in the fifteenth century by order of King James III of Scotland, was further enhanced by James IV and James V, and developed into one of the most remarkable churches in Scotland. In the early part of the 16th century, a chapel was built to enclose the Well of St Triduana.

In 1560, during the Reformation, Restalrig was singled out for especially zealous treatment by the reformers and it was decreed 'that the kirk of Restalrig as a monument of idolatrie be raysit and utterly castin downe and destroyed'. In 1836, the parish church was rebuilt by the architect William Burn and was dedicated to St. Margaret. The lower storey of the hexagonal chapel was rediscovered and restored in 1907. Its conical roof is topped by a statue of the Saint and it remains an impressive and unusual piece of architecture.

Restalrig remained a small parish until the 1930s when it was engulfed by the modern city. The housing development stretched north from the East Coast mainline, encompassing what was previously farmland surrounding the village.

As a result of the area's more recent development, much of the original historic character of the village has been lost. However, there is a clearly distinguishable character in the area surrounding St Margaret's church. This character is defined by the streetscape, materials, historical significance and uses.



Topography

The topography of Restalrig is mainly flat although slopes slightly higher towards the north of Restalrig Road South. The land also slopes down westwards towards Lochend Loch.

Setting

The area is bound by mainly residential properties which are predominantly low density. There is a modern flatted block east of the Deanery Wall and most new development south of this has been for flats of around four storeys. The north of the proposed conservation area is bordered by Restalrig Avenue. The east is bordered by Marionville Fire Station.

Development Pattern

The development pattern of the proposed conservation area consists of a single road with a few closes leading from the pavement and access to a car park behind the Deanery Wall. There is also an access route around the perimeter of the graveyard leading to the entrance of St Margaret's parish Church.

Townscape

The proposed conservation area is characterised by the predominance of St Margaret's Parish Church and its ancillary buildings. The road is partly made up of well-maintained setts with the main through car route finished in tarmac. The pavements are narrow but there are some opportunities for public life, through the provision of benches. Buildings and walls surrounding the road have a distinctive character through the use of rubble built walls.

Architectural Character

Restalrig Parish Church including the graveyard, gatehouse and boundary walls are listed at Category 'A'. The existing building dates from 1487 and was restored by William Burn in 1836. It is a rectangular plan Gothic church, built in rubble stone. The graveyard has a collection late 17th century and early 18th century table stone tombs and wall mounted headstones, and 18th and 19th century classical gravestones.

The rubble stone Deanery Wall between 62a and 64 Restalrig Road South was part of the outer wall of the Deanery of Restalrig and dates from the 16th century.

St Triduana's Aisle Chapel and Wellhouse is an ancient monument adjoining the partly rebuilt medieval church of Restalrig. It consists of St Triduana's Aisle, a hexagonal two-storeyed chapel dating from the 15th century. The lower chamber was cleared out and restored in 1907 by Dr Thomas Ross, and has since been known as St Triduana's Well-House. The presence of water may be accidental and the structure is probably a chapel rather than a well-house. The upper chamber was probably the Kings Chapel which was endowed by King James III in 1477. The monument is of national importance because of its architectural quality and its association with James III. The area around has the potential to provide archaeological evidence for the construction of the chapel and for ecclesiastical use of the site.

A row of late 17th-century cottages, with crowsteps over semi-dormer windows, stands across the road from the church. The end house at 62 Restalrig Road South is known as the Wricht's House, dates from 1678 and is Category B listed. It has a projecting 17th-century stair-tower and is probably the oldest house in the village. It was remodelled around 1938. The entrance door lintel is dated 1678.

Conservation Areas

The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states that Conservation Areas are 'areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance'. Local authorities have a statutory duty to identify and designate such areas. Special attention must be paid to the character and appearance of the conservation area when planning controls are being exercised. Conservation area status brings a number of special controls:

- The demolition of unlisted buildings requires conservation Area consent;
- Some permitted development rights are removed;
- Alterations to windows are also controlled in conservation areas in terms of the Council's guidelines; and
- Works to trees are controlled (see Trees for more detail).

The removal of buildings which make a positive contribution to an area is only permitted in exceptional circumstances, and where the proposals meet certain criteria relating to condition, adequacy of efforts to retain the building and the relative public benefit of replacement proposals. Conservation area character appraisals are a material consideration when considering applications for development within conservation areas.

Listed Buildings

A number of the buildings within the proposed Restalrig Conservation Area are listed for their special architectural or historic interest and are protected under the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. Listed building consent is required for the demolition of a listed building, or its alteration or extension in any manner which would affect its special character.

Trees

Trees within Conservation Areas are covered by the Town and Country Planning (Scotland) Act 1997, as amended by the Planning (etc.) Act 2006. This Act applies to the uprooting, felling or lopping of a tree having a diameter exceeding 2" (75mm) at a point 4ft (1.5m) above ground level. The planning authority must be given six weeks' notice of the intention to uproot, fell or lop trees. Failure to give notice will render the person liable to the same penalties as for contravention of a Tree Preservation Order (TPO).

Appendix 2: Restalrig Conservation Area Matrix

Criteria	Yes/No	Comment
Is the area of significant architectural or historic interest terms of specific listed buildings and/or ancient monuments?	Yes	The area is historically significant as one of Edinburgh's medieval villages and for its associations with the cult of St Triduana.
Is the area of significant architectural or historic interest in terms of building groupings and open spaces?	Yes	St Margaret's Parish Church and the surrounding buildings, which mostly comprise of ancillary uses to the church, are a grouping of historically significant buildings.
Is the area of significant historic interest in terms of building groupings and open spaces?	Yes	St Margaret's Parish Church and the surrounding buildings, which mostly comprise of ancillary uses to the church, are a grouping of historically significant buildings.
Does the area have a street pattern of historic or architectural interest?	No	There is only one street in the conservation area which has good quality hard landscaping and seating areas.
Does the area contain gardens and designed landscapes of historic or architectural interest?	Yes	The gardens and graveyard surrounding St Margaret's Church are of historic interest.
Does the area contain a planned town of historic or architectural interest?	No	
Is the area of distinctive architectural or historic character?	Yes	St Margaret's Parish Church and the surrounding buildings have a distinctive historic and architectural character.
Is the area a good example of local or regional style ?	Yes	Buildings with the area have a distinctive character.
Does the area have value within the wider context of the village or town?	Yes	The area has value in the wider context of the development of Edinburgh and the growth of the City encompassing surrounding villages.
What is the present condition of	-	The area is well maintained and in use.

the area and is there scope for significant improvement and enhancement?		
Is there local interest and support for the conservation area designation?	Yes	The consultation on the proposed conservation area designation has shown that there is significant support for the proposed designation.

Appendix 3 - Restalrig Proposed Conservation Area Consultation Responses

Do you agree with the Designation of Restalrig as a Conservation Area?

	Number	Percentage
Strongly Agree	35	87.50%
Agree	4	10%
Neither Agree nor Disagree	0	0%
Disagree	1	2.5%
Strongly Disagree	0	0%

The respondent that disagrees with the proposed designation considers that resources should be concentrated on the World Heritage Site.

Response: The designation of Restalrig will not result in any reduction of resources in the World Heritage Site.

Do you agree with the Character Appraisal of Restalrig?

	Number	Percentage
Yes	39	97.5%
No	1	2.5%

The respondent that disagrees makes a point regarding the proposed boundary

Do you agree with the proposed boundary of the Conservation Area?

	Number	Percentage
Yes	31	77.5%
No	9	22.5%

Eight respondents consider that the proposed boundary should be amended.

Response: The proposed boundary has been drawn to incorporate the core area of the village and the buildings of historic and architectural interest. It is considered appropriate.