

Notice of meeting and agenda

Development Management Sub-Committee

10.00 am Wednesday, 7th February, 2024

Dean of Guild Court Room - City Chambers

This is a public meeting and members of the public are welcome to attend or watch the live webcast on the Council's website.

Contacts

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1. Order of business

- 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 5 February 2024** (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

- 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

- 3.1 Minutes of Previous Meeting of Development Management Sub-Committee 10 January 2024 – submitted for approval as a correct record 9 - 16

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

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.

- 4.1** Trinity Academy, 1 Craighall Avenue, Edinburgh - Application for Planning Permission for Extension to Victorian building to provide new school accommodation; internal and external works, partial demolition of post-war blocks, associated landscaping and temporary decant facilities to support works - application no. 23/06118/FUL - Report by the Chief Planning Officer 17 - 44
- It is recommended that this application be **GRANTED**.
- 4.2** Trinity Academy, 1 Craighall Avenue, Edinburgh - Application for Conservation Area Consent for demolition of unlisted buildings and structures inc. music department and science block to create new school campus - 23/06119/CON - Report by the Chief Planning Officer 45 - 54
- It is recommended that this application be **GRANTED**.
- 4.3** Trinity Academy, 1 Craighall Avenue, Edinburgh - Application for Listed Building Consent for partial demolition, extension, and internal and external works to retained Victorian school building to create new campus - application no. 23/06120/LBC - Report by the Chief Planning Officer 55 - 70
- It is recommended that this application be **GRANTED**.
- 4.4** Liberton Public Park, Liberton Gardens, Edinburgh - A new opening has been created in the existing boundary stone wall to the north of the site, to form the approved ramped active travel route into Liberton Park. A new opening has been created in the existing boundary stone wall to the west of the site, to form the approved emergency access route. The existing gated access to the west of the site has been removed and the opening in the boundary stone wall has been infilled with stone (in retrospect as 71 - 80

amended) - application no. 23/02885/LBC - Report by the Chief Planning Officer

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

- 4.5** Colinton Primary School, 3 Redford Place, Edinburgh - Modular off site constructed single storey building will be craned into position on site in three parts. This will house a kitchen facility to support requirements of existing primary school. Building will house, commercial kitchen, toilet, stores, and office area - application no. 23/02772/FUL - Report by the Chief Planning Officer 81 - 88

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

5. Returning Applications

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** 117 - 145 Pitt Street & 9 Trafalgar Lane, Edinburgh, EH6 4DE - Proposed residential development with associated landscaping, car parking, and infrastructure, including demolition of existing buildings and change of use from light industrial to residential use - application no. 21/05861/FUL - Report by the Chief Planning Officer 89 - 90

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

6. Applications for Hearing

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** None.

7. Applications for Detailed Presentation

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** 525 Ferry Road, Edinburgh, EH5 2DW - Proposed demolition of office building and development of residential development with associated commercial and ancillary uses, landscaping, and parking (as amended) - application no. 23/03649/FUL - Report by the Chief Planning Officer 91 - 122
- It is recommended that this application be **GRANTED**.
- 7.2** 2-14 Shandwick Place, 1-8 Queensferry Street & 1-3 Queensferry Street Lane, Edinburgh - Part change of use, alterations, and erection of hotel /aparthotel (Class 7) (as amended) - application no. 23/01940/FUL - Report by the Chief Planning Officer 123 - 150
- It is recommended that this application be **GRANTED**.
- 7.3** 2-14 Shandwick Place, 1-8 Queensferry Street & 1-3 Queensferry Street Lane, Edinburgh - Application for Listed Building Consent for alterations to create hotel /aparthotel (as amended) - application no. 23/01947/LBC - Report by the Chief Planning Officer 151 - 166
- It is recommended that this application be **GRANTED**.
- 7.4** 3 Queensferry Street Lane, 4-8 Queensferry Street & 10-14 Shandwick Place, Edinburgh - Substantial demolition in a conservation area - application no. 23/01948/CON - Report by the Chief Planning Officer 167 - 176
- It is recommended that this application be **GRANTED**.

8. Returning Applications Following Site Visit

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.

Nick Smith

Service Director – Legal and Assurance

Committee Members

Councillor Hal Osler (Convener), Councillor Alan Beal, Councillor Chas Booth, Councillor Lezley Marion Cameron, Councillor James Dalgleish, Councillor Neil Gardiner, Councillor Tim Jones, Councillor Martha Mattos Coelho, Councillor Amy McNeese-Mechan, Councillor Joanna Mowat and Councillor Alex Staniforth

Information about the Development Management Sub-Committee

The Development Management Sub-Committee consists of 11 Councillors and is appointed by the City of Edinburgh Council. The meeting will be held in the City Chambers, High Street, Edinburgh and by Teams and will be webcast live for viewing by members of the public.

Further information

If you have any questions about the agenda or meeting arrangements, please contact Jamie Macrae, Committee Services, City of Edinburgh Council, Business Centre 2.1, Waverley Court, 4 East Market Street, Edinburgh EH8 8BG, Tel 0131 529 4264, email jamie.macrae@edinburgh.gov.uk / joanna.pawlikowska@edinburgh.gov.uk.

The agenda, minutes and public reports for this meeting and all the main Council committees can be viewed online by going to <https://democracy.edinburgh.gov.uk>.

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Minutes

Development Management Sub-Committee of the Planning Committee

10.00am, Wednesday 10 January 2024

Present:

Councillors Osler (Convener), Beal, Booth, Dalgleish, Gardiner, Graham (substituting for Councillor Cameron), Jones, Mattos-Coelho, McNeese-Mechan, Mowat and Staniforth (items 1-4).

1. Minutes

Decision

To approve the minute of the Development Management Sub-Committee of 8 November 2023 as a correct record.

2. General Applications and Miscellaneous Business

The Sub-Committee considered reports on planning applications listed in sections 4 and 6 of the agenda for this meeting.

Item 4.4 - 3 Redford Place, Colinton Primary School, Edinburgh -application no. 23/02772/FUL was withdrawn at the request of the Chief Planning Officer.

Requests for a Presentation

Councillor Booth requested a presentation on Item 4.3 - 191 Colinton Road, Edinburgh, EH14 1BJ, Edinburgh – application no. 23/02665/FUL.

Decision

To determine the applications as detailed in the Appendix to this minute.

(Reference – reports by the Chief Planning Officer, submitted.)

3. 98 Ocean Drive, Ocean Terminal, Edinburgh

The Chief Planning Officer had identified an application to be dealt with by means of a hearing for proposed erection of mixed-use development comprising residential and commercial uses, comprising Class 1, 2 and 3 uses, installation of padel court (Class 11), and creation of new public realm, with associated landscaping, infrastructure, and access arrangements at Ocean Terminal, 98 Ocean Drive, Edinburgh - application no. 22/05599/FUL.

The Chief Planning Officer gave details of the proposals and the planning considerations involved and recommended that the applications be granted.

(a) Report by the Chief Planning Officer

Approval was sought for the proposed erection of mixed-use development at 98 Ocean Drive, Ocean Terminal in Edinburgh.

Residential led mixed-use development was proposed at this location and the planning permission had already been granted for the demolition of the northern part of Ocean Terminal.

The proposed site, covering 5.39 hectares, was located at the northern point of Ocean Terminal; a large shopping centre in the north of the city. The site would front both the Port of Leith basin and the Royal Yacht Britannia at Leith Docks as well as Ocean Drive. To the north-east was the entrance to the Albert Dock basin, to the south east is Ocean Drive, the office building known as Ocean Point 1, and the residential area known as Waterfront Plaza, with Victoria Dock beyond. To the south-west was Melrose Drive with a mix of hotel and residential uses nearby and mixed uses including commercial uses in the vicinity. To the north-west was the Port of Leith basin and the Royal Yacht Britannia. The new Port of Leith Distillery was located to the immediate north-east of the application site, but not within it.

The site consisted of existing buildings including:

- Ocean Terminal Shopping Centre and entrance area
- Ocean Terminal's Red and Blue Car Parks and surface level car park
- The Discovery Garden
- Ocean Terminal bus stop and public realm fronting onto Ocean Drive

The proposed uses complied with the NPF4 designation. The proposal was for a mixed-use development that in summary consists of:

- 531 residential units including 135 affordable units and 396 build to rent units;
- Nine commercial units providing a total of 1,236 sqm of floor space split between Class 1A and Class 3 uses;
- 52 car parking spaces including four disabled spaces and 10 EV ready spaces;
- 1130 cycle spaces are provided, 26 for the commercial uses and 1104 for the 531 residential units. A further 33 external stands are provided;
- Highest elements at 55.95m AOD (17 storeys in height);
- Landscape deck and terraces providing residential amenity space; and
- New public realm space of approximately 6000 sqm, including padel tennis court, playground, access arrangements and ancillary infrastructure.

A new pedestrian street would be created linking Ocean Drive directly with the Royal Yacht Britannia and opening out to a public space fronting the ship. The Royal Yacht Britannia Dock compound remained in its current location.

Based on the information submitted the height would have an acceptable impact on the views considered in the submitted Townscape and Visual Impact Assessment (TVIA).

The proposed materials and detailing references the various surrounding areas and the design approaches were acceptable as it provided a smart contemporary development. The proposed layout provided a mix of uses that allow for activity and surveillance.

It was highlighted that the fence associated with the Royal Yacht Britannia yard would require upgrading to enhance the public realm experience. The proposed housing mix was acceptable, and the level of affordable housing proposed complied with policy.

The proposal resulted in some potential minor infringements with regards to daylighting within the new properties. In addition, Environmental Protection had raised concerns with regards to some amenity aspects of the development, mostly in relation to port noise. In this regard, a number of conditions had been recommended.

Other matters such as transport implications, flooding, biodiversity and sustainability were considered as acceptable.

Subject to recommended conditions and a legal agreement, the proposal broadly complied with National Planning Framework 4 and the aims of the 2016 Edinburgh Local Development Plan (LDP), as well as the Council's non-statutory Edinburgh Design Guidance. There were no material considerations presented to outweigh this conclusion.

The presentation can be viewed in full via the link below:

[Development Management Sub-Committee - Wednesday 10 January 2024, 10:00am City of Edinburgh Council Webcasts \(public-i.tv\)](#)

(b) Applicants and Applicant's Agent

Colin Smith (Director and Head of Planning in Charie and Scotland Turley) was in attendance along with representatives from Ambassador Group/Ocean Terminal Ltd, Keppie Design, LDA Design, and Sustainability Unlimited.

Chris Richardson, Managing Director of Ambassador Group/Ocean Terminal Ltd., introduced the proposal as the outcome of three years collaborative work with representatives, planning officers, community councils and residents. He said that this proposal was a new vision of Ocean Terminal which considered different community needs in this area. The proposal would deliver a much-needed multi-housing tenure stop, business infrastructure and interesting landscape. This would also create new jobs and would drive prosperity for the Leith area.

Neil Whatley from Keppie Design spoke about aspects of this scheme which would reconnect Ocean Terminal to provide multi-tenure development. The proposal would be in line with 20 minutes neighborhood guidance and located close to sustainable transport infrastructure. Affordable housing would be delivered. The proposed development would be modern and would fit into design of an existing architecture.

Rory Wilson of LDA Design spoke about new design and landscape, there would be a circular route around the development opening access to the public to the Waterfront which was previously excluded. Mr Wilson also described a space around the development and accessible routes and provided more details about the residential development stating that roof and terraces would be open to everyone.

Colin Smith highlighted the reshaping of Ocean Terminal. The proposal complied with NPF5 and 6 principles of policy NPF4. In regards of the design and policy guidance, the proposed development would provide 541 homes which partially would be delivered as an affordable housing with parking spaces for tenants and bike spaces included.

Development Management Sub-Committee of the Planning Committee 10 January 2024

Decision

To **GRANT** planning permission subject to:

- 1) the conditions, reasons and informatives, and a legal agreement, as set out in section C of the report by the Chief Planning Officer
- 2) an adjustment to Condition 7 to refer to condition 6 (not condition 5)
- 3) additional wording in Condition 10 to include the words 'heat pumps' in the brackets
- 4) an additional informative to read:

"Prior to commencement of development, the developer shall investigate a scheme for the extension of the promenade along the northwestern boundary of the site. This should come forward in the form of a separate application for full planning permission".

(Reference – report by the Chief Planning Officer, submitted.)

4. 191 Colinton Road, Edinburgh

Details were provided of an application for the proposed demolition of an existing bungalow and erection of a four-storey residential development comprising 6 No. 2 bed and 1 No. 3 bed flats with associated access and landscaping, including change of use at 191 Colinton Road, Edinburgh - application no. 23/02665/FUL.

The Chief Planning Officer gave details of the proposals and the planning considerations involved and recommended that the applications be granted.

Decision

To **GRANT** planning permission subject to:

- 1) the conditions, reasons and informatives, and a legal agreement, as set out in section C of the report by the Chief Planning Officer.
- 2) an additional informative to read:

"Prior to the occupation of the development, the developer shall explore potential additional mitigation measures to be implemented (in conjunction with Edinburgh Leisure) in relation to light spillage from the flood lights from the adjacent tennis courts".

(Reference – report by the Chief Planning Officer, submitted.)

Declaration of Interests

Councillor Staniforth declared a non-financial interest in this item as a board member of Edinburgh Leisure.

Appendix

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<p>Note: Detailed conditions/reasons for the following decisions are contained in the statutory planning register.</p>		
<p>4.1 – 595 And 597 Calder Road, Sighthill, Edinburgh</p>	<p>Proposed partial demolition of the existing office pavilions (Heriot House and Currie House) and redevelopment of site as mixed-use development including purpose built student accommodation (PBSA) and office floorspace (Class 4) - application no. 23/06658/PAN</p>	<p>To note the key issues at this stage.</p>
<p>4.2 – 1 Lochside Court (land 70 meters east of), Edinburgh</p>	<p>Proposed arena development Class 11 including Class 1A (retail), Class 3 (restaurants and cafes) and ancillary hot food/bar amenities with associated public realm, access, landscaping, parking and infrastructure. - application no. 23/06913/PAN</p>	<p>To note the key issues at this stage.</p>
<p>4.3 – 191 Colinton Road, Edinburgh, EH14 1BJ</p>	<p>Demolish existing bungalow and erect four storey residential development comprising 6 No. 2 bed and 1 No. 3 bed flats with associated access and landscaping, including change of use. (as amended) - application no. 23/02665/FUL</p>	<p>To GRANT planning permission subject to:</p> <ol style="list-style-type: none"> 1) the conditions, reasons and informatives, and a legal agreement, as set out in section C of the report by the Chief Planning Officer. 2) an additional informative to read: “Prior to the occupation of the development, the developer shall explore potential additional mitigation measures to be implemented (in conjunction with Edinburgh Leisure) in relation to light spillage from the flood lights from the adjacent tennis courts”.

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<p>4.4 – 3 Redford Place, Colinton Primary School, Edinburgh</p>	<p>Proposal: Modular off site constructed single storey building will be craned into position on site in three parts. This will house a kitchen facility to support requirements of existing primary school. Building will house, commercial kitchen, toilet, stores, and office area. - application no. 23/02772/FUL</p>	<p>This item was WITHDRAWN from the agenda at the request of the Chief Planning Officer.</p>
<p>4.5 - Foxhall Gait. Confirmation of Tree Preservation Order No. 207</p>	<p>Tree Preservation Order No. 207 (Foxhall Gait) was made on 20 July 2023 to protect trees and woodlands in the interests of amenity. This Order expires after 6 months unless it is confirmed within this time. The Order must be confirmed before 20 January 2024 to ensure it provides permanent tree protection.</p>	<p>To CONFIRM Tree Preservation Order No. 207 (Foxhall Gait).</p>
<p>4.6 - 221B St John's Road, Edinburgh, EH12 7UU</p>	<p>Proposal: The removal of existing slimline lattice tower, 9 No. existing antennas, 4 No. existing equipment cabinets within existing cabins and other ancillary apparatus and the installation of a new replacement 8.0m high stub tower, 12 No. antennas on proposed headframe /supports, 2 No. GPS modules, 2 No. equipment cabinets and 2 No. ERS racks within existing cabins, 1 No. cable tray, 1 No. stepover, 3 No. self-closing gates and all other associated ancillary apparatus thereto. - application no. 23/01771/FUL</p>	<p>To GRANT planning permission subject to the conditions, reasons and informatives as set out in section C of the report by the Chief Planning Officer.</p>

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<p>6.1 - Ocean Terminal, 98 Ocean Drive, Edinburgh – Erection of mixed-use development comprising residential and commercial uses, comprising Class 1, 2 and 3 uses, installation of padel court (Class 11), and creation of new public realm, with associated landscaping, infrastructure, and access arrangements – application no.22/05599/FUL</p>	<p>Protocol Note by the Service Director – Legal and Assurance</p>	<p>Noted.</p>
<p>6.2 - Ocean Terminal, 98 Ocean Drive, Edinburgh.</p>	<p>Proposal: Erection of mixed-use development comprising residential and commercial uses, comprising Class 1, 2 and 3 uses, installation of padel court (Class 11), and creation of new public realm, with associated landscaping, infrastructure, and access arrangements - application no. – 22/05599/FUL</p>	<p>To GRANT planning permission subject to:</p> <ol style="list-style-type: none"> 1) the conditions, reasons and informatives, and a legal agreement, as set out in section C of the report by the Chief Planning Officer 2) an adjustment to Condition 7 to refer to condition 6 (not condition 5) 3) additional wording in Condition 10 to include the words ‘heat pumps’ in the brackets 4) an additional informative to read: <p>“Prior to commencement of development, the developer shall investigate a scheme for the extension of the promenade along the north western boundary</p>

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
		of the site. This should come forward in the form of a separate application for full planning permission”.

Development Management Sub-Committee Report

Wednesday 7 February 2024

**Application for Planning Permission
Trinity Academy, 1 Craighall Avenue, Edinburgh**

Proposal: Extension to Victorian building to provide new school accommodation; internal and external works, partial demolition of post-war blocks, associated landscaping and temporary decant facilities to support works.

**Item – Committee Decision
Application Number – 23/06118/FUL
Ward – B04 - Forth**

Reasons for Referral to Committee

The application is referred to the Development Management Sub-Committee as it is an application by the City of Edinburgh Council. Consequently, under the Council's Scheme of Delegation, the application must be determined by the Development Management Sub-Committee.

Recommendation

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

Summary

With reference to the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, in considering whether to grant planning permission for development which affects a listed building or its setting, special regard must be given to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. In this regard, 'preserving', in relation to a building, means preserving 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.

The proposed removal of the 1950s and 1960s additions to facilitate the proposals, including the new extension, would have an impact on the character of the listed building overall. Due to its scale, massing, height, deep plan form, positioning, and the extent to which it covers over the east elevation, the proposed extension would reduce the significance of the listed building and harm its character and appearance.

Furthermore, in terms of its scale, positioning and appearance, the temporary decant teaching block would harm the setting of the Victorian school building and the Category C listed 1-4 (Inclusive Nos) Craighall Bank (LB43688) for the duration if it being on site. However, given that the decant teaching block would be on site for a temporary period, its impact on the setting of these listed building would not be significant. In that the proposal would harm the listed building, they would in turn, harm the character and appearance of the Victoria Park Conservation Area. Therefore, the proposals are not in accordance with LDP policies ENV 3, Env 4, Des 1, Des 4 and Des 12, NPF 4 policy 7c), NPF 4 policy 14a) and are not fully in compliance with NPF 4 policies 14b and 14c.

Notwithstanding, it is considered that there are significant community benefits resulting from the proposals which keep Trinity Academy on the existing site in close proximity to its sports facilities. Additionally, there are wider benefits of delivery of the city-wide aspirations for the curriculum, and also benefits from improved accessibility for disabled people and others with limited mobility. On balance, these benefits outweigh the reduction in significance of and harm to the listed building and Victoria Park Conservation Area and provide reasoned justification for granting planning permission for the proposed development.

The proposals will deliver a sustainable scheme that will contribute to climate mitigation and adaptation and the restoration and enhancement of biodiversity. The proposals are compatible with policy priorities that include sustainability in terms of transport and materials use, climate change mitigation and adaptation, and development on brownfield land.

There are no detrimental impacts on equalities or human rights.

There are no material considerations that outweigh this conclusion.

SECTION A – Application Background

Site Description

The site is the building and grounds of Trinity Academy secondary school at 1 Craighall Avenue. The school is located in the Victoria Park and Trinity area of north Edinburgh. The site includes the car park of the school, located in the southern extremity of the site.

The secondary school Includes: the original four-storey Victoria block (1891-1893) by George Craig, formerly known as Craighall Road School and flat-roofed additions (1958-64) by Stanley Patrick Ross-Smith adjoining to the east elevation. These additions include: (i) a four-storey glazed stair link; (ii) a concrete framed and clad six-storey classroom tower block; (iii) a concrete and masonry two-storey 'podium style' assembly hall/dining hall block; and (iv) a concrete framed and clad twin gymnasium hall with single-storey corridor link. The Victorian building and the 1950s and 60s additions are listed category B (LB43687). The original Victoria building was listed on 17/10/1996. The 1958-1964 additions were added to the listing on 20/06/2022 following a listing review.

There are later additions to the school (after 1964) which are excluded from the listing. These are (i) a two-storey red brick craft, design, and technology (CDT) and general teaching block; (ii) a concrete framed swimming pool and music room block, and (iii) a three-storey red brick science and home economics and music rooms block.

A detailed description of the different components of the building is contained in the descriptive list LB43687 and also the document titled "Description of Trinity Academy" available to view on the Planning and Building Standards Online Service.

The site is relatively flat, with a fall of some 2 metres from east to west. The site is located adjacent to the north of Victoria Park and is within the Victoria Park Conservation Area. The principal elevation of the Victorian school building and the later 1950s and 1960s extensions all front southwards over the school grounds onto Victoria Park. Newhaven Conservation Area lies nearby to the north and northwest of the site.

The site is to the immediate south of Hathornvale Path footpath and cycleway, which lies in a disused railway cutting. There is access to/from Victoria Park and Trinity School to Hathornvale path via an underpass. Residential properties located on the west side of Newhaven Road bound the site to the east. A combination of Edinburgh North Scout Hall and Trinity Primary School beyond, Craighall Avenue, and Victoria Park, bound the site to the south. Craighall Road bound the site to the west. Banghold Sports & Outdoor Centre including playing fields, which is home to the PE facilities for Trinity Academy School, is located nearby to the southwest of the site.

Primary access to the site, both pedestrian and vehicular, is from Craighall Avenue, which is accessed off Craighall Road. There is another vehicular access off a slip road directly off Craighall Road.

The site is located within a suburban area and between a heavy tree belt to the north on the Hawthornvale Path and Victoria Park to the south. The site itself has some trees on it, which are mostly close to boundaries of the site.

The area is primarily residential in nature with local amenities including the public park, sports facilities (tennis courts, bowling greens, hockey, and rugby pitches) as well as allotments.

The site is also adjacent to the following listed buildings:

- Category C listed 85 Craighall Road Station, Including Bridge (listed Building reference LB43689, listed 17/10/1996).
- Category C listed 1-4 (Inclusive Nos) Craighall Bank Including Boundary Wall (listed building reference LB43688, listed 17/10/1996).
- Category C listed 159 Newhaven Road Victoria Park House (listed building reference LB28126, listed 21/02/1992).

Description of the Proposal

The proposals include:

- Exterior alterations to the existing Victorian school building including the replacement of the non-original metal windows with new windows and the blocking up of existing original window openings on the east elevation.

- The addition to the east elevation of the Victorian building of a new build teaching block. This will replace all of the existing post-war 1950s and 1960s extensions (tower block, dining block, CDT Block & swimming pool) which are to be removed. Listed building consent is separately sought for the removal of the 1950s and 1960s extensions.
- Reconfiguration of staff car park resulting in a reduction of bays to 28 including 2 EV equipped bay, 2 accessible bays one of which is equipped with EV charging.
- The erection of four detached cycle stores.
- Landscaped designed open space and outdoor learning areas to the east (on areas currently occupied by locks D, E and F)
- Erection of temporary decant facilities to facilitate the proposed works. This includes the erection of a three-storey flat roofed decant classroom block on the site of the existing staff car park, and the erection of a single-storey decant dining block on the eastern part of the site.

The proposed new extension is a four-storey flat roofed block linking to the existing Victorian building. It has an irregular shaped footprint that is approximately three times that of the Victorian building. The extension will accommodate the main school entrance, which will be accessed from a new entrance plaza on the southeastern end of the site and from the footpath on the northern edge of the park connecting Craighall Avenue and Newhaven Road. The new entrance and classrooms above will extend the building across the end of Craighall Avenue bringing the footprint further south within the site. The extension extends in front of the south elevation facade of the Victorian building, and it extends behind its rear (north) building line. The extension overlays approximately two-thirds of the east elevation of the Victorian building. The south elevation of this connecting part of the extension is formed as a glazed curtain wall and is set back from the front facade of the Victorian building and is intended as a visual break between the Victorian building and the main bulk of the new extension. The floor levels of the new extension align with the Victorian building with the same number of floors, to provide level access throughout the school.

The new extension is of contemporary style providing a mixture of solid to void, and with masonry cladding panels of red/pink and brown/buff brick in horizontal configuration and corresponding to aligned floor plates. The final materials to be used are to be finalised post-determination through discussions and approval with CEC via discharge of conditions.

Associated landscaping proposals includes landscaping at public entrances to the school, the formation of outdoor spaces including playgrounds, dining space, learning space, growing spaces and informal sport and play.

Supporting documents

The following documents have been provided to support the application:

- Planning Statement.
- Pre-Application Consultation Report.

- Drainage Strategy Plan.
- Flood Risk Assessment.
- Site Investigation Report.
- Sustainability Statement form S1.
- Arboriculturist Report.
- Ecological Appraisal.
- Bat Survey.
- Heritage Statement.
- Landscape Scheme.
- Noise Impact Assessment.
- External Lighting Plans.
- Tracking for Key Vehicles.

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

Relevant Site History

23/01057/SCR
 Trinity Academy
 1 Craighall Avenue
 Edinburgh
 EH6 4RT

Redevelopment of existing Trinity Academy and associated works including alteration of listed buildings (including retention and adaptation of the Victorian building and removal of 1950s /60s extensions), removal of all other existing buildings, and replacement with new school building as extension to the Victorian building and associated new landscaped outdoor areas. Associated buildings including temporary decant buildings on edge of site, relocation of services, alterations to boundary walls, new external works, and site access.

EIA Not Required
 23 March 2023

23/01057/PAN
 Trinity Academy
 1 Craighall Avenue
 Edinburgh
 EH6 4RT

Redevelopment of existing Trinity Academy and associated works including alteration of listed buildings (including retention and adaptation of the Victorian building and removal of 1950s /60s extensions), removal of all other existing buildings, and replacement with new school building as extension to the Victorian building and associated new landscaped outdoor areas. Associated buildings including temporary decant buildings on edge of site, relocation of services, alterations to boundary walls, new external works, and site access.

Pre-application Consultation approved.
 22 March 2023

23/06120/LBC
Trinity Academy
1 Craighall Avenue
Trinity
Edinburgh
EH6 4RT

Partial demolition, extension, and internal and external works to retained Victorian school building to create new campus.

23/06119/CON
Trinity Academy
1 Craighall Avenue
Trinity
Edinburgh
EH6 4RT

Demolition of unlisted buildings and structures inc. music department and science block to create new school campus.

Other Relevant Site History

None.

Pre-Application process

Pre-application discussions took place on this application.

Consultation Engagement

Environmental Protection

Transport

Archaeology Services

Refer to Appendix 1 for a summary of the consultation response.

Publicity and Public Engagement

Date of Neighbour Notification: 3 November 2023

Date of Renotification of Neighbour Notification: Not Applicable

Press Publication Date(s): 10 November 2023

Site Notices Date(s): 7 November 2023

Number of Contributors: 126

Section B - Assessment

Determining Issues

Due to the proposals relating to a listed building(s) and being within a conservation area, this report will first consider the proposals in terms of Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (the "1997 Heritage Act"):

- a) Is there a strong presumption against granting planning permission due to the proposals:
 - (i) harming the listed building or its setting? or
 - (ii) conflicting with the objective of preserving or enhancing the character or appearance of the conservation area?

- b) If the strong presumption against granting planning permission is engaged, are there any significant public interest advantages of the development which can only be delivered at the scheme's proposed location that are sufficient to outweigh it?

This report will then consider the proposed development under Sections 24, 25 and 37 of the Town and Country Planning (Scotland) Act 1997 (the 1997 Act):

Having regard to the legal requirement of Section 24(3), in the event of any policy incompatibility between National Planning Framework 4 (NPF4) & Edinburgh Local Development Plan 2016 (LDP) the newer policy shall prevail.

Do the proposals comply with the development plan?

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

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

In the assessment of material considerations this report will consider:

- equalities and human rights.
- public representations; and
- any other identified material considerations.

Assessment

To address these determining issues, it needs to be considered whether:

a) The proposals harm the listed building and its setting.

Section 59 (1) of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997 states:

"In considering whether to grant planning permission for development which affects a listed building or its setting, a planning authority or the Secretary of State, as the case

may be, shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

The following HES guidance is relevant in the determination of this application:

- Managing Change in the Historic Environment Guidance on the Principles of Listed Building Consent
- Managing Change in the Historic Environment Guidance on Conservation Areas
- Managing Change in the Historic Environment: Extensions
- Managing Change in the Historic Environment: Setting
- Managing Change in the Historic Environment: Use and Adaptation of Listed Buildings
- Managing Change in the Historic Environment: Windows

The original Victorian school building is a broadly symmetrical, three-storey and basement, fifteen-bay building of squared and snecked brown sandstone in the Renaissance style with some Venetian detailing, finished with contrasting polished red sandstone dressings. The entrance (south elevation) has a round arched, hood-moulded doorway (converted to a window around 1960). The building has a piended roof with a grey slate covering in diminishing courses. The late 19th century interior is broadly intact in plan with fixtures and fittings retained throughout. There has been some remodelling and infilling of central spaces.

By the mid-1950s pressure on the school role required further expansion. It was at this time that the Classroom Tower and associated Gym Block were built in a modern architectural style. These buildings replaced inter-war additions and extended further east. In the late 1960s a further gymnasium and swimming pool block were added. A final phase of expansion took place at the very east of the site in the early 1990s, with a purpose-built Science & Home Economics block filling in the site, an extension to that block was also added.

Refurbishment of Victorian building

The proposed external alterations to the Victorian building, including the removal of the later west entrance, reinstatement of historic rear entrances (as fire escapes) and removal of the twentieth-century windows, restoration of the school's central doorway and steps, are all enhancements to the listed building.

In terms of their style, the proposed replacement aluminium framed windows would be an improvement to the existing non-original aluminium windows that they would replace. Whilst timber replacement timber framed windows would have been a conservation gain, the proposed replacement windows will be more energy efficient than those they will replace. Given this and the fact that the existing aluminium framed windows are an early replacement, it would not be reasonable to insist on the replacement windows being timber framed.

The interventions into the interior are focused on accessibility (provision of a lift) and fire safety requirements. The classrooms and circulation spaces within the building will remain largely as existing and thus the internal works preserve the character of the listed building.

Historic Environment Scotland were consulted as part of the application for Listed Building Consent and did not raise any concerns with the refurbishment proposals.

The alterations to the Victorian building will not have a detrimental impact on the significance of the listed building.

Removal of 1950s-1960s extensions

An engineer condition report, a structural condition report and a sampling concrete testing report have been submitted in support of the proposals to remove the 1950s and 1960s additions. They detail the poor condition of these additions and the likely implications that necessary refurbishment and alteration would have on their significance and mid-twentieth century character.

Although the supporting reports do not categorically demonstrate that the additions are structurally unsound and are technically incapable of being repaired, they detail extensive faults including spalling and cracking of concrete and the requirement for replacement cladding. In their consultation response on the conterminous listed building consent application, HES state that they recognise the importance and benefits of keeping Trinity Academy on the existing site. Furthermore, they state that the supporting report evidences the reasoned approach to the redevelopment of the school. Therefore, whilst they recognise the major impacts, they do not oppose the removal of the twentieth century additions.

The supporting reports demonstrate that the 1950s and 1960s addition are in very poor condition and are not able to be repaired and brought back into productive use without significant financial costs. The extensions are already beyond their extended building life expectancy. It is probable that even if they were renovated to a position where they could all recommence use, owing to their condition, age, and nature of their construction, it is probable that future structural issues could arise. Moreover, necessary renovation works, including retrofitting energy efficiency measures, would not meet the same energy efficiency standards that would be achieved by a new build extension. The position adopted by HES that the supporting report evidences the reasoned approach to the redevelopment of the school is supported.

Notwithstanding, the 1950s-1960s additions are of special architectural and historic interest and therefore the removal of them to facilitate the addition of the proposed new extension will have a major negative impact on the significance of the listed building. Consideration of whether there are significant material considerations that justify the proposed removal of the extensions; and if so, whether this outweigh any adverse impacts, is addressed below.

Proposed new extension.

Historic Environment Scotland's Guidance note: Managing Change in the Historic Environment: Extensions, states that extensions must protect the character and appearance of the building; should be subordinate in scale and form; should be located on a secondary elevation; and must be designed in a high-quality manner using appropriate materials.

The existing glazed stair link is set some 10 metres back behind both the principal facade (south elevation) and the north elevation of the Victorian building. At some 3.5 metres in depth, it is slim and thus overlays a small area of the east elevation of the Victorian building. It is 7.3 metres in width and entirely glazed. The combination of its deep set back from the front and rear elevations, its slender depth, its width and it being entirely glazed, all result in it being a sensitive, subservient and lightweight structure that achieves a clear visual separation between the Victorian building and the more solid form of the 1950s and 1960s extensions to the east of it. The six-storey tower block that attached to the east, is set behind the façade of the Victorian building and thereby is subservient to it. The other 1950s and 1960s extensions extend in front of the façade of the Victorian building by varying amounts, however they are still subservient to the Victorian building because of their distance from it and their heights. Overall, the 1950s and 1960s extensions are subservient and sensitively designed additions to the original Victorian school building.

The link component of the proposed extension overlays approximately two thirds of the east elevation of the Victorian building. It is set back from the front (south) facade of the Victorian building by some 7.2 metres, and it extends some 9.2 metres beyond the north elevation of the Victorian building and is some 5.6 metres in width. Its south elevation is proposed as a glazed curtain wall. The design intention is to achieve a degree of visual separation between the front façade of the Victorian building and bulk of the new extension, whilst also maintaining close educational links on each floor plate between the two buildings. The main body of the extension then extends some 2.7 metres in front of the façade for a distance of some 16 metres and then steps out further in front of the facade to a distance of 21.9 metres at its southern most point.

Although the link part of the proposed new extension is set back from the façade of the Victorian building, it covers over considerably more of the east elevation of the Victorian building and is shorter in width than the existing glazed stair link, albeit existing openings in the east elevation will be reused and no existing masonry removed. Unlike the existing glazed stair link, it does not achieve a pronounced visual separation between the Victorian building and the bulk of the new extension. The applicant's design and access statement explains that the massing of the proposed extension has been informed and developed by the logistical and practical ability to build and maintain the school as a live education facility, whilst minimising temporary decant and cost. The proposed extension is not of a subordinate scale and massing to the Victorian building, instead it is of substantial scale and massing, with a deep plan form and a footprint that is some three times that of the Victorian building. In terms of its scale, massing, height, deep plan form, positioning, and the extent to which it covers over the east elevation, the proposed new extension would not be a subordinate or sympathetic addition to the Victorian building, but instead, it would have a dominating impact on it. This visual discordance would be mainly evident in close views of the building from the west and south. The Victorian building would no longer be the focal point. For all of these reasons the proposed extension would not be sympathetic to the architectural character and appearance of the listed Victorian building.

Formal pre-application discussions between the applicant and the planning authority took place. During these discussions, the planning authority expressed concerns about the attachment, massing, positioning, form and footprint of the proposed replacement extension, which is considered not to be subservient to the existing Victorian building and that there is a sense that effort has concentrated on building design and function, without due consideration for context. The planning authority advised the applicant to submit a revised scheme that respected the built heritage and made suggestions of how the scheme could be revised to be considered more favourably. However, the current proposal remains unchanged from the proposal original submitted to the planning authority or discussed at the pre-application stage.

Nonetheless, given that there would be harm to the listed buildings, in terms of the above legal tests, consideration is required to be given to whether there are significant material considerations that justify the development in this particular location; and if so, does this outweigh any adverse impacts. This is addressed in section c) below.

Setting

The settings of the Victorian school building and the Category C listed 1-4 (Inclusive Nos) Craighall Bank (LB43688) would be impacted by the scale, positioning and utilitarian appearance of the temporary decant teaching block for the duration if it being on site. However, given that it would be on site for a temporary period of time, the impact would not be significant.

The proposed development would not result in a harmful impact on the setting of the other neighbouring listed buildings and structures listed in the background section of this report.

Conclusion in relation to the listed building

The proposals conflict with Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and relevant HES guidance. Details in relation to the assessment of this harm is addressed in section c).

b) The proposals harm the character or appearance of the conservation area.

Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states:

"In exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

Victoria Park Conservation Area Character Appraisal states that the conservation area centres upon Victoria Park, which is surrounded by a mixture of housing and institutional uses and is dominated by the buildings of Trinity Academy. Facing onto the park are a mixture of Georgian and Victorian villas, many of architectural interest and often set in large and well landscaped grounds.

With regards to new development The Conservation Area Character Appraisal states that: *"Any new development within the Conservation Area needs to be sympathetic, by respecting and interpreting the townscape in a sensitive way. There is limited new*

development within the Conservation Area, predominantly the modern school building. Development around the edge of the area has not always taken cognisance of its impact on the character of the Conservation Area. Redevelopment opportunities in the area appear few, but any development, either within or outside the Conservation Area, should be restricted in height and scale in order to protect its setting and the key views out of and into the conservation area. The new design must respect the existing spatial pattern, massing and traditional materials."

The applicant's design and access statement states that the massing of the proposed extension has been informed and developed by the logistical and practical ability to build and maintain the school as a live education facility, whilst minimising temporary decant and cost. The applicant maintains that the condensed footprint and four-storey height of the proposed new extension, which is lower than the existing 1950s tower block, reduces the overall mass visible on the skyline and the visual impact of the proposal on the wider conservation area. They state that the proposed massing is largely obscured by the heavy tree lines and adjacent buildings in the area. The 1950s tower block is at odds with the predominant height of the buildings in the conservation area. However, it is considered that owing to its size and relatively small footprint and resultant slender form, the existing tower block does not negatively impact on the character and appearance of the conservation area. The bulk, massing, and form of the proposed new extension, which as stated above is above, is not subservient to or sympathetic to the Victorian school building, would in turn harm the character and appearance of the Victoria Park Conservation Area. The existing trees would partly obscure the proposed new extension from long views outside the site, however they do not provide a total screen, neither do they obscure close views. Also, the trees would provide less screening in the winter months when the trees are not in leaf.

The proposal demonstrates a more contemporary idiom using brick, precast concrete, zinc cladding and asymmetric window placement to create a contrast to the Victorian Building. The planning authority considers that notwithstanding the matter of scale, massing and form, the proposed external finishing material would contrast with and be complimentary to the traditional sandstone and slate materials of the Victorian school building and the traditional materials elsewhere in the Conservation Area.

Conclusion in relation to the conservation area

The proposals conflict with Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. Further details of assessment are provided in section c).

c) Is there any public interest advantages of the development which can only be delivered at the scheme's proposed location that are sufficient to outweigh the presumption against granting planning permission?

Given that it is considered that there would be significant harm to the listed building and the conservation area for the above stated reasons, in terms of the legal tests consideration is required to be given to whether there is an over-riding public interest that justify the proposed development in this particular location; and if so, does this outweigh any adverse impacts.

In order to make this assessment it is necessary to identify the high level aims and objectives of the proposal, the limitations/difficulties with the existing school and the

benefits to the future operation of the school that would ensue from the proposals. These are all explained as follows:

High-level aims of the proposal:

The redevelopment of the school estate (the main Trinity Academy school site and the Trinity Academy Sports Campus at Bangholm) is part of CEC's Adaptation and Renewal programme for the city's school estates. The redevelopment of the main Trinity Academy School site represents Phase 2 of a programme of development and investment by the City of Edinburgh Council to improve the school estate. It follows the successful completion of the Trinity Academy Sports Campus at Bangholm Recreation Ground as Phase 1, this opened to the school and as a community sports facility in Autumn 2022. The proposal the subject of this application meets the following high level aims and objectives:

- The Scottish Government's Learning Estate Investment Strategy to connect people, places, and learning, improve outcomes for all and promote sustainable and inclusive economic growth.
- The City-wide aspirations for the curriculum to address all inclusion, digital and outdoor learning environments.
- In combination with the city-wide net zero-carbon objectives, to provide a community lifelong learning and sports hub where public services can be co-located with links to active travel networks, green infrastructure, and public transport networks.
- To provide educational and learning facilities fit for the 21st Century, serving the local communities that would also meet the city-wide objective to provide a net zero-carbon city by 2030, and the Scottish Government's policy of 'Getting it Right for Every Child'.

Limitations/challenges with existing school building and grounds

- The 1950s and 1960s buildings are beyond their life expectancy and are in a poor condition. The existing building appraisal accompanying the application, confirms that the school buildings are generally no longer fit for purpose, they are not environmentally sustainable, and do not facilitate aspirational or collaborative learning environment appropriate for modern teaching.
- Ease of accessibility within the existing building is hindered because of the differing floor levels across the building.
- The current school roll is 950 pupils and is rising. The current school building does not have capacity to accommodate the expected increased pupil roll of 1,200 pupils, an increase in capacity of circa 7.5%.

- The existing school building has a linear, fragmented, and disjointed layout, with each faculty housed in separate buildings. This creates disconnect between different sections of the school, leading to prolonged travel times within the school. Additionally, the linear and fragmented nature of the layout results in areas feeling isolated and disconnected. Moreover, this raises two fundamental disadvantages which is poor accessibility within the existing structures and inability to facilitate cross-faculty education which is a fundamental practice in contemporary education.
- An absence of a central gathering and circulation space within the school.
- The school grounds comprise service areas, vehicular access points and hard tarmac and little outside space for social gathering/recreation at break times, outdoor learning, or nature. Consequently, pupils disperse into the surrounding areas out with school grounds at break times and immediately after school, putting pressure on Victoria Park and surrounding streets.
- The arrival to the school is unclear. The large area of tarmac to the front of the school building does not make an attractive frontage for the school on to Craighall Road offers and has limited use.
- Due to accessibility issues and subpar quality, presently there are no community facilities contained within the school.

Identified Benefits arising from the proposed development.

- New teaching block would achieve Passivehaus Classic standard (a design methodology comfort standard that yields very low energy demand with minimal performance gap).
- There is a strong sense of identity and historical significance associated with the original Victorian school building. Its integration into the new design was imperative due to its profound significance to the school community. The continued original use of the building is preserved.
- The condensed footprint reduces the overall mass visible on the skyline but also facilitates the creation of a new central gathering space at the heart of the new teaching building. Additionally, it allows for the release of land on the eastern part of the site for outdoor dining, biodiverse playground, and learning areas for the school, thereby enhancing the site's overall organisation, and delivering the need for outdoor education all within a secure area. It also enhances the connection to the nearby Trinity Primary, facilitating the movement of children between the two schools. Moreover, owing to the current lack of outdoor space in the school site, it alleviates the pressure on Victoria Park itself.
- The reorientation of the main entrance towards the park will create a civic frontage facing the park and a public-facing aspect to the school, which is currently absent. The arrival plaza includes a series of steps and integrated ramps creates accessible routes to main entrance, with bleacher seating creating a key public arrival space. There will be Improved accessibility across the site with level access from accessible parking and to main building entrance.

- The repurposed land on the eastern part of the site will serve as a physical link, connecting Trinity Primary, Scout Hall, and the new school, and potentially fostering future collaborations.
- The proposal would provide contemporary facilities that have the potential to be utilised by the local community. This is not currently possible.
- The redevelopment of Trinity Academy raises phasing and logistical challenges. By retaining Blocks D-F during construction, the entire decant building can be situated in the car park due to its ample capacity to accommodate the required facilities. This has resulted in cost savings and reduced disruption to the school.

Conclusion

The proposals will deliver all of the above listed high-level aims and objectives, address all of the above listed limitations/challenges with the existing school and achieve all of the above listed benefits, all whilst retaining and refurbishing the original Victorian building. This will ensure that the listed status of Trinity Academy will be maintained (although its significance will be reduced by the extent of removals).

An alternative scheme for the retention of and renovation of the existing 1950s and 1960s buildings would not deliver the same. There is no off-site alternative for the proposals. The applicant has advised that alternative site planning scenarios have been worked through and the submitted option represents the best arrangement for the listed building. The locational benefit of allowing the extension retains the school on its original site which is a key aspect of the significance of the building. This view is echoed by Historic Environment Scotland within their consultation response. The listing description notes "Trinity Academy has special interest for the survival of its setting, its continued relationship as part of a school campus group with Trinity Primary School, and its prominence within the local area - contributing to our understanding of the development and expansion of suburban Edinburgh." The provision of a new high school on an alternative location would result in the disposal of the school site and the selling off of the building and may result in additional interventions to allow for the reuse of the listed building.

The proposals have been informed by a programme of engagement with the staff and pupils of the school and the local community. The vast majority of the representations received on the application are in support of the proposals.

It is considered that there are significant community benefits resulting from the proposals that keep Trinity Academy on the existing site in close proximity to its sports facilities. Additionally, there are wider benefits of delivery of the city-wide aspirations for the curriculum and benefits from improved accessibility for disabled people and others with mobility issues. On balance, these benefits outweigh the reduction in significance of the listed building resulting from the extent of removals and the consequent loss to the character and appearance of the conservation area and provide reasoned justification for granting listed building consent for the proposed development.

d) The proposals comply with the development plan.

National Planning Framework 4 (NPF4) was adopted by the Scottish Ministers on 13 February 2023 and forms part of the Council's Development Plan. NPF4 policies supports the planning and delivery of Sustainable Places, Liveable Places and Productive Places and are the key policies against which proposals for development are assessed. Several policies in the Edinburgh Local Development Plan (LDP) have equivalent and alternative policies within NPF4. The relevant policies to be considered are:

- NPF4 Sustainable Places policies 1, 2, 3, 7 and 9
- NPF4 Liveable Places policy 14
- LDP Design Principles for New Development policies Des 1, Des 2, Des 3, Des 4, Des 5, Des 6, Des 7 and Des 8
- LDP Environment policies Env 12, Env 22
- LDP Transport policies Tra 2, Tra 3, Tra 4.

The non-statutory 'Listed Buildings and Conservation Area' guidance is a material consideration that is relevant when considering policies Env 4 and Env 6.

The 'Edinburgh Design Guidance' is a material consideration that is relevant in the consideration of environment, design, and transport policies.

Principle of use

The site is located within the urban area, as defined in the Edinburgh Local Development Plan. The site is a long-established secondary school. The principle of the redevelopment is therefore acceptable.

Climate Mitigation and Adaptation

NPF4 Policy 1 gives significant weight to the global climate and nature crisis to ensure that it is recognised as a priority in all plans and decisions. In the case of proposed works to the Victorian building, the development is in accordance with NPF4 policy 2c) which supports proposals to retrofit measures to existing buildings that reduce emissions.

NPF4 Policy 7 protects the embodied carbon in the historic built environment and places demolition as a last resort. It remains to be demonstrated how the proposed scheme meets the aims of NPF4 around embedded carbon and offsetting in terms of meeting Scottish Government and CEC Climate change objectives.

Given that the Victorian building is of traditional construction and is within a conservation area, there are challenges when trying to adapt it to make it more sustainable such as to improve energy efficiency or to mitigate flood risk. In concluding above that the proposed replacement windows are acceptable, consideration was given as to the hurdles and costs that go with making the building more sustainable and this has been balanced against the need to protect the special architectural and historic character, integrity and appearance of the building and its contribution to the conservation area.

The removal of the 1950s and 1960s blocks will result in the loss of embodied carbon. The proposed new teaching block will be built to Passivhaus Classic standard. This will reduce the operational energy use over the lifespan of the new extension, placing less pressure on the wider power infrastructure. The Building Appraisal document submitted in support of the application details the fabric improvement measures necessary to improve the 1950s and 1960s buildings, including significant over cladding and carbon expenditure in the construction. These measures would not meet the same energy reduction as a full new build Passivhaus standard building.

The proposal complies with NPF 4 policies 1 and 2c).

Biodiversity

NPF 4 Policy 3 (Biodiversity) seeks to protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks.

LDP policy Env 16 (Species Protection) presumes against development which would have an adverse impact on species protected under European or UK law.

The tree survey recorded 90 individual trees on and around the site, including 2 representatives of groups of trees. The proposal aims to maintain as many existing trees as possible, particularly on the south connection to the park. A total of 18 individual trees on the site and a group of 5 trees have been identified for removal, due to conflicts with construction. The trees to be felled include 1 category A tree, 4 category B trees and 18 category C trees. In addition to this, there are 3 category U trees located outside the boundary (but very close to) which are recommended for removal in the arboricultural report. The location of the trees to be felled would not allow for comprehensive redevelopment of the site. Many of the trees to be removed are young trees growing through metal fences that are becoming distorted. Trees to be retained are to be protected during periods of construction.

New tree planting, including replacement planting for trees to be felled, is proposed including 63 new trees as delineated on the soft works and General Arrangement Plan. New tree planting will be standard/extra standard sizing. The proposed tree planting adequately compensates for the loss of twenty-three trees on the site.

A report on a preliminary bat roost survey has been submitted with the application. It confirms the presence of a bat roosts within the Victorian building, albeit it has not been possible to identify the precise roost location or undertake roosts characterisation surveys to date due to seasonal constraints of the survey work. A licence will be legally required to be in place to enable any works to the building to proceed. The licensing process is independent from the planning process.

Historic Assets and Places

The proposed scheme complies with the key principles of NPF4 Policy 7 in terms of supporting the transition to net zero and ensuring that this historic asset is resilient to the current and future impacts of climate change.

Character and Setting of Listed Buildings

The impact on the character, appearance of the listed building and on the setting of neighbouring listed buildings has been assessed in sections a) above and it is concluded that the proposals would harm the character, appearance and setting of the listed building. However, there are matters of public interest which outweigh the harm, and therefore justify the alterations in terms of LDP Policies Env 3 and Env 4 and NPF4 Policy 7c).

Character and Appearance of Conservation Area

The impact on the character, appearance and setting of Leith Conservation Area has been assessed in section b) above which concluded that the proposals would harm the character, appearance, and setting. However, due to the nature of the proposal, the public benefits outweigh any detrimental impacts to the character or appearance of the conservation area, as per LDP Policy Env 6 and NPF4 Policy 7d).

Archaeology

The City Archaeologist states that given the modern date of the 1950s and 1960s buildings that would be lost, the retention and restoration of the original Victorian School and unsuitability of these 50s/60s buildings for modern education, on archaeological grounds their loss would not be regarded as having an adverse archaeological impact. However, it is essential that a permanent record of these historic school buildings is undertaken prior to demolition.

In addition, the 1950s and 1960s buildings contain a number of important historic memorials including a war memorial to former staff and pupils who died in both WWI & WWII. These memorials must not only be recorded but also conserved and resighted within the new school given their cultural and historic significance. Accordingly, it is essential that a conservation mitigation strategy is submitted for approval detailing how these memorials will be safely taken down, stored, conserved, and placed back on public display within the new school.

Subject to these recommended controls, which could be secured by a condition on a grant of planning permission, the proposals comply with LDP policy Env 9 and NPF 4 policy 7o).

Design, Quality and Place

In sections a) and b) above, the proposals have been assessed against the impact that they will have on the listed building and its surroundings. It is considered that the proposed extension by virtue of its scale, massing, positioning, and form, does not preserve the character and appearance of the listed building or the character and appearance of the Victoria Park Conservation Area. Consequently, the proposal conflicts with LDP policies Des 1, Des 4 and Des 12.

NPF4 Policy 14b) supports development proposals that are consistent with the six qualities of successful places. The proposed development is in accordance with the principles of being a healthy and connected place and is sustainability and adaptability insofar as it allows for the long-term use of an existing Victorian building. However, given that it would not preserve the character and appearance of the listed building or the character and appearance of Victoria Park Conservation Area, it is not consistent with the principle of being pleasant or distinctive. Therefore, the proposal is not wholly in compliance with NPF4 policies 14a, 14b and 14c.

Notwithstanding, for the same reasons explained in sections a) and b) above, there are significant benefits resulting from the proposals that outweigh the adverse impact that they will have on the architectural and historic character and appearance of the listed building and the character and appearance of the conservation area and its setting and provides reasoned justification for granting planning permission for the proposed development.

LDP Policy Des 8 (Public Realm and Landscape Design) supports proposals where all external spaces, and features, including streets, footpaths, green spaces, and boundary treatments have been designed as an integral part of a scheme as whole.

A landscaping plan has been provided. It includes improved landscaping at public entrances to the school, outdoor spaces including playgrounds, dining space, learning space, growing spaces and informal sport and play. Also, a reduction in the area of the staff car park has facilitated enhanced landscaping within it. Furthermore, a comprehensive network of legible access and movement routes, incorporating both sloped and level pathways, are provided across the site and connecting to adjacent site, including Victoria Park. Overall, the landscape design is high quality. A condition has been added on landscaping implementation.

In summary, the proposed response to outdoor spaces and landscape design is acceptable and in compliance with Policy Des 8.

Residential Amenity

LDP Policy Des 5 seeks to ensure that the amenity of neighbouring residents is not adversely affected by development.

The development raises no significant privacy or overshadowing issues.

A noise impact assessment (NIA) has been provided in support of the application which considers the noise implications of proposed plant associated with the proposals on surrounding noise sensitive properties. It demonstrated that noise from the proposed plant would meet standards expected of the Council's Environmental Protection Section and no specific noise mitigation is required.

Air Quality

The site is not located within or in the vicinity of an Air Quality Management Area (AQMA) or a Low Emissions Zone (LEZ). The proposed development will have a negligible impact upon the local air quality during both the construction (road traffic) and operational phase, and the resultant effects are therefore not expected to be significant.

Site Contamination

Due to the historic, and current, use of the site, it has been deemed appropriate to add a condition relating to remediation of any potential contaminated land.

Flooding and Drainage

Policy Env 21 (Flood Protection) states that planning permission will not be granted for development that would:

- a) increase a flood risk or be at risk of flooding itself
- b) impede the flow of flood water or deprive a river system of flood water storage within the areas shown on the Proposals Map as areas of importance for flood management
- c) be prejudicial to existing or planned flood defence systems.

A surface water management plan has been submitted with the application. It informs that the site currently is at little or no risk from fluvial, coastal, drainage networks or ground water flooding. However, it has been identified at medium risk from pluvial flooding (surface water flooding). This is concentrated to the south perimeter of the existing physical and swimming pool building. It is anticipated that this risk will be removed once the existing 1950s and 1960s buildings are removed, and post development site levels and surface water management strategy implemented.

It is intended to connect the site into the local combined sewer system. Proposed sustainable urban drainage (SUDs) includes attenuation within a network of raingardens, vegetated landscaped areas (similar to wetlands) and below ground storage (oversize pipework). The proposed SUDs scheme is considered an acceptable drainage solution on a brownfield site located in an urban environment.

The development will be required to go through a separate statutory regime in terms of connection to Scottish Water assets, including connecting to sewers.

Roads, Access, and Parking

A Transport Assessment (TA) has been submitted in support of the application. This has been assessed by transport officers and is considered an acceptable reflection of the estimated traffic generated by the development. Most of the trips to be generated by the development are by sustainable transport (walking, cycling and public transport).

The proposal would not result in a net increase in traffic.

Swept path analysis has been provided to demonstrate that service vehicles can access and manoeuvre within the site.

The proposal proposes to reduce the current car parking at the front / south of the school building from 43 spaces to 28 spaces (including 2 accessible and 3 EV charging bays). The reduction in parking will facilitate the creation of the proposed arrival plaza.

The site is within an established mixed-use neighbourhood that is well connected to public transport and with excellent access to walking and cycling networks and access to bus stops. The site location meets with sustainable transport requirements at both local and national policies relative to travel generating developments. Limiting vehicle activity within the site will help create a safe environment for pedestrians and cyclists. In these circumstances the proposal to reduce the number of car parking spaces is considered acceptable at this location.

LDP Policy Tra 3 (Private Cycle Parking) requires that cycle parking and storage within the development complies with Council guidance.

The proposed development provides a total of 150 cycle spaces servicing the proposed development comprising 120 spaces for pupils (based on 1 space per 10 pupils) 24 spaces for staff, and 6 visitor spaces. The cycle spaces are located within secure bike stores located within the playground and arrival plaza (i.e. "off-street). The number of proposed pupil cycle parking spaces falls short of the provision required by CEC's 'Edinburgh Street Design Guidance which is 138 secure cycle parking spaces for 1250 pupils. A planning condition can be added requiring the number of pupil cycle parking spaces to be increased to 138.

The Roads Authority has raised no concern in relation to road safety or cycle parking provision.

The parking provision on site is in line with the requirements set out within the Edinburgh Design Guidance, Policy Tra 2, Tra 3, and Tra 4 of the LDP and Policies 14 and 15 of NPF4.

Conclusion in relation to the Development Plan

For reasons explained above, the proposals would have a harmful impact on the listed buildings resulting from the extent of removals, and the consequent loss to the character and appearance of the conservation area. However, the significant public benefits, including benefits to the local community, improved accessibility for disabled people and those with limited mobility, and city-wide benefits of having a modern, energy-efficient extension to the school at this location, outweigh the impacts on the listed building and conservation area. For these reasons, there is justification for granting planning permission for the proposed development.

e) There are any other material considerations which must be addressed?

The following material planning considerations have been identified:

Emerging policy context

On 30 November 2022, the Planning Committee approved the Schedule 4 summaries and responses to Representations made, to be submitted with the Proposed City Plan 2030 and its supporting documents for Examination in terms of Section 19 of the Town and Country Planning (Scotland) Act 1997. At this time little weight can be attached to it as a material consideration in the determination of this application.

Equalities and human rights

Due regard has been given to section 149 of the Equalities Act 2010. The proposal improves access within the school for wheelchair users and others with limited mobility.

Consideration has been given to human rights. No impacts have been identified through the assessment and no comments have been received in relation to human rights.

Public representations

126 representations were received, including 122 letters of support, 2 objections and 2 neutral comments. A summary of the matters raised is provided below:

material considerations objection

- Impact on Trinity Primary and need for engagement with staff and parent council of that school.
- Aluminium window sashes are not appropriate replacements for existing in the Victorian building.
- Removal of the ground to first floor stair.
- Unjustified demolition of the post-war modernist buildings and consequent loss of buildings of architectural and historic significance.
- contractor vehicle parking congestion on neighbouring roads.
- Insufficient programme of public engagement events have taken place.

These are addressed in the sections of the main report, above.

material considerations support

- Provides safe, more direct route to the sports grounds from the school as exists presently.
- Sympathetic/sensitively designed.
- Better working environment for staff and pupils, supporting better learning environment.
- Existing facilities are in urgent need if upgrade.
- Existing poor facilities and amenities of the school has resulted in high turnover of teachers
- Current building has challenges, too small and not conducive of contemporary learning environment.
- Will benefit whole community and enhance the area.
- Current campus has reached the end of its functional life.
- Will address current challenged with the existing school.
- The proposed plans to create the social and learning "heart" as well as the improved outdoor spaces are commended.
- Needed to accommodate growing school roll.

non-material considerations

- Construction noise and disruption.
- Dust, pollution, and risk to health from emission of particulates from carcinogenic materials during the demolition and construction phases.
- Construction access routes not specified.
- Occupiers of a neighbouring property disposes of household waste in the school bins.
- All asbestos should be removed.
- Construction work should make allowances to minimise disruption to operation of and routes to Trinity Primary School.

Conclusion in relation to other matters considered.

These matters are addressed in the preceding paragraphs. There are no material considerations which outweigh the conclusion.

Overall conclusion

With reference to the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, in considering whether to grant planning permission for development which affects a listed building or its setting, special regard must be given to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. In this regard, 'preserving', in relation to a building, means preserving 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.

The proposed removal of the 1950s and 1960s additions to facilitate the proposals, including the new extension, would have an impact on the character of the listed building overall. Due to its scale, massing, height, deep plan form, positioning, and the extent to which it covers over the east elevation, the proposed extension would reduce the significance of the listed building and harm its character and appearance.

Furthermore, in terms of its scale, positioning and appearance, the temporary decant teaching block would harm the setting of the Victorian school building and the Category C listed 1-4 (Inclusive Nos) Craighall Bank (LB43688) for the duration if it being on site. However, given that the decant teaching block would be on site for a temporary period, its impact on the setting of these listed building would not be significant. In that the proposal would harm the listed building, they would in turn, harm the character and appearance of the Victoria Park Conservation Area. Therefore, the proposals are not in accordance with LDP policies ENV 3, Env 4, Des 1, Des 4 and Des 12, NPF 4 policy 7c), NPF 4 policy 14a) and are not fully in compliance with NPF 4 policies 14b and 14c.

Notwithstanding, it is considered that there are significant community benefits resulting from the proposals which keep Trinity Academy on the existing site in close proximity to its sports facilities. Additionally, there are wider benefits of delivery of the city-wide aspirations for the curriculum, and also benefits from improved accessibility for disabled people and others with limited mobility. On balance, these benefits outweigh the reduction in significance of and harm to the listed building and Victoria Park Conservation Area and provide reasoned justification for granting planning permission for the proposed development.

The proposals will deliver a sustainable scheme that will contribute to climate mitigation and adaptation and the restoration and enhancement of biodiversity. The proposals are compatible with policy priorities that include sustainability in terms of transport and materials use, climate change mitigation and adaptation, and development on brownfield land.

There are no detrimental impacts on equalities or human rights.

There are no material considerations that outweigh this conclusion.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following.

Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted. If development has not begun at the expiration of this period, the planning permission lapses.
2. Notwithstanding the details delineated on application drawings prior to the commencement of development, a phasing plan and phasing schedule shall be submitted to and approved in writing by the Planning Authority. The phasing schedule shall include the construction of each phase of development, the provision of open space, SUDS, landscaping, public realm, and transportation infrastructure including cycle parking. Development shall be carried out in accordance with the approved phasing unless agreed in writing with the Planning Authority.
3. Prior to the commencement of construction works on site:
 - a) A site survey (including intrusive investigation where necessary) must be carried out by the applicant to establish, 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 required remedial and/or protective measures, including their programming, must be submitted to, and approved in writing by the Planning Authority.
 - ii) 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 for the approval of the Planning Authority.
4. 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 above groundwork is commenced on site. A full-size sample panel(s) of no less than 1.5m x 1.5m of all facade components should be erected at a location agreed with the Planning Authority.

5. No demolition/development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (historic building survey, excavation, public engagement, interpretation, analysis & reporting and publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority. This shall also include the recording, storage, conservation and resighted on public display within the new school, of the war memorial to former staff and pupils who died in both WWI & WWII presently contained within the 1950's/60's blocks.
6. The approved soft landscaping scheme shall be fully implemented within the first planting season of the completion of the development. All planting carried out on site shall be maintained by the developer to the satisfaction of the Planning Authority for a period of 5 years from the date of planting. Within that period any plants which are dead, damaged, missing, diseased or fail to establish shall be replaced annually 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.
7. The approved drainage arrangement and SUDs provision shall be implemented prior to first occupation.
8. The number and position of proposed mechanical plant shall be as described in section B and figure 5 of the Sandy Brown Associates Noise Impact Assessment, and the noise levels from the proposed plant shall not exceed those outlined in appendix B of the Sandy Brown Associates Noise Impact Assessment (ref: 23201-R03-A, dated 18 September 2023). There shall be no variation therefrom unless with the prior written approval of the planning authority.
9. Prior to the first occupation of the new extension hereby approved and notwithstanding that delineated/specified on application drawings/documents, a minimum of 138 secure pupil cycle parking spaces shall be provided on site in accordance with details to be submitted for the prior inspection and approval of the planning authority.
10. Prior to commencement of development, details of Tree Protection Measures to be implemented to safeguard the trees on the site that are to be retained, and an Arboricultural Method Statement that includes, but is not limited to, details of any pruning works (detailing which trees, location & extent), root protection methods and specification for ground protection, shall be submitted for the prior inspection and written approval of the planning authority. The Tree Protection measures, and the methodology specified within the Arboricultural Method Statement so approved shall be carried out in full unless otherwise approved by the planning authority.

Reasons

1. To accord with Section 58 of the Town and Country Planning (Scotland) Act 1997.

2. To ensure that the development is implemented in a manner which mitigates the impact of the development process on existing land users and the future occupants of the development.
3. In order to protect the development's occupants and human health.
4. In order to enable the Planning Authority to consider this/these matter/s in detail.
5. In order to safeguard the interests of archaeological heritage.
6. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
7. To ensure the required infrastructure is in place.
8. In the interests of safeguarding the amenity of neighbouring residential properties.
9. To ensure the adequate provision of cycle parking, in the interests of active travel.
10. In the interests of safeguarding trees that make a valuable contribution to the character and visual amenity of the area.

Informatives

It should be noted that:

1. Log piles for invertebrates, hedgehog holes/cut-outs within fencing and bird & bat boxes on the new buildings and retained trees, should be provided as recommended in the PEA Report under Biodiversity Enhancements.
2. Bird nesting boxes, bat boxes, swift boxes and bee posts/towers should be incorporated into the new extension and installed within the site.
3. The applicant should consider developing a Travel Plan including provision of a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport.

Background Reading/External References

To view details of the application go to the [Planning Portal](#)

Further Information - [Local Development Plan](#)

Date Registered: 18 October 2023

Drawing Numbers/Scheme

001 - 119

Scheme 1

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Adam Thomson, Planning Officer
E-mail: adam.thomson@edinburgh.gov.uk

Appendix 1

Summary of Consultation Responses

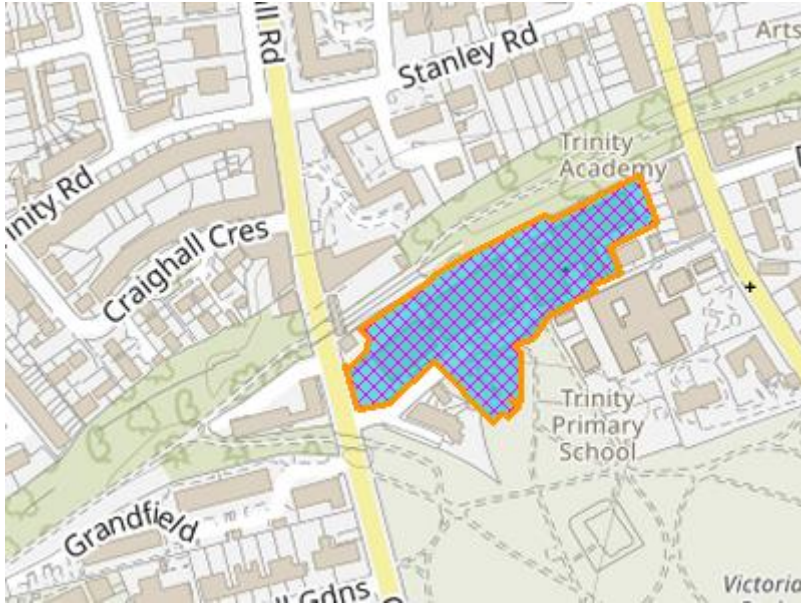
NAME: Environmental Protection
COMMENT: No objection. Conditions recommended.
DATE: 21 November 2023

NAME: Transport
COMMENT: No objections, subject to appropriate conditions and informatives.
DATE: 8 January 2024

NAME: Archaeology Services
COMMENT: No objection. Condition recommended.
DATE: 6 November 2023

The full consultation response can be viewed on the [Planning & Building Standards Portal](#).

Location Plan



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Development Management Sub-Committee Report

Wednesday 7 February 2024

**Application for Conservation Area Consent
Trinity Academy, 1 Craighall Avenue, Trinity**

Proposal: Demolition of unlisted buildings and structures inc. music department and science block to create new school campus.

**Item – Committee Decision
Application Number – 23/06119/CON
Ward – B04 - Forth**

Reasons for Referral to Committee

The application is referred to the Development Management Sub-Committee as it is associated with the major development the subject of conterminous planning application 23/06118/FUL.

Recommendation

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

Summary

The proposed demolition of the unlisted blocks, including the Design and Technology Workshop (1987-93), the Swimming Pool and Music Room block (1970s), and the Science and Home Economics block (1987-93), will preserve the character and appearance of Victoria Park Conservation Area. Thereby the proposed demolition accords with Section 66 of the Town and Country Planning Listed Buildings and Conservation Areas (Scotland) Act 1997 (The Heritage Act) and Historic Environment Scotland's Interim Guidance on the Designation of Conservation Areas and Conservation Area Consent (April 2019).

SECTION A – Application Background

Site Description

The site is the building and grounds of Trinity Academy secondary school at 1 Craighall Avenue. The school is located in the Victoria Park and Trinity area of north Edinburgh.

The secondary school Includes: the original four-storey Victoria block (1891-1893) by George Craig, formerly known as Craighall Road School and flat-roofed additions (1958-64) by Stanley Patrick Ross-Smith adjoining to the east elevation. These additions include: (i) a four-storey glazed stair link; (ii) a concrete framed and clad six-storey classroom tower block; (iii) a concrete and masonry two-storey 'podium style' block; assembly hall/dining hall block; and (iv) a concrete framed and clad twin gymnasium hall with single-storey corridor link. The Victorian building and the 1950 and 1960s additions are listed category B (LB43687). The original Victoria building was listed on 17/10/1996. The 1958-1964 additions were added to the listing on 20/06/2022 following a listing review. Alterations and redecoration were carried out by Baxter Clark & Paul Architects (1991).

There are later additions to the school (after 1964) which are excluded from the listing, which are (i) a two-storey red brick craft, design and technology (CDT) and general teaching block; (ii) a concrete framed swimming pool and music room block, and, (iii) a three-storey red brick science and home economics and music rooms block.

A detailed description of the different components of the building is contained in the descriptive list LB43687 and also the document titled "Description of Trinity Academy" available to view on the Planning and Building Standards Online Service.

The site includes the car park of the school, located in the southern extremity of the site.

The site is located adjacent to the north of Victoria Park and is within the Victoria Park Conservation Area. The principal elevation of the Victorian school building and the later 1950s and 1960s extensions all front southwards over the school grounds onto Victoria Park. Newhaven Conservation Area lies nearby to the north and northwest of the site.

The site is to the immediate south of Hathornvale Path footpath and cycleway, which lies in a disused railway cutting. There is access to/from Victoria Park and Trinity School to Hathornvale path via an underpass. The grounds of Edinburgh North Scout Hall and Trinity Primary School are adjacent to the south of the eastern part of the site. A combination of Craighall Road and a terrace of houses at 1-4 Craighall Bank, bound the site to the west. Banghold Sports & Outdoor Centre including playing fields, which provide Trinity School with sport facilities, is located nearby to the southwest of the site on the other side of Craighall Road.

The site is also adjacent to the following listed buildings:

- Category C listed 85 Craighall Road Station, Including Bridge (listed Building reference LB43689, listed 17/10/1996).
- Category C listed 1-4 (Inclusive Nos) Craighall Bank Including Boundary Wall (listed building reference LB43688, listed 17/10/1996).
- Category C listed 159 Newhaven Road Victoria Park House (listed building reference LB28126, listed 21/02/1992).

Description of the Proposal

Conservation Area Consent is sought for the demolition of the following unlisted additions to the school building (from west to east):

- the design and technology Workshop block (1987-93),
- the swimming pool and music room block (1970s)
- the science and home economics block (1987-93).

Supporting documents

The following documents have been provided to support the application:

- Design and Access Statement
- Heritage Statement
- Information in Support of Habitats regulations
- Existing Building Appraisal

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

Relevant Site History

23/01057/PAN
Trinity Academy
1 Craighall Avenue
Edinburgh
EH6 4RT

Redevelopment of existing Trinity Academy and associated works including alteration of listed buildings (including retention and adaptation of the Victorian building and removal of 1950s /60s extensions), removal of all other existing buildings, and replacement with new school building as extension to the Victorian building and associated new landscaped outdoor areas. Associated buildings including temporary decant buildings on edge of site, relocation of services, alterations to boundary walls, new external works, and site access.

Pre-application Consultation approved.

22 March 2023

23/01057/SCR
Trinity Academy
1 Craighall Avenue
Edinburgh
EH6 4RT

Redevelopment of existing Trinity Academy and associated works including alteration of listed buildings (including retention and adaptation of the Victorian building and removal of 1950s /60s extensions), removal of all other existing buildings, and replacement with new school building as extension to the Victorian building and associated new landscaped outdoor areas. Associated buildings including temporary decant buildings on edge of site, relocation of services, alterations to boundary walls, new external works, and site access.

EIA Not Required

23 March 2023

23/06118/FUL
Trinity Academy
1 Craighall Avenue
Edinburgh
EH6 4RT

Extension to Victorian building to provide new school accommodation; internal and external works, partial demolition of post-war blocks, associated landscaping and temporary decant facilities to support works.

23/06120/LBC
Trinity Academy
1 Craighall Avenue
Trinity
Edinburgh
EH6 4RT

Partial demolition, extension, and internal and external works to retained Victorian school building to create new campus.

Other Relevant Site History

None.

Pre-Application process

Pre-application discussions took place on this application.

Consultation Engagement

Archaeology Services

Historic Environment Scotland

Refer to Appendix 1 for a summary of the consultation response.

Publicity and Public Engagement

Date of Neighbour Notification: Not Applicable

Date of Renotification of Neighbour Notification: Not Applicable

Press Publication Date(s): 10 November 2023

Site Notices Date(s): 7 November 2023

Number of Contributors: 1

Section B - Assessment

Determining Issues

Consent is required because section 66 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (the "1997 Heritage Act") states that in making a decision on the demolition of a building in a conservation area section 6 to 25 of the same Act shall have effect in relation to buildings in conservation areas as they have effect in relation to listed buildings. The proposals therefore require to be assessed in terms of Section 64 of the 1997 Heritage Act:

- Having due regard to HES Policy and guidance, does the proposed demolition conflict with the objective of preserving or enhancing the character or appearance of the conservation area?
- If the proposals do comply with HES Policy and guidance on demolition in a conservation area, are there any compelling reasons (including but not limited to the public sector equality duty) for not approving them?
- If the proposals do not comply with HES Policy and guidance on demolition in a conservation area, are there any compelling reasons (including but not limited to the public sector equality duty) for approving them?

Assessment

To address these determining issues, it needs to be considered whether:

a) Compliance with Planning Legislation on Listed Buildings and Conservation Areas

Character, appearance or setting of the conservation area.

Historic Environment Scotland's Interim Guidance on the Designation of Conservation Areas and Conservation Area Consent (April 2019) outlines criteria to assess the acceptability of the demolition of unlisted buildings within conservation area, including:

- the importance of the building to the character or appearance of any part of the conservation area, and of proposals for the future of the cleared site.
- 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.
- where demolition may be thought appropriate, for example, if the building is of little townscape value, if its structural condition rules out its retention at reasonable cost, or if its form or location makes its re-use extremely difficult, consent to demolish should be given only where there are acceptable proposals for the new building.

Victoria Park Conservation Area Character Appraisal states that the conservation area centres upon Victoria Park, which is surrounded by a mixture of housing and institutional uses and is dominated by the buildings of Trinity Academy. Facing onto the park are a mixture of Georgian and Victorian villas, many of architectural interest and often set in large and well landscaped grounds.

The later additions which are excluded from the listing of the building, are not of architectural or historical significance. They are brick-built blocks with no particular interior or exterior detailing of interest. These buildings do not make any appreciable contribution to the character or appearance of the conservation area.

The Council's archaeological officer recommended that a programme of archaeological work is carried out during ground-breaking works associated with both demolition and construction in order to fully excavate and record any significant remains that may be disturbed but has not objected to the demolition.

Historic Environment Scotland was consulted on the current application and raise no comment.

A heritage statement has been provided which substantiates that the structures to be demolished are not of significance.

A bat survey has been provided and there is no evidence of bats or other protected species within the buildings to be demolished.

Conclusion in relation to the conservation area

Overall, the proposed demolition will preserve the character and appearance of the Victoria Park Conservation Area and is acceptable. The proposals comply with Section 66 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (the "1997 Heritage Act") and Historic Environment Scotland's Interim Guidance on the Designation of Conservation Areas and Conservation Area Consent (April 2019).

c) Replacement Development

The HES interim guidance and the similar advice in NPF 4 Policy 7 Part g), sets out that consent should generally only be given where there are acceptable proposals for replacement development.

The proposals for the redevelopment of the site of the later additional blocks are recommended for grant under applications 23/06118/FUL and 23/06796/LBC. The new extension to the Victorian school building and open space and landscaping works are considered acceptable in terms of their impact on the character and appearance of the conservation areas as is explained in detail in the report on these conterminous applications.

c) Public representations

One representation was received, which is an objection. A summary of the matters raised is provided below:

material considerations objection

- Unjustified demolition of the post-war modernist buildings and consequent loss of buildings of architectural and historic significance.

non-material considerations objection

- Aluminium window sashes are not appropriate replacements for existing in the Victorian building.
- Removal of the ground to first floor stair.

The matters raised are addressed above or in the conterminous applications.

Conclusion in relation to other matters considered.

The proposals do not raise any concerns in relation to other material considerations identified.

Overall conclusion

The proposed demolition of the later additional blocks including the Design and Technology Workshop (1987-93), the Swimming Pool and Music Room block (1970s), and the Science and Home Economics block (1987-93), will preserve the character and appearance of Victoria Park Conservation Area. Thereby the proposed demolition accords with Section 66 of the Town and Country Planning Listed Buildings and Conservation Areas (Scotland) Act 1997 (The Heritage Act) and Historic Environment Scotland's Interim Guidance on the Designation of Conservation Areas and Conservation Area Consent (April 2019).

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following.

Conditions

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 of Development for planning permission application reference 23/06118/FUL and listed building consent application reference 23/06120/LBC.
2. No demolition/development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (historic building survey, excavation, public engagement, interpretation, analysis & reporting and publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.

Reasons

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

2. In order to safeguard the interests of archaeological heritage.

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.

Background Reading/External References

To view details of the application go to the [Planning Portal](#)

Further Information - Local Development Plan

Date Registered: 18 October 2023

Drawing Numbers/Scheme

001 - 015

Scheme 1

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Adam Thomson, Planning Officer
E-mail: adam.thomson@edinburgh.gov.uk

Appendix 1

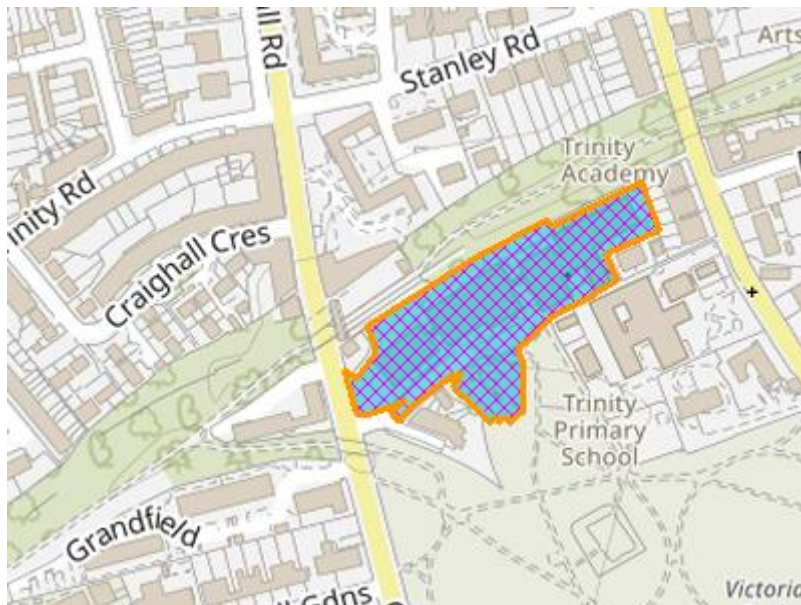
Summary of Consultation Responses

NAME: Archaeology Services
COMMENT: No objections.
DATE: 6 November 2023

NAME: Historic Environment Scotland
COMMENT: No objection.
DATE: 11 December 2023

The full consultation response can be viewed on the [Planning & Building Standards Portal](#).

Location Plan



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Development Management Sub-Committee Report

Wednesday 7 February 2024

**Application for Listed Building Consent
Trinity Academy, 1 Craighall Avenue, Trinity**

Proposal: Partial demolition, extension, and internal and external works to retained Victorian school building to create new campus.

**Item – Committee Decision
Application Number – 23/06120/LBC
Ward – B04 - Forth**

Reasons for Referral to Committee

The application is referred to the Development Management Sub-Committee as it is associated with the major development the subject of conterminous planning application 23/06118/FUL.

Recommendation

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

Summary

With reference to the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, the proposed removal of the 1950s and 1960s additions would reduce the significance of the listed building. Additionally, owing to its scale, massing, height, deep plan form, positioning, and the extent to which it covers over the east elevation, the proposed new extension would reduce the significance of the listed building and harm its character and appearance. Notwithstanding, it is considered that there are significant community benefits resulting from the proposals which keep Trinity Academy on the existing site in close proximity to its sports facilities. Additionally, there are wider benefits of delivery of the city-wide aspirations for the curriculum and benefits from improved accessibility for disabled people. On balance, these benefits outweigh the reduction in significance of the listed building resulting from the proposals and the consequent loss to the character and appearance of the conservation area and provides reasoned justification for granting listed building consent for the proposed development. There are no detrimental impacts on equalities or human rights. There are no material considerations that outweigh this conclusion.

SECTION A – Application Background

Site Description

The site is the building and grounds of Trinity Academy secondary school at 1 Craighall Avenue. The school is located in the Victoria Park and Trinity area of north Edinburgh.

The secondary school Includes: the original four-storey Victoria block (1891-1893) by George Craig, formerly known as Craighall Road School and flat-roofed additions (1958-64) by Stanley Patrick Ross-Smith adjoining to the east elevation. These additions include: (i) a four-storey glazed stair link; (ii) a concrete framed and clad six-storey classroom tower block; (iii) a concrete and masonry two-storey 'podium style' assembly hall/dining hall block; and (iv) a concrete framed and clad twin gymnasium hall with single-storey corridor link. There are later additions to the school (built after 1964) and these include a two-storey red brick craft, design, and technology (CDT) and general teaching block and a concrete framed swimming pool and music room block, and (vii) a three-storey red brick science and home economics and music rooms block.

The Victorian building and the 1950 and 1960s additions are listed category B (LB43687). The original Victoria building was listed on 17/10/1996. The 1958-1964 additions were added to the listing on 20/06/2022 following a listing review. Alterations and redecoration were carried out by Baxter Clark & Paul Architects (1991). The later additions to the school (after 1964) are excluded from the listing,

All of the buildings are presently in use except for the swimming pool hall which is closed owing to issues with the roof structure.

A detailed description of the different components of the building and a statement of their significance and why they meet the criteria of special architectural or historic interest is contained in the descriptive list LB43687 and also the document titled "Description of Trinity Academy" available to view on the Planning and Building Standards Online Service.

The site is located immediately to the north of Victoria Park and is within the Victoria Park Conservation Area. Newhaven Conservation Area lies nearby to the north and northwest of the site.

The site is also adjacent to the following listed buildings:

- Category C listed 85 Craighall Road Station, Including Bridge (listed Building reference LB43689, listed 17/10/1996).
- Category C listed 1-4 (Inclusive Nos) Craighall Bank Including Boundary Wall (listed building reference LB43688, listed 17/10/1996).
- Category C listed 159 Newhaven Road Victoria Park House (listed building reference LB28126, listed 21/02/1992).

Description of the Proposal

Listed building consent is sought for:

- Internal alterations to the existing Victorian building including the removal of partition walls, the removal of internal staircases, the installation of new stair flights, the formation of new door openings, the installation of a lift and the installation of loft insulation.

- Exterior alterations to the existing Victorian building including the replacement of the non-original metal windows with new windows, the blocking up of existing original window openings on the east elevation.
- The removal of all of the 1950s and 1960s extensions (tower block, dining block, CDT Block & swimming pool).
- The addition to the east elevation of the Victorian building of a new build teaching block. This will replace all of the existing post-war 1950s and 1960s extensions (tower block, dining block, CDT Block & swimming pool).

The proposed new extension is a four-storey flat roofed block linking to the existing Victorian building. It has an irregular shaped footprint that is approximately three times that of the Victorian building. The extension will accommodate the main school entrance, which will be accessed from a new entrance plaza on the south-eastern end of the site and from the footpath on the northern edge of the park connecting Craighall Avenue and Newhaven Road. The new entrance and classrooms above will extend the building across the end of Craighall Avenue bringing the footprint further south within the site. The extension extends in front of the south elevation facade of the Victorian building, and it extends behind its rear (north) building line. The extension overlays approximately two-thirds of the east elevation of the Victorian building. The south elevation of this connecting part of the extension is formed as a glazed curtain wall and is set back from the front facade of the Victorian building and is intended as a visual break between the Victorian building and the main bulk of the new extension. The floor levels of the new extension align with the Victorian building with the same number of floors, to provide level access throughout the school.

Supporting documents

The following documents have been provided to support the application:

- Planning Statement
- Design and Access Statement
- Heritage Statement
- Report on Sampling - Testing of Reinforced Concrete
- Condition Survey Report
- Existing Building Appraisal (provides evidence on how each building has been investigated in terms of retention and what layout, structural and fabric improvements would need to take place to retain them for school use)
- Structural Condition Report
- Bat Roost Survey Report
- Information in Support of Habitat Regulations

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

Relevant Site History

23/06118/FUL
Trinity Academy
1 Craighall Avenue
Edinburgh
EH6 4RT

Extension to Victorian building to provide new school accommodation; internal and external works, partial demolition of post-war blocks, associated landscaping and temporary decant facilities to support works.

23/06119/CON
Trinity Academy
1 Craighall Avenue
Trinity
Edinburgh
EH6 4RT

Demolition of unlisted buildings and structures inc. music department and science block to create new school campus.

Other Relevant Site History

None.

Pre-Application process

Pre-application discussions took place on this application.

Consultation Engagement

Historic Environment Scotland

Archaeology Services

Refer to Appendix 1 for a summary of the consultation response.

Publicity and Public Engagement

Date of Neighbour Notification: Not Applicable

Date of Renotification of Neighbour Notification: Not Applicable

Press Publication Date(s): 10 November 2023

Site Notices Date(s): 7 November 2023

Number of Contributors: 1

Section B - Assessment

Determining Issues

Due to the proposals relating to a listed building(s) within a conservation area, this application for listed building consent requires to be assessed against Sections 14 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (the "1997 Heritage Act"):

- Having due regard to HES Policy and guidance, do the proposals:
 - a. harm a listed building or its setting? or
 - b. conflict with the objective of preserving or enhancing the character or appearance of the conservation area?
- If the proposals do comply with HES Policy and guidance, are there any compelling reasons (including but not limited to the public sector equality duty) for not approving them?
- If the proposals do not comply with HES Policy and guidance, are there any compelling reasons (including but not limited to the public sector equality duty) for approving them?

Assessment

To address these determining issues, it needs to be considered whether:

a) **The proposals harm the listed building or its setting.**

The following HES guidance is relevant in the determination of this application:

- Managing Change in the Historic Environment Guidance on the Principles of Listed Building Consent
- Managing Change in the Historic Environment: Extensions
- Managing Change in the Historic Environment: Interiors
- Managing Change in the Historic Environment: Use and Adaptation of Listed Buildings
- Managing Change in the Historic Environment: Windows

The original Victorian school building is a broadly symmetrical, three-storey and basement, fifteen-bay building of squared and snecked brown sandstone in the Renaissance style with some Venetian detailing, finished with contrasting polished red sandstone dressings. The entrance (south elevation) has a round arched, hood-moulded doorway (converted to a window around 1960). The building has a piended roof with a grey slate covering in diminishing courses. The late 19th century interior is broadly intact in plan with fixtures and fittings retained throughout. There has been some remodelling and infilling of central spaces.

By the mid-1950s pressure on the school role required further expansion. It was at this time that the Classroom Tower and associated Gym Block were built in a modern architectural style. These buildings replaced inter-war additions and extended further east. In the late 1960s a further gymnasium and swimming pool block were added. A final phase of expansion took place at the very east of the site in the early 1990s, with a purpose-built Science & Home Economics block filling in the site, an extension to that block was also added.

Impact on Listed Building

Refurbishment of Victorian building

The proposed external alterations to the Victorian building, including the removal of the later west entrance, reinstatement of historic rear entrances (as fire escapes) and removal of the twentieth-century window, restoration of the school's central doorway and steps, are all enhancements to the listed building.

In terms of their style the proposed replacement aluminium framed windows would be an improvement to the existing non-original aluminium windows that they would replace. Whilst timber replacement timber framed windows would have been a conservation gain, it would not be reasonable to insist on this owing to the fact that existing aluminium framed windows are an early replacement.

The interventions into the interior are focused on accessibility (provision of a lift) and fire safety requirements. The classrooms and circulation spaces within the building will remain largely as existing and thus the internal works preserve the character of the listed building.

Historic Environment Scotland do not raise any concerns with the proposed refurbishment proposals.

The alterations to the Victorian building will not have a detrimental impact on the significance of the listed building.

Removal of 1950s-1960s additions

An engineer condition report, a structural condition report and a sampling concrete testing report have been submitted in support of the proposals to remove the 1950s and 1960s additions. They detail the poor condition of these additions and the likely implications that necessary refurbishment and alteration would have on their significance and mid-twentieth century character.

Although the supporting reports do not categorically demonstrate that the additions are structurally unsound and are technically incapable of being repaired, they detail extensive faults including spalling and cracking of concrete and the requirement for replacement cladding. In their consultation response HES state that they recognise the importance and benefits of keeping Trinity Academy on the existing site. Furthermore, they state that the supporting report evidences the reasoned approach to the redevelopment of the school. Therefore, whilst they recognise the major impacts, they do not oppose the removal of the twentieth century additions.

The planning authority consider that the supporting reports demonstrate that the 1950s and 1960s addition are in very poor condition and that they would not be able to be repaired and brought back into productive use without significant financial costs. The extensions are already beyond their extended building life expectancy. It is probable that even if they were renovated to a good state of repair, owing to their condition, age, and nature of their construction, it is probable that future structural issues may arise. Moreover, necessary renovation works, including retrofitting energy efficiency measures, would not meet the same energy efficiency standards that would be achieved by a new build extension. Having given due consideration to the supporting documents submitted in support of the proposal, the planning authority concur with HES that these reports evidence the reasoned approach to the redevelopment of the school.

Notwithstanding the above, the 1950s-1960s additions are of special architectural and historic interest and therefore the removal of them will have a major negative impact on the significance of the listed building. Consideration of whether there are significant material considerations that justify the proposed removal of the extensions; and if so, whether this outweighs any adverse impacts, is addressed later in this report.

Proposed new extension.

Historic Environment Scotland's Guidance note: Managing Change in the Historic Environment: Extensions, states that extensions must protect the character and appearance of the building; should be subordinate in scale and form; should be located on a secondary elevation; and must be designed in a high-quality manner using appropriate materials.

The existing glazed stair link is set some 10 metres back behind both the principal facade (south elevation) and the north elevation of the Victorian building. At some 3.5 metres in depth, it is slim and thus overlays a small area of the east elevation of the Victorian building. It is 7.3 metres in width and glazed. The combination of its deep set back from the front and rear elevations, its slender depth, its width and it being entirely glazed, are all factors contributing to it being a sensitive, subservient and lightweight structure that achieves a clear visual separation between the Victorian building and the more solid form of the 1950s and 1960s extensions to the east of it. The six-storey tower block is set behind the facade of the Victorian building and thereby is subservient to it. The other 1950s and 1960s extensions extend in front of the facade of the Victorian building by varying amounts, however they are still subservient to the Victorian building because of their distance from the building and their heights. Overall, the existing 1950s and 1960s extensions are subservient and sensitively designed additions to the original Victorian school building.

The link component of the proposed new extension overlays approximately two thirds of the east elevation of the Victorian building. It is set back from the front (south) facade of the Victorian building by some 7.2 metres, and it extends some 9.2 metres back from the north elevation of the Victorian building and is some 5.6 metres in width. Its south elevation is proposed as a glazed curtain wall. The design intention is to achieve a degree of visual separation between the front facade of the Victorian building and bulk of the new extension, whilst also maintaining close educational links on each floor plate between the two buildings. The main body of the extension then extends some 2.7 metres in front of the facade for a distance of some 16 metres and then steps out further in front of the facade to a distance of 21.9 metres at its southern most point.

Although the link part of the new extension is set back from the façade, it covers over considerably more of the east elevation of the Victorian building and is shorter in width than the existing glazed stair link, albeit existing openings will be reused, and no existing masonry removed. Unlike the existing glazed stair link it does not achieve a pronounced visual separation between the Victorian building and the bulk of the new extension. Therefore, the proposed extension is not of a subordinate scale and massing, instead it is of substantial scale and massing, with a very deep plan form and a footprint that is some three times that of the Victorian building. In terms of its scale, massing, height, deep plan form, positioning, and the extent to which it covers over the east elevation, the proposed new extension would not be a subordinate or sympathetic addition to the building, but instead it would have a dominating impact on the Victorian building. This visual discordance would be mainly evident in close views of the building from the west and south. The Victorian building would no longer be the focal point. For all of these reasons the proposed extension would not be sympathetic to the architectural character and appearance of the listed building.

Formal pre-application discussions between the applicant and the planning authority took place. During these discussions the planning authority expressed concerns about the attachment, massing, positioning, form and footprint of the proposed replacement extension, which is considered not to be subservient to the existing Victorian school building and that there is a sense that effort has concentrated on building design and function, without due consideration for context. The planning authority advised the applicant to submit a revised scheme that respected the built heritage and made suggestions of how the scheme could be revised to be considered more favourably. However, the current proposal remains unchanged from the proposal original submitted to the planning authority or discussion at the pre-application stage.

Proposals harm the setting of listed buildings.

The settings of the Category C listed 1-4 (Inclusive Nos) Craighall Bank (LB43688) would be impacted by the scale, positioning and utilitarian appearance of the temporary decant teaching block for the duration if it being on site. However, given that the decant block would be on site temporary for the duration of construction works, the impact on the setting of these listed buildings would not be significant.

The proposed development would be so removed from the other neighbouring listed buildings and structures listed in the background section of this report such that it would not have a harmful impact on their setting.

Conclusion in relation to the listed building

The proposals conflict with Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and relevant HES guidance.

b) The proposals harm the character or appearance of the conservation area.

Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states:

"In exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

Victoria Park Conservation Area Character Appraisal states that the conservation area centres upon Victoria Park, which is surrounded by a mixture of housing and institutional uses and is dominated by the buildings of Trinity Academy. Facing onto the park are a mixture of Georgian and Victorian villas, many of architectural interest and often set in large and well landscaped grounds.

With regards to new development The Conservation Area Character Appraisal states that: *"Any new development within the Conservation Area needs to be sympathetic, by respecting and interpreting the townscape in a sensitive way. There is limited new development within the Conservation Area, predominantly the modern school building. Development around the edge of the area has not always taken cognisance of its impact on the character of the Conservation Area. Redevelopment opportunities in the area appear few, but any development, either within or outside the Conservation Area, should be restricted in height and scale in order to protect its setting and the key views out of and into the conservation area. The new design must respect the existing spatial pattern, massing and traditional materials."*

The proposal demonstrates a contemporary idiom using brick, precast concrete, zinc cladding and asymmetric window placement to create a contrast to the Victorian Building. The planning authority considers that the proposed external finishing material would contrast with and be complimentary to the traditional sandstone and slate materials of the Victorian school building and the traditional materials elsewhere in the Conservation Area.

The applicant maintains that the condensed footprint and four-storey height of the proposed new extension, which is lower than the existing 1950s tower block, reduces the overall mass visible on the skyline and the visual impact of the proposal on the wider conservation area. They state that the proposed massing is largely obscured by the heavy tree lines and adjacent buildings in the area. The planning authority accepts that the 1950s tower block is at odds with the predominant height of the buildings in the conservation area. However, it is considered that owing to its size and relatively small footprint and resultant slender form, the existing tower block does not negatively impact on the character and appearance of the conservation area. The planning authority considers that the bulk, massing, and form of the proposed new extension, which as stated above is above, is not subservient to or sympathetic to the Victorian school building, would in turn, harm the character and appearance of the Victoria Park Conservation Area. The existing trees would partly obscure the proposed new extension from long views outside the site, however they do not provide a total screen, neither do they obscure close views. Also, the trees would provide less screening in the winter months when the trees are not in leaf.

Conclusion in relation to the conservation area

The proposals conflict with Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

c) Are there significant material considerations that justify the development in this particular location; and if so, does this outweigh any adverse impacts

As stated above, given that it is considered that there would be harm to the listed school building and the conservation area for the above stated reasons, in terms of the legal tests, consideration is required to be given to whether there are significant material considerations that justify the proposed development in this particular location; and if so, does this outweigh any adverse impacts.

In order to make this assessment it is necessary to identify the high level aims and objectives of the proposal, the limitations/difficulties with existing school and the benefits to the operation of the school that the proposals would bring. These are all summarised as follows:

High-level aims and objectives of the proposal:

The redevelopment of the school estate (the main Trinity Academy school site and the Trinity Academy Sports Campus at Bangholm) is part of CEC's Adaptation and Renewal programme for the city's school estates. The redevelopment of the main Trinity Academy School site represents Phase 2 of a programme of development and investment by the City of Edinburgh Council to improve the school estate. It follows the successful completion of the Trinity Academy Sports Campus at Bangholm Recreation Ground as Phase 1, this opened to the school and as a community sports facility in Autumn 2022. The proposal the subject of this application meets the following high level aims and objectives:

- The Scottish Government's Learning Estate Investment Strategy to connect people, places, and learning, improve outcomes for all and promote sustainable and inclusive economic growth.
- The City-wide aspirations for the curriculum to address all inclusion, digital and outdoor learning environments.
- In combination with the city-wide net zero-carbon objectives, to provide a community lifelong learning and sports hub where public services can be co-located with links to active travel networks, green infrastructure, and public transport networks; and to expand the school provision to provide accommodation for a pupil roll of 1,200 due to rising rolls within the catchment area.
- To provide educational and learning facilities fit for the 21st Century, serving the local communities that would also meet the city-wide objective to provide a net zero-carbon city by 2030, and the Scottish Government's policy of 'Getting it Right for Every Child'. The new school provision seeks to meet the following objectives:

Limitations/challenges with existing school building and grounds

- the 1950s and 1960s buildings are beyond their life expectancy. Although they could technically be renovated, the cost of this is substantial.

- The Existing Building Appraisal accompanying this planning submission confirms that the school buildings are generally no longer fit for purpose, they are not environmentally sustainable, and do not facilitate aspirational or collaborative learning environment appropriate for modern teaching.
- Ease of accessibility within the existing building is hindered because of the differing floor levels across the building.
- The current school roll is 950 pupils and is rising. The current school building does not have capacity to accommodate the expected increased pupil numbers, which is a 1,200, an increase in capacity of c 7.5%.
- The existing school building has a linear, fragmented, and disjointed layout, with each faculty housed in separate buildings. This creates disconnect between different sections of the school. This leads to prolonged travel times within the school. Additionally, the linear and fragmented nature of the layout results in areas feeling isolated and disconnected. Moreover, this raises two fundamental disadvantages which is poor accessibility within the existing structures and inability to facilitate cross-faculty education which is a fundamental practice in contemporary education.
- Absence of a central gathering and circulation space within the school.
- The school grounds comprise service areas, vehicular access points and hard tarmac and little outside space for social gathering/recreation at break times, outdoor learning, or nature. Consequently, pupils disperse into the surrounding areas out with school grounds at break times and immediately after school, putting pressure on the park and surrounding streets.
- The arrival to the school is unclear. The large area of tarmac to the front of the school building does not make an attractive frontage for the school on to Craighall Road offers and has limited usability.
- Due to accessibility issues and subpar quality, presently there are no community facilities contained within the school.

Benefits arising from the proposed development.

- New teaching block would achieve Passivehaus standard.
- There is a strong sense of identity and historical significance associated with the original Victorian school building. Its integration into the new design was imperative due to its profound significance to the school community. The use and life of the building is preserved.

- The condensed footprint reduces the overall mass visible on the skyline but also facilitates the creation of a new central gathering space at the heart of the new teaching building. Additionally, it allows for the release of land on the eastern part of the site for outdoor dining, biodiverse playground, and learning areas for the school, thereby enhancing the site's overall organization, and delivering the need for outdoor education all within a secure area. It also enhances the connection to the nearby Trinity Primary, facilitating the movement of children between the two schools. Moreover, owing to the current lack of outdoor space in the school site, it alleviates the pressure on Victoria Park itself.
- The reorientation of the main entrance towards the park will create a civic frontage facing the park and a public-facing aspect to the school, which is currently absent. The arrival plaza includes a series of steps and integrated ramps creates accessible routes to main entrance, with bleacher seating creating a key public arrival space. There will be Improved accessibility across the site with level access from accessible parking and to main building entrance.
- The repurposed land on the eastern part of the site will serve as a physical link, connecting Trinity Primary, Scout Hall, and the new school, and potentially fostering future collaborations.
- The proposal would provide contemporary facilities that have the potential to be utilised by the local community.
- The redevelopment of Trinity Academy posed phasing and logistical challenges. By retaining Blocks D-F during construction, the entire decant building can be situated in the car park due to its ample capacity to accommodate the required facilities. This has resulted in cost savings and reduced disruption to the school.

Conclusion

The proposals will deliver all of the above listed high-level aims and objectives, address all of the above listed limitations/challenges with the existing school and achieve all of the above listed benefits, all whilst retaining and refurbishing the original Victorian building. This will ensure that the listed status of Trinity Academy will be maintained (although its significance will be reduced by the extent of removals).

An alternative scheme for the retention of and renovation of the existing 1950s and 1960s buildings would not deliver the same. There is no off-site alternative for the proposals. The applicant has advised that alternative site planning scenarios have been worked through and the submitted option represents the best arrangement for the listed building. The locational benefit of allowing the extension retains the school on its original site which is a key aspect of the significance of the building. This view is echoed by Historic Environment Scotland within their consultation response. The listing description notes "Trinity Academy has special interest for the survival of its setting, its continued relationship as part of a school campus group with Trinity Primary School, and its prominence within the local area - contributing to our understanding of the development and expansion of suburban Edinburgh." The provision of a new high school on an alternative location would result in the disposal of the school site and the selling off of the building and may result in additional interventions to allow for the reuse of the listed building.

The proposals have been informed by a programme of engagement with the staff and pupils of the school and the local community. The vast majority of the representations received on the application are in support of the proposals.

It is considered that there are significant community benefits resulting from the proposals that keep Trinity Academy on the existing site in close proximity to its sports facilities. Additionally, there are wider benefits of delivery of the city-wide aspirations for the curriculum and benefits from improved accessibility for disabled people and others with mobility issues. On balance, these benefits outweigh the reduction in significance of the listed building resulting from the extent of removals and the consequent loss to the character and appearance of the conservation area and provide reasoned justification for granting listed building consent for the proposed development.

Archaeology

The City Archaeologist recommends controls to mitigate impact on archaeology. These controls can be secured by a condition on a grant of the conterminous application of planning permission.

e) There are any other material considerations which must be addressed?

Equalities and human rights

Due regard has been given to section 149 of the Equalities Act 2010. The proposal improves access within the school for wheelchair users and others with limited mobility.

Consideration has been given to human rights. No impacts have been identified through the assessment and no comments have been received in relation to human rights.

Public representations

One representation was received, which is an objection. A summary of the matters raised is provided below:

material considerations objection

- Aluminium window sashes are not appropriate replacements for existing in the Victorian building.
- Removal of the ground to first floor stair.
- Unjustified demolition of the post-war modernist buildings and consequent loss of buildings of architectural and historic significance.

nonmaterial considerations objection

- contractor vehicle parking resulting in congestion on neighbouring roads.

The matters raised are addressed above and/or in the report on the conterminous applications.

Conclusion in relation to other matters considered.

The proposals do not raise any concerns in relation to other material considerations identified.

Overall conclusion

With reference to the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, the proposed removal of the 1950s and 1960s additions would reduce the significance of the listed building. Additionally, owing to its scale, massing, height, deep plan form, positioning, and the extent to which it covers over the east elevation, the proposed extension would reduce the significance of the listed building and harm its character and appearance.

Notwithstanding, it is considered that there are significant community benefits resulting from the proposals which keep Trinity Academy on the existing site in close proximity to its sports facilities. Additionally, there are wider benefits of delivery of the city-wide aspirations for the curriculum and benefits from improved accessibility for disabled people.

On balance, these benefits outweigh the reduction in significance of the listed building resulting from the proposals and the consequent loss to the character and appearance of the conservation area and provides reasoned justification for granting listed building consent for the proposed development. There are no detrimental impacts on equalities or human rights. There are no material considerations that outweigh this conclusion.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following.

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 above groundwork is commenced on site. A full-size sample panel(s) of no less than 1.5m x 1.5m of all facade components should be erected at a location agreed with the Planning Authority.
2. No demolition/development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (historic building survey, excavation, public engagement, interpretation, analysis & reporting and publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority. This shall also include the recording, storage, conservation and resighted on public display within the new school, of the war memorial to former staff and pupils who died in both WWI & WWII presently contained within the 1950's/60's blocks.
3. No demolition shall commence until an initiation of development notification has been submitted to the Planning Authority for planning application 23/06118/FUL.

Reasons

1. In order to enable the Planning Authority to consider this/these matter/s in detail.
2. In order to safeguard the interests of archaeological heritage.
3. In the interests of safeguarding the character and appearance of the listed building and the character and appearance of the conservation area.

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.

Background Reading/External References

To view details of the application go to the [Planning Portal](#)

Further Information - Local Development Plan

Date Registered: 18 October 2023

Drawing Numbers/Scheme

001 - 061

Scheme 1

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Adam Thomson, Planning Officer
E-mail: adam.thomson@edinburgh.gov.uk

Appendix 1

Summary of Consultation Responses

NAME: Historic Environment Scotland

COMMENT: No objection.

DATE: 12 December 2023

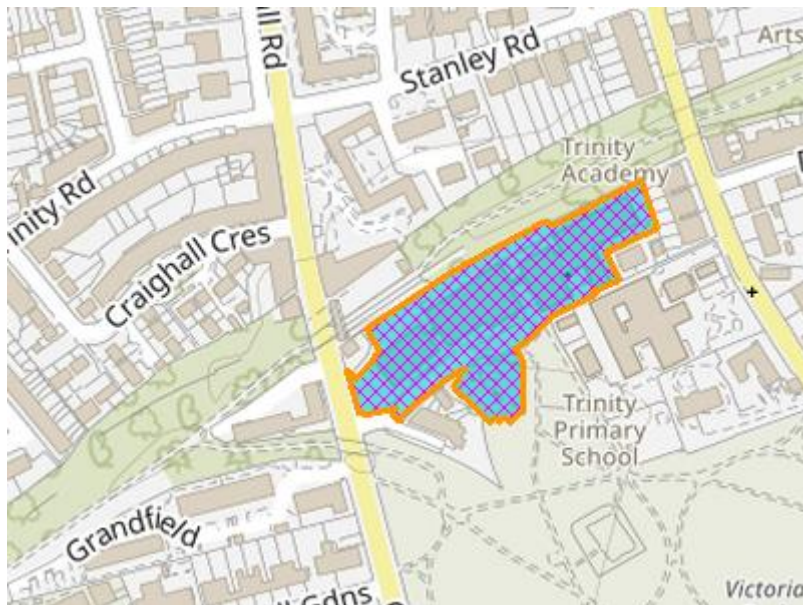
NAME: Archaeology Services

COMMENT: No objection. A condition is recommended.

DATE: 6 November 2023

The full consultation response can be viewed on the [Planning & Building Standards Portal](#).

Location Plan



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Development Management Sub-Committee Report

Wednesday 7 February 2024

Application for Listed Building Consent Liberton Public Park, Liberton Gardens, Edinburgh.

Proposal: A new opening has been created in the existing boundary stone wall to the north of the site, to form the approved ramped active travel route into Liberton Park. A new opening has been created in the existing boundary stone wall to the west of the site, to form the approved emergency access route. The existing gated access to the west of the site has been removed and the opening in the boundary stone wall has been infilled with stone (in retrospect as amended).

Item –
Application Number – 23/02885/LBC
Ward – B16 - Liberton/Gilmerton

Reasons for Referral to Committee

In accordance with the Council Scheme of Delegation, the application has been referred for determination by the Development Management Sub-committee as more than 20 objections have been received in letters of representations from third parties and the recommendation is to grant listed building consent in retrospect.

Recommendation

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

Summary

The works have not harmed the listing building or its setting and there are no compelling reasons for not granting listed building consent in retrospect. The works are acceptable with regards to Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. There are no material matters which outweigh this conclusion.

SECTION A – Application Background

Site Description

The site is three parts of a boundary wall historically associated with the Alnwickhill Reservoir Complex (ARC) which has since been redeveloped for residential purposes under 12/00046/PPP then 14/00577/AMC. The boundary wall is a Category B listed building (LB43246 / Date Added: 15 April 1996).

Description of the Works Undertaken

Listed building consent in retrospect is sought for three alterations to the boundary wall:

- 1) Conversion of a gated vehicular access into a wall to the rear of 38 and 40 Coulter Crescent.
- 2) Formation of an opening between the Alnwickhill Road / Stanedykehead junction and the northernmost entrance to the British Army Reserve Centre for emergency vehicle access and
- 3) Formation of a pedestrian link to Liberton Public Park (LPP) to the north of 27 and 29 Coulter Crescent.

The application was amended prior to this recommendation. Scheme 2 updated the drawings associated with Alteration 3).

The application was re-advertised prior to this recommendation. This was due to an alleged discrepancy with the land ownership certificate on the original application form. Certificate A, which is when the applicants contend themselves to be the sole owners of the land, had been signed. This has been replaced by a signed Certificate C, which is when the applicants contend that they are not the sole or shared owner of the land.

Supporting Information

Covering Letters were submitted in support.

Relevant Site History

12/00046/PPP
Land 50 Metres East of Alnwickhill Reservoir
Liberton Gardens
Edinburgh

Planning Permission in Principle for residential development with associated roads, parking, landscaping, and access.

Granted
7 April 2014

14/00577/AMC
Land 50 Metres East of Alnwickhill Reservoir
Liberton Gardens
Edinburgh

Residential development of 296 dwellings, including associated accesses, roads, and landscaping (as amended).

Approved
8 October 2014

14/00577/VARY
Land 50 Metres East of Alnwickhill Reservoir
Liberton Gardens
Edinburgh

Non-material variation for revising the position of the houses along the north east boundary; amending the parking arrangement to the flats in the northern part of the site, and; amending the position of the pedestrian access from the site into Liberton Park.

Granted
18 September 2015

Other Relevant Site History

02/01110/LBC
Liberton Gardens
Edinburgh
EH16 6NE

Replacement of existing metal fencing and gates to the entire boundary, of the WTWsite, replace with a new 3.00m high overall, barbican fence and gates over the boundary wall

Granted
14 June 2002

02/01110/FUL
Liberton Gardens
Edinburgh
EH16 6NE

Replacement of existing metal fencing and gates with 3.00m high overall, barbican fence and gates

Granted
7 June 2002

11/00019/LBC
Alnwickhill Reservoir
Liberton Gardens
Edinburgh

Remove and rebuild sections of boundary wall.
Granted
7 February 2011

12/01194/LBC
Land 50 Metres East of Alnwickhill Reservoir
Liberton Gardens
Edinburgh

Partially demolish structure.
Granted
17 September 2012

14/03139/LBC
Land 50 Metres East of Alnwickhill Reservoir
Liberton Gardens
Edinburgh

Take down Outlet House 2 and rebuild to relate to proposed ground levels.
Granted
11 November 2014

Pre-Application process

Pre-application discussions took place on this application.

Consultation Engagement

Historic Environment Scotland

Refer to Appendix 1 for a summary of the consultation response.

Publicity and Public Engagement

Date of Neighbour Notification: 14 December 2023

Date of Renotification of Neighbour Notification: Not Applicable

Press Publication Date(s): 22 December 2023 14 July 2023

Site Notices Date(s): 15 December 2023 11 July 2023

Number of Contributors: 83

Section B - Assessment

Determining Issues

This application for listed building consent in retrospect is required to be assessed against Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997:

- Having due regard to Historic Environment Scotland Policy and guidance, have the works harmed the listed building or its setting?
- If they comply with Historic Environment Scotland Policy and guidance, are there any compelling reasons (including but not limited to the public sector equality duty) for not granting listed building consent in retrospect?
- If they do not comply with Historic Environment Scotland Policy and guidance, are there any compelling reasons (including but not limited to the public sector equality duty) for granting listed building consent in retrospect?

Assessment

To address these determining issues, it needs to be considered whether:

a) The works have harmed the listed building or its setting

The only relevant matters are whether the works have harmed the listed building or its setting and if any equalities and human rights impacts have been raised; these are considered under Section b). The Historic Environment Policy for Scotland and the following Historic Environment Scotland Managing Change Guidance are relevant to this application: Accessibility, Boundaries and Use and Adaption of Listed Buildings.

Alteration 1) Conversion of a gated vehicular access

These works are minor in scope and are suitable with respect to the character and appearance of a much-altered listed building by seeking to mirror the stonework of the boundary wall's more historic sections. The now removed vehicular access gates were relatively modern and not of any historical or architectural interest. Whilst the coping for this alteration is different when compared with what is evident on either side, the boundary wall is not uniform in that regard, which is likely a result of its frequent maintenance and modification. This difference has not harmed the character and appearance of the listed building when its interest is considered as a whole.

Alteration 2) Formation of an opening for an emergency vehicle access

These works are also minor in scope and have demonstrated suitable respect to the character and appearance of a much-altered listed building by again seeking to mirror the stonework of the boundary walls more historic sections.

The coping also contrasts but this is deemed acceptable for the same reasons as alteration 1) in that a continuous single treatment for the full length of the boundary wall is not evident. It is noted that the works are currently quite conspicuous but over time, it is considered that the effects of weathering will dull its appearance to a point where it better harmonises with the boundary wall's more historic sections.

Alteration 3) Formation of pedestrian link

The principle of a pedestrian link to LPP has been established by the granting of 12/00046/PPP and 14/00577/AMC. Significant weight has been given to the fact that the residential redevelopment of the ARC has materially changed the original purpose of the boundary wall which was to 'keep people out'. It is accepted that to not have sought and then secured a direct pedestrian link in order to give residents more convenient access to LPP would have been an undesirable and irregular situation.

Notwithstanding the above, and much like alteration 1) and 2), the works have demonstrated suitable respect to the character and appearance to a much-altered listed building. It is once again noted that the stonework and coping (in this case) which has been used to reinstate the boundary wall has sought to match the adjoining more historic sections. The modern stone used to form the walls of the pedestrian link are of similar 'colour' to what would have been the original 'colour' of the boundary wall's more historic sections if not for the effects of weathering. It is deemed an appropriate material to have used considering it is evident throughout the residential redevelopment, promoting consistency between the old and new. It will also dull in appearance over time to better harmonise with the boundary wall's more historic sections. The railings are metal and black which suitably reflects those atop a significant length of the boundary wall and the pedestrian link is generally considered to constitute a relatively small scale and justifiable intervention that has sought to minimise the loss of historic fabric whilst balancing the need to promote inclusive movement.

As the pedestrian link is located within the residential redevelopment, the interpretation of the boundary wall's original line is still readily identifiable although LPP falling outwith the site of 12/00046/PPP and 14/00577/AMC and being Council owned land has probably had some influence on this. Regardless, the fact that the relatively small scale works protrude into the residential redevelopment rather than into LPP has minimised any detrimental impact on the listed buildings' setting and it has also allowed the boundary wall, from certain more acute views, to still appear continuous.

Conclusion in relation to the listed building

The works have not harmed the listing building or its setting and there are no compelling reasons for not granting listed building consent in retrospect. The works are acceptable with regards to Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. There are no material matters which outweigh this conclusion.

b) there are any other matters to consider

The following matters have been identified for consideration:

Equalities and human rights

Section 149 of the Equality Act 2010 places a duty on public authorities to eliminate unlawful discrimination, advance equality of opportunity and foster good relations in respect of nine protected characteristics. It replaced legislation such as the Disability Discrimination Act 2005.

The works have raised no material concerns with regard to the protected characteristics of gender reassignment, race, religion or belief, sex or sexual orientation. Since alteration 3) involves the provision of pedestrian infrastructure, regard has been given to whether it has raised material inclusivity of movement concerns with respect to the protected characteristics of age, disability and pregnancy and maternity. The Department for Transport (DfT) 'Inclusive Mobility: A Guide to Best Practice on Access to Pedestrian and Transport Infrastructure' is considered the most relevant guidance for the assessment of these works.

The width of the alteration 3) footpath is 1.7m which is below the 'normal circumstances' minimum of 2m. It is, however, above the 'physical constraints' minimum of 1.5m which is deemed to apply in this case owing to the change in levels between the site and LPP. No gradient exceeds 1 in 60 and landings and handrails to either side have been provided. Alteration 3) is considered acceptable when assessed against the relevant sections of the DfT's Inclusive Mobility Guidance and has raised no material inclusivity of movement concerns. With regard to alteration 2), only the formation of the opening requires listed building consent and the route into the site is outwith the considerations of this application.

Due regard has been given to Section 149 of the Equality Act 2010 and human rights; no material concerns have been identified.

Public representations

70 letters of representation were received. 67 are in objection, three are in support and one from the Liberton and District Community Council (LDCC) maintains a neutral position.

22 letters of representation were received during the second advertisement period. 18 are in objection and four are in support.

Those in support generally relate to the ability to access LPP and Alnwickhill Road. The LDCC note that it would *"not be constructive to object to the specific proposals in the planning application, proposals with which we agree in principle. We also note that at recent LDCC meetings Liberton Grange Residents Association have raised general concerns about the structural integrity of the walls and in recent correspondence expressed concern about whether or not the access points are compliant with disability access requirements. These concerns have been and will be communicated to CEC councillors at LDCC meetings"*. Considerations raised by those in objection are summarised below with any material matters being addressed under Section a) or b).

Material matters

- Works not in keeping with the character and appearance of the listed building or its setting.
- Works not inclusive.

Non-material matters

- Ownership of the wall.
- Retrospective nature of the application.
- Structural integrity of the wall.
- Works falling outwith the site.
- Any other matter which does not specifically relate to whether the works have harmed the listed building or its setting and equalities and human rights impacts.

For the avoidance of doubt, an application for listed building consent, whether in retrospect or not, has a relatively narrow focus and it is not a mechanism through which the identified non-material matters can be resolved. This recommendation of grant should not be taken as the Council conferring an opinion on any of the identified non-material matters.

Conclusion in relation to other matters considered.

The works do not raise any issues in relation to these identified matters.

c) Overall conclusion

The works have not harmed the listing building or its setting and there are no compelling reasons for not granting listed building consent in retrospect. The works are acceptable with regards to Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. There are no material matters which outweigh this conclusion.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following.

Conditions

1. No conditions are attached to this consent.

Background Reading/External References

To view details of the application go to the [Planning Portal](#)

Further Information - Local Development Plan

Date Registered: 4 July 2023

Drawing Numbers/Scheme

01A, 02A, 04, 05, 06, 07

Scheme 2

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Graham Fraser, Assistant Planning Officer
E-mail: graham.fraser@edinburgh.gov.uk

Appendix 1

Summary of Consultation Responses

NAME: Historic Environment Scotland

COMMENT: No comment

DATE: 17 July 2023

The full consultation response can be viewed on the [Planning & Building Standards Portal](#).

Location Plan



Liberton Public Park



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Development Management Sub-Committee Report

Wednesday 7 February 2024

**Application for Planning Permission
Colinton Primary School, 3 Redford Place, Edinburgh.**

Proposal: Modular off site constructed single storey building will be craned into position on site in three parts. This will house a kitchen facility to support requirements of existing primary school. Building will house, commercial kitchen, toilet, stores, and office area.

**Item – Committee Decision
Application Number – 23/02772/FUL
Ward – B08 - Colinton/Fairmilehead**

Reasons for Referral to Committee

The application has been referred to the Development Management Sub Committee as the applicant is the Council.

Recommendation

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

Summary

The proposed development complies with NPF4 policies in relation to sustainable, liveable and productive places and Edinburgh Local Development Plan policies. There are no material considerations that outweigh this conclusion. It is recommended that the application be approved.

SECTION A – Application Background

Site Description

The application relates to the playgrounds of Colinton Primary School, located between Redford Place to the west and Braid Burn to the east.

There is an area of open space to the north west which includes a playing field, with a wooded area to the east and south west.

The school is a single storey flat roof building with a playground area to the east.

The surrounding area is mainly residential in character.

Description of the Proposal

The proposal is for a single storey modular building, measuring approximately 10 metres by 12 metres with an overall height of 3.2 metres. The treatment finish will include insulated wall panels and wall trims clad with Tata Colorcoat Plastisol Steel. The roof will include a pre-finished profiles steel sheet in white. All windows are to be double glazed in uPVC.

The building is required to support the function of the existing primary school, where it will house a kitchen, toilets, stores, and an office area.

Supporting Information

Flood risk assessment and drainage strategy.

Relevant Site History

No relevant site history.

Other Relevant Site History

No other relevant planning site history.

Pre-Application process

There is no pre-application process history.

Consultation Engagement

Flood Team

Refer to Appendix 1 for a summary of the consultation response.

Publicity and Public Engagement

Date of Neighbour Notification: 4 July 2023

Date of Renotification of Neighbour Notification: Not Applicable

Press Publication Date(s): Not Applicable

Site Notices Date(s): Not Applicable

Number of Contributors: 2

Section B - Assessment

Determining Issues

This report will consider the proposed development under Sections 24, 25 and 37 of the Town and Country Planning (Scotland) Act 1997 (the 1997 Act):

Having regard to the legal requirement of Section 24(3), in the event of any policy incompatibility between National Planning Framework 4 (NPF4) & Edinburgh Local Development Plan 2016 (LDP) the newer policy shall prevail.

Do the proposals comply with the development plan?

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

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

In the assessment of material considerations this report will consider:

- equalities and human rights;
- public representations and
- any other identified material considerations.

Assessment

To address these determining issues, it needs to be considered whether:

a) The proposals comply with the development plan?

National Planning Framework 4 (NPF4) was adopted by the Scottish Ministers on 13 February 2023 and forms part of the Council's Development Plan. NPF4 policies supports the planning and delivery of Sustainable Places, Liveable Places and Productive Places and are the key policies against which proposals for development are assessed. Several policies in the Edinburgh Local Development Plan (LDP) are superseded by equivalent and alternative policies within NPF4. The relevant policies to be considered are:

- NPF4 Sustainable Places policies 1 and 2;
- NPF4 Liveable Places policies 14 and 22;
- LDP Design policies Des1, Des 4 and Des 5; and
- LDP Environment policy Env 21.

The non-statutory Edinburgh Design Guidance is a material consideration that is relevant when considering design and amenity related policies.

Principle of Development

The site is located within the urban area and is within the curtilage of the existing school. The principle of development within this location is therefore established.

Climate Mitigation and Adaption

NPF4 policy 1 gives significant weight to the global climate and nature crisis to ensure that it is recognised as a priority in all plans and decisions. The proposal is to support the requirements of the existing school, and this is linked to the spatial principles 'Conserving and recycling assets', 'Local living' and 'Compact urban growth'.

NPF4 policy 2 seeks to facilitate development that minimises emissions and adapts to the current and future impacts of climate change. As the proposed development utilises an existing land use, this is linked to the spatial principles 'Conserving and recycling assets', 'Local living' and 'Compact urban growth'.

The use of steel cladding is a sustainable and recyclable material. As the proposed development supports an existing use, the impact on emissions will therefore be minimised.

The proposal complies with NPF 4 policies 1 and 2.

Development design

The proposed modular building will be situated within the school grounds where it will be functional in scale, form and design and will complement the main school building. It will not have an adverse impact on the character or appearance of the surrounding area.

The proposal complies with NPF 4 policy 14 and LDP policies Des 1 and Des 4.

Amenity

LDP policy Des 5 (Development Design - Amenity) requires the amenity of neighbouring developments not to be adversely affected.

The proposed development will not result in loss of privacy, sunlight or result in adverse overshadowing.

In terms of noise and odours, a representation has raised the issue of fumes from cooking entering the playground. This is not a material consideration as the playground is not a neighbouring development.

Odours from cooking and potential noise from ventilation fans can be considered in the context of impact on neighbouring properties. The main ventilation fans from the kitchen area are on the north and west elevations. On the north elevation there is approximately 12 metres separation between the proposed standalone modular building to the nearest residential building at 1, Redford Place, separated by the access road into the school. On the west elevation there is approximately 28 metres separation between the proposed building and the nearest residential building at 2 Redford Place, separated by a section of school ground, public road and garden. In both cases the proposed development is a sufficient distance away for potential odours or noise from the ventilation fans to have a negative impact.

All the ventilation fans are fitted with external cowls to reduce noise. The proposed development will not have a materially detrimental effect on the living conditions of nearby residents.

The proposal complies with NPF4 policy 14 and LDP policy Des 5.

Flooding impacts

It is identified that there are no areas of fluvial, surface water, groundwater or coastal flooding located within the development site. There is an area with a low likelihood of fluvial flooding which covers the immediate surrounding area. A drainage strategy has been submitted and this is designed to prevent the increase in run-off from elevating the baseline risk. A soakaway manhole is proposed to the west of the proposed building. This Sustainable Urban Drainage (SuDS) feature will provide minimum storage for surface water run-off for rainfall events up to and including the 200 year critical storms (including allowance for climate change) providing future resilience to the proposed development. CEC's Flood team raise no issues in relation to the Flood Risk Assessment and the Drainage Strategy.

The proposal complies with NPF4 policy 22 and LDP policy Env 21.

Playground Space

A representation has raised the issue of loss of green space. The proposed development is within the school grounds so there is no loss of public green space. There is an area to the north west of the school buildings which includes a playing field and there is a playground to the east of the main building. There are wooded areas to the east and south west of the school and these are unaffected.

Conclusion in relation to the Development Plan

The proposed development complies with the policies contained in NPF4 and in the Edinburgh Local Development Plan.

b) There are any other material considerations which must be addressed?

The following material planning considerations have been identified:

Emerging policy context

City Plan 2030 represents the settled will of the Council, and it has been submitted to Scottish Ministers for Examination. As such, limited weight can be attached to it as a material consideration in the determination of this application.

Equalities and human rights

Due regard has been given to section 149 of the Equalities Act 2010. No impacts have been identified.

Consideration has been given to human rights. No impacts have been identified through the assessment and no comments have been received in relation to human rights.

Public representations

Two representations have been received. Both are objections.

A summary of the representations is provided below:

material considerations

- Loss of green space. Addressed in a) above.
- Will take away green space that acts as sustainable drainage. A SuDS feature is included. Addressed in a) above.
- Fumes from cooking will be ejected into playground. Addressed in a) above.

non-material considerations

- This is a short-term fix. The application is not for temporary consent.

Conclusion in relation to identified material considerations

The material planning considerations have been identified and addressed. There are no outstanding material considerations.

Overall conclusion

The proposed development complies with NPF4 policies in relation to sustainable, liveable and productive places and Edinburgh Local Development Plan policies. There are no material considerations that outweigh this conclusion. It is recommended that the application be approved.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following;

Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted. If development has not begun at the expiration of this period, the planning permission lapses.

Reasons

1. To accord with Section 58 of the Town and Country Planning (Scotland) Act 1997.

Informatives

It should be noted that:

1. 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.
2. 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.

Background Reading/External References

To view details of the application go to the [Planning Portal](#)

Further Information - Local Development Plan

Date Registered: 27 June 2023

Drawing Numbers/Scheme

01, 02, 03

Scheme 1

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Lesley Porteous, Planning Officer
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Appendix 1

Summary of Consultation Responses

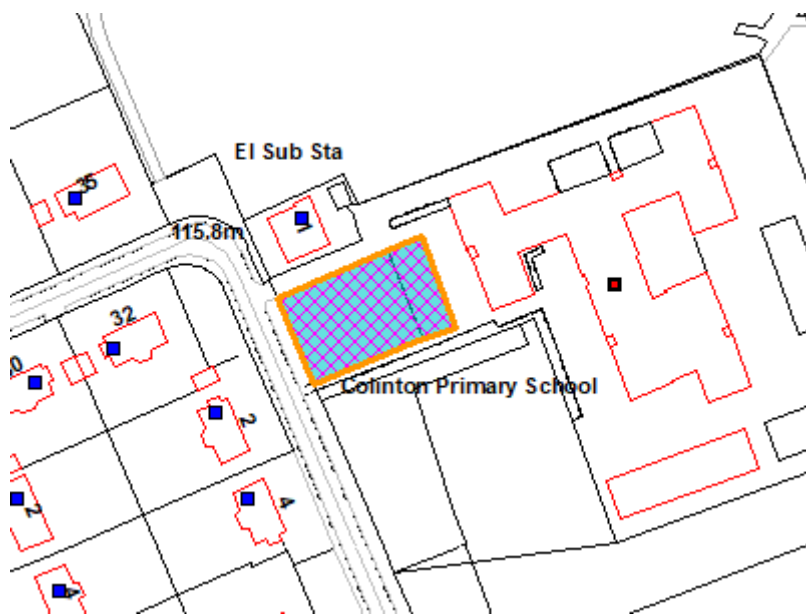
NAME: Flood Team

COMMENT: No comments.

DATE: 29 November 2023

The full consultation response can be viewed on the [Planning & Building Standards Portal](#).

Location Plan



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Development Management Sub-Committee Report

Report returning to Committee - Wednesday 7 February 2024

Application for Planning Permission

117 - 145 Pitt Street & 9 Trafalgar Lane, Edinburgh, EH6 4DE

Proposal: Proposed residential development with associated landscaping, car parking, and infrastructure, including demolition of existing buildings and change of use from light industrial to residential use.

Item – Committee Decision

Application Number – 21/05861/FUL

Ward – B12 - Leith Walk

Report Returning to Committee

At the Development Management Sub Committee on 7 June 2023, Committee resolved to grant planning permission subject to a legal agreement requiring contributions for affordable housing, healthcare, and education.

For the education contributions, these were based on 70 units (those with more than two bedrooms). The healthcare contributions were based on 98 units.

The number of units has reduced to 97, and hence there requires to be a reduction in the healthcare and education contributions. Due to amendments to the scheme (and unit mix), the education contribution is now only required for 69 of these units.

Therefore, the levels of contribution for education and healthcare are less than previously stated in the report to committee on 7 June 2023. The affordable housing numbers remain the commensurate rate of 25%.

Recommendations

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

SECTION A – Assessment

As mentioned, changes are required to the levels of contribution for healthcare and education. The report to the Development Management Sub Committee on 7 June 2023 sought contributions for:

Education: £720,020 (70 units (of two or more bedrooms))

Healthcare: £92,610 (for the total number of units of 98)

Due to an amendment to the plans, the total number of units (of two or more bedrooms) is now 69. Therefore, the contributions are now amended to:

Education: £709,734

Healthcare: £91,665 (for the total number of units of 97)

These numbers are based on a per-unit cost of:

Healthcare: £945 (for all units)

Education: Primary School: £5372; Secondary School: £4914

These per-unit costs remain the same, and the only change is to the unit numbers.

It is recommended that a further three months be allowed in order to conclude this agreement.

The application remains in accordance with the Development Plan and there are no material considerations which indicate otherwise.

A copy of the original Committee report can be found in the list of documents on the [Planning and Building Standards Portal](#)

Or [Council Papers online](#)

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Adam Thomson, Planning Officer
E-mail: adam.thomson@edinburgh.gov.uk

Development Management Sub-Committee Report

Wednesday 7 February 2024

**Application for Planning Permission
525 Ferry Road, Edinburgh, EH5 2DW**

Proposal: Proposed demolition of office building and development of residential development with associated commercial and ancillary uses, landscaping, and parking (as amended).

**Item – Committee Decision
Application Number – 23/03649/FUL
Ward – B05 - Inverleith**

Reasons for Referral to Committee

The application is referred to the Development Management Sub-Committee as 82 objections, 8 neutral comments and 5 support comments to the proposals have been made. Consequently, under the Council's Scheme of Delegation, the application must be determined by the Development Management Sub-Committee.

Recommendation

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

Summary

The proposal complies with National Planning Framework 4 and Edinburgh Local Development Plan policies. The proposal is for a sustainable redevelopment of a brownfield site that will contribute to local living and 20-minutes neighbourhood. The proposal is for a high-quality development design and will not have an adverse impact on its townscape surroundings. Neighbouring amenity will not be adversely affected, and future occupiers will have reasonable levels of living amenity within the development. Car parking levels will be below the maximum standard permitted and cycle parking provision and type is met. Trees identified and selected for their removal are acceptable and their replacement will be achieved through a high quality and biodiverse landscaping design. Conditions are required to address further matters in more detail and to ensure that a high-quality development is delivered. A legal agreement is required to secure provisions towards education infrastructure, provision of two club cars and 25% affordable housing provision.

The City of Edinburgh Council as Planning Authority direct that under section 58 1(b) of the Town and Country Planning (Scotland) Act 1997 in respect of planning application 23/03649/FUL the substitution for the period of 3 years with the period of 1 year to commence development.

There are no material considerations that outweigh this conclusion.

SECTION A – Application Background

Site Description

The application site measures 1.37 ha and is the former data-centre office building, located north of Edinburgh at 525 Ferry Road. The building dates early 2000s and is three storeys high with a basement car park. The layout of the building is largely open plan with a glazed façade and flat roofs. There are currently 220 car parking spaces within the site with substantial areas of hardstanding.

The building has been vacant since 2018.

The site is served by a separate vehicular and pedestrian access from Ferry Road with the frontage occupied by mature trees and a stone boundary wall.

The site shares a boundary with Fettes playing fields to the east, a three to five storeys residential development within Kimmerghame estate to the south, a five to six storeys high Village Hotel/Gym to the west and Ferry Road to the north. On the north side of Ferry Road is Leonardo Aerospace and Morrisons supermarket.

Ferry Road is a key transport corridor with cycle lanes and is served by the local bus network (21, 27, 29, 37,38, 29). Crewe Toll roundabout lies 87 metres west from the site.

There are trees within the site. Group 1 trees to the south of the site consists of Leyland cypress. Group 2 trees to the north of the site include various species of broadleaf trees. The trees to the east of the site are within Fettes playing fields.

The site to the east lies outside Inverleith conservation area.

Description of the Proposal

The application is for the proposed demolition of existing office building and the development of residential with associated commercial and ancillary uses, landscaping, and parking.

A total of 256 flatted units are proposed, with 38 one-bedroom (20%), 89 two-bedrooms (46%) and 64 three-bedrooms (34%).

It is proposed to provide 65 affordable units within Block F. The mix of affordable housing includes 19 one-bedroom (39%), 33 two-bedrooms (41%) and 13 three-bedrooms (20%).

The proposal includes 1059m² of mixed-use workspace across four units at the ground floor level within Block E which will front onto Ferry Road. The following class uses are proposed:

- Class 1a (Shops, and financial, professional, and other services).
- Class 3 (Food and drink - restricted café use to reheat non-cooking).
- Class 4 (Business); and

– Class 10 (Non-residential institutions)

A new vehicle access and egress is to be created on Ferry Road. Vehicle movement within the site will be limited to the commercial frontage for drop offs/deliveries/emergency vehicles. Vehicle movement also includes access and egress to the basement level for residential car and cycle parking, along with refuse store/collection.

The development layout is arranged in six blocks (A, B, C, D, E and F) and will be seven storeys high with a flat roof. Block A to E will have a recessed rooftop. The main treatment finish for the blocks is to include different tones of buff sandstone facing brick with aluminium cladding for the recessed top storeys. The design detail includes projecting balconies, Juliette balconies, roof terraces and full height glazing. The flat roofscape is to have a sedum finish with the exception that block F will have a blue/green roof.

The commercial frontages on the ground floor will have full height curtain glazing (doors and windows) with white pre-cast concrete wall panels, including projecting white pre-cast concrete string course. The commercial frontage will be interrupted by sections of aluminium rainscreen cladding with glazed entrance doors with full-height side panels on the ground floor, providing controlled access to residential.

A new public realm/landscaped space is proposed along Ferry Road. Alterations to existing stone walls includes reduction to its height and formation of new openings to enhance permeability for pedestrians and cyclists. At the centre of the site is a communal courtyard area, providing shared amenity spaces with footpaths and landscaping throughout the site. A SUD's pond is to enclose the south and east sections of the site with a boardwalk. Private communal gardens and patios within the development are to serve the residents only.

A link between the Village Hotel to the west and the site is proposed to encourage active travel. A future link between the Kimmerghame development to the south and the site is also proposed.

Within the basement level, 77 car parking spaces are to be provided. This includes 10 accessible spaces and 25 EV charging spaces for the 256 residential units. A further three car parking spaces on the ground level is proposed for taxi drop offs/deliveries, including one disabled parking bay.

Secure cycle stores are located within the basement and Mobility Hubs on the ground floor. The proposal includes 589 secure cycle parking spaces for the 256 residential units as follows: 235 Sheffield stands (40%), 119 non-standard (20%) and 235 double-stack (40%). An additional 44 visitor cycle parking spaces are proposed on the ground floor, adjacent to communal entrances and within the courtyard garden.

It is proposed to remove thirty-three category B and one category C trees. Group 1 trees are to be removed in their entirety. Group 2 trees are to be selectively removed. Approximately 68% of the site area is to be landscaped with trees, shrubs, and wildflower planting.

Energy demand will be met through low energy LED lighting, heat recovery ventilation, thermostatic heating controls, low water consuming fittings and energy metering and display monitors.

Supporting Information

- Design and access statement
- Planning statement/community benefit/affordable housing
- Sunlight, daylight, and overshadowing study
- Town and visual impact assessment
- Pre-application consultation report
- Archaeological desk-based assessment
- Tree survey report
- Preliminary ecological appraisal, bat, and biodiversity net gain report
- Biodiversity metric
- Landscape ecology and biodiversity report
- Pre-demolition audit
- Embodied carbon and circular economy summary
- Energy statement
- Flooding, drainage, and surface water strategy
- Sustainability statement
- Commercial market report
- Air quality assessment
- Noise impact assessment
- Phase 1 desktop site investigation report
- Review of estate management and maintenance strategy
- Stage 1 road safety audit
- Transport assessment
- Odour risk assessment

These documents are available to view on the Planning and Building Standards online portal.

Scheme one

The original scheme was amended to address cycle parking provision, waste requirements and to provide a stronger definition between private and public spaces.

Relevant Site History

99/03373/FUL
525 Ferry Road
Edinburgh
EH5 2DW
Office development, with associated car parking and landscaping (as amended)
Granted
24 February 2000

22/05019/PAN
525 Ferry Road
Edinburgh
EH5 2DW

Proposed demolition of office building and development of residential development with associated commercial and ancillary uses, landscaping, and parking.

Pre-application Consultation approved.

21 October 2022

22/05991/SCR
525 Ferry Road
Edinburgh
EH5 2DW

Proposed demolition of office building and development of residential development with associated commercial and ancillary uses, landscaping, and parking.

EIA Not Required

13 December 2022

Other Relevant Site History

History of neighbouring sites

Site to west:

04 July 2013 Demolition of existing office building and construction of five storey hotel (Class 70 with associated facilities, car parking, hard and soft landscaping (application reference 12/04235/FUL).

Pre-Application process

Pre-application discussions took place on this application.

Consultation Engagement

Children and Families

Environmental Protection.

Transport Planning

Flood Planning

Refer to Appendix 1 for a summary of the consultation response.

Publicity and Public Engagement

Date of Neighbour Notification: 15 August 2023

Date of Renotification of Neighbour Notification: Not Applicable

Press Publication Date(s): 25 August 2023

Site Notices Date(s): 22 August 2023

Number of Contributors: 95

Section B - Assessment

Determining Issues

This report will consider the proposed development under Sections 24, 25 and 37 of the Town and Country Planning (Scotland) Act 1997 (the 1997 Act):

Having regard to the legal requirement of Section 24(3), in the event of any policy incompatibility between National Planning Framework 4 (NPF4) & Edinburgh Local Development Plan 2016 (LDP) the newer policy shall prevail.

Do the proposals comply with the development plan?

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

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

In the assessment of material considerations this report will consider:

- equalities and human rights.
- public representations; and
- any other identified material considerations.

Assessment

To address these determining issues, it needs to be considered whether:

a) The proposals comply with the development plan.

National Planning Framework 4 (NPF4) was adopted by the Scottish Ministers on 13 February 2023 and forms part of the Council's Development Plan. NPF4 policies supports the planning and delivery of Sustainable Places, Liveable Places and Productive Places and are the key policies against which proposals for development are assessed. Several policies in the Edinburgh Local Development Plan (LDP) are superseded by equivalent and alternative policies within NPF4.

The relevant NPF4 and LDP policies to be considered are:

- NPF4 Sustainable Places policies 1, 2, 3, 6, 7, 9, 12, 13 and 18.
- NPF4 Liveable Place policies 14, 15, 16, 18, 20 and 22.
- NPF4 Productive Place policies 25 and 28.
- LDP Design policies Des 1, Des 2, Des 3, Des 4, Des 5, Des 7 and Des 8.
- LDP Environment policies Env 12, Env 21 and Env 22.
- LDP Employment and Economic policies Emp 9.
- LDP Housing policies Hou 1, Hou 2, Hou 3, Hou 4, Hou 6 and Hou 7.
- LDP Retail policies Ret 6 and Ret 11.
- LDP Transport policies Tra 1, Tra 2, Tra 3 and Tra 4; and

- LDP Delivering the Strategy policy Del 1.

The 'Edinburgh Design Guidance' is a material consideration that is relevant in the consideration of the Housing, Design and Transport policies and other Environment policies listed above. Non-statutory 'Affordable Housing Guidance' is relevant to assessing affordable housing policy.

Principle

Employment sites

LDP policy Emp 9 sets out the criteria for proposals to redevelop employment sites or premises in the urban area for uses other than business, industry, or storage.

The site was last in use as an office building and has been vacant since 2018. The Planning statement cites several factors that make the building unattainable for its continued use (utility cost, inefficiency of the mechanical and electrical systems, security, and impact of major flood in November 2022). The site has been marketed to the office market for over three years and remains unlet, indicating that there is no demand for this type of building in this location. When last marketed, the building had an EPC C rating with no other environmental accreditations.

The existing building was purposely designed as a combined bank office and data centre. However, both functions have become redundant as technology, working practices, and workplaces have evolved. The building was designed for single occupancy with no flexibility or multi-occupancy considered at the outset to allow the building to be future proofed. There is neither a realistic or viable scope to repurpose and retrofit the existing building for multi-occupation and this is a relevant material consideration in the assessment of this application.

The proposal along the northern frontage within Block E includes 1059m² of mixed-use workspace across four units at the ground floor level which would provide for a range of business users (Class 1a, 3, 4 and 10). As detailed in the assessment below, the introduction of housing on this site will not prejudice or inhibit the activities of nearby employment uses.

Compliance with LDP policy Emp 9 is met.

Demolition

NPF 4 policy 9 supports development proposals that will result in the sustainable reuse of brownfield land, including vacant land and buildings with demolition regarded the least preferred option.

NPF 4 policy 12 seeks to facilitate development that is consistent with the waste hierarchy in terms of reduction and reuse of materials.

The accompanying embodied carbon summary considers demolition and retention scenarios. It shows that retention of the existing building would have a lower embodied carbon impact but would not achieve the biodiversity gains proposed.

Having regards to embodied carbon, the proposed development would allow the site to be adapted sustainably to a new use with existing infrastructure that would encourage local living and 20-minute neighbourhoods in line with NPF4 policy 15. The basement level will be retained for underground parking to support a high development density on the site that would conserve a degree of embodied energy.

In terms of zero waste, the accompanying circular economy summary considers a range of circular economy principles to minimise environmental impacts, maximise the value extracted from materials and prioritise the reuse and recycling of materials.

Compliance with NPF4 policies 9 and 12 is met.

Mixed uses

A mix of uses is proposed (Class 1a, 3, 4 and 10) for the commercial units on the ground floor and this is market units flexibly.

Environmental Protection were consulted on the proposal and advises that no noise assessment or mitigation details have been provided to ensure that structurally attached residential properties will not be affected by noise from the proposed commercial operations. It should be noted that the construction of the premises through the building warrant stage will ensure that there is appropriate noise mitigation in place before work begins.

The introduction of a Class 4 (Business) use is acceptable as this is a use that can be carried on in any residential area without detriment to the amenity of that area.

The proposed Class 3 (Food and drink) use is intended to be for a restricted café use. It should be noted that no ventilation details have been provided. It will therefore be necessary to condition and restrict the proposed Class 3 use to ensure that no cooking takes place. This is to ensure compliance with LDP policy Hou 7 and Ret 11.

The proposed Class 10 (Non-residential institutions) is not supported by Environmental Protection. A Class 10 use can include a number of uses which have the potential to seriously impact on residential amenity, such as place of worship or a nursery. The applicant has agreed to remove reference to Class 10 use not being approved, or alternatively a suitably worded condition to ensure that no Class 10 use will be permitted without a detailed acoustic assessment being submitted to and approved. Given that acoustic impacts and mitigation for a Class 10 use is not known, it would be inappropriate to consent/condition this element of the proposal. A separate planning application would be required to assess a Class 10 use in more detail and to ensure that any acoustic measures can be conditioned and enforced.

The proposal seeks to introduce Class 1a (Shops, and financial, professional, and other services) use. In terms of the town centre first sequential approach, the proposal is an out of centre location where NPF 4 policy 28 and LDP policy Ret 6 applies.

The proposed Class 1a use is consistent with NPF4 policy 28 (c) as it seeks to create a new community with 256 residential units proposed with a need for neighbourhood shopping to contribute to local living and 20-minute neighbourhood. This is also in line with NPF4 policy 15. While the proposal includes 1059m² of mixed-use workspace and is intended to be marketed for Class 1a, 3 and 4, it is not known if it will result in a scenario where all the units end up being used for Class 1a use only. The Town and Country Planning (Use Classes) (Scotland) Order 1997 (as amended in April 2021) includes financial, professional, and other services within retail/shop uses. The LDP recognises the benefits in providing small scale, convenience stores (up to 250sq.m gross floorspace) in locations easily accessible on foot or by cycle. In this case, it is not necessary to demonstrate that there is no site suitable or to provide a retail impact assessment. In addition, it is not necessary to impose a floorspace restriction on a Class 1a use in this location.

Conditions are required to exclude a Class 10 use and to make it clear what class uses are permitted within the proposed development. Compliance with NPF4 policy 28 and LDP policies Ret 6, Ret 11 and Hou 7 is addressed.

Housing

NPF4 policy 16 f) (ii) states development proposals for new homes on land not allocated for housing in the LDP will only be supported in limited circumstances where the proposal is otherwise consistent with the plan spatial strategy and other relevant policies including local living and 20-minute neighbourhoods.

The site lies within an urban area defined in the Edinburgh Local Development Plan (LDP). Policy Hou 1 gives priority to the delivery of the housing land supply on suitable sites within the urban area provided proposals are compatible with other policies in the plan.

As detailed in the assessment above and below, the principle of housing on the site is supported as a policy compliant scheme can be delivered.

Compliance with NPF 4 policy 16 f) (ii) and LDP policy Hou 1 is met.

Development design and layout

NPF4 policy 14 supports development proposals that are designed to improve the quality of an area and are consistent with the six qualities of successful places (healthy, pleasant, connected, distinctive, sustainable, and adaptable).

This part of North Edinburgh is characterised by low density suburbs, large buildings, and car parks. The Crewe Toll roundabout/Ferry Road is currently dominated by vehicles with no active frontage.

The pattern of development of North Edinburgh has been shaped by the large private estates which have evolved into the large areas of green space, comprising Fettes College, Inverleith Park and Botanic Gardens which separates the north of the city from the city centre. Whilst the green space that essentially forms the Inverleith Conservation Area has positive amenity benefits, it makes the North of Edinburgh appear disconnected from the city centre and further away than it is.

The proposal is for a high density of development where it equates to 186.86 units/ha, and this does not reflect the development pattern of its surroundings. However, the proposed development, by virtue of its scale, form, massing, detailing and materials will introduce an assertive change along Ferry Road with new uses to create a welcoming and active frontage compared to existing situation.

The proposal retains the existing underground car parking in which individual blocks are centred around a high landscaped courtyard above with seating furniture, with amenity spaces extended to boardwalks with SUDs ponds. Pedestrian priority is prioritised with road space within the development kept to a minimum/restricted to the north and east of the site and this is welcomed.

Due to the height and scale of the development, the proposal will be a notable building from arterial routes in the northwest of the city. The Townscape and Visual Impact Assessment (TVIA) demonstrates through extensive analysis that the proposal will not impact adversely on its surroundings, including the setting of the Inverleith Conservation Area and city skyline. At seven storeys in height, the proposed development would exceed the upper limits of what would sit comfortably within the canopy heights of the mature trees in Inverleith and rises above the Village Hotel's five storeys and six storeys Kimmerghame development, with much lower rise housing to the southwest. There is, however, potential to allow a bolder treatment along Ferry Road frontage in which the development would be set back.

A TVIA was provided on request to show the impact of the proposed tree removal of Kimmerghame side. As mentioned in the tree assessment below, the removal of the trees is to allow this section of the site to be replaced with more biodiverse planting and to achieve integration with the adjoining residential areas. While the removal of the trees would introduce a change, the visual impact will not be adverse.

Representations received comment that the proposed seven storey development is too high. It should be noted that blocks shown as six storey (+ one) have a recessed rooftop storey with a lightly coloured aluminium cladding finish which is to create a 'lightweight' effect. This approach will help to reduce the overall impact of the proposed development height and to allow the detailing and arrangement of the blocks to achieve articulation/interest as opposed to having a dull/monolithic impact.

In response to the setting of the individual blocks within the landscape, the development will be finished in a complimentary range of brick tones that reflect a gradation of white buff to blonde colours. The tones have been selected to bring variety and interest to the street edge and character to the individual buildings. A high-quality light-buff brick has been selected for Blocks A-D. A blonde brick has been selected for the public frontage of Blocks E and for Blocks F in response to the existing sandstone boundary wall and the wider character of Edinburgh as a city.

To express the public frontage, the ground floor of Block E is to be finished in a high-quality pre-cast concrete with large commercial glazed openings. The ground floor elements are bound together through the site by the use of a rusticated brick base detail which is to speak to the landscape character of the new neighbourhood.

The prominent corner building facing Crewe Toll is elevated with a vertical emphasis and an alternative masonry tone has been used to signify this and to mirror the corner of the original Ferranti Building.

The proposed use and justification of the simple and refined palette of materials is acceptable. The proposed treatment finish will enable the development to achieve a sense of place that will be distinctive and attractive.

While the TVIA confirms no adverse impact, this will depend on the final treatment finish which has varying degrees of lightness which the EDG cautions against. It will therefore be necessary to condition all external treatment finishes to ensure no adverse visual impacts. This is to ensure compliance with LDP policy Des 4.

Wider network connections to enhance community safety (active frontage) and urban vitality in this location would be achieved with the introduction of a new public realm/landscaped space along the commercial frontage on Ferry Road. This will provide safe and convenient connections on foot and by cycle from Ferry Road in line with LDP policy Des 7 and Des 8. Within the courtyard area and periphery of the blocks, the proposal includes extensive network of paths with multiple choice for amenity spaces/enjoyment. The retention of existing features within the site, including trees and alteration to existing boundary walls along Ferry Road frontage will add and strengthen its character. This is in line with LDP policy Des 3.

The proposed internal street level to west boundary will drop below the adjacent level of the Village Hotel to access the below ground parking. To the north, level access will remain to the parking areas to the Village Hotel frontage and restaurant.

In terms of connectivity/walkable communities, a link between the Village Hotel to the west of the site is proposed. While the delivery of this link would require the agreement of the adjacent landowner to implement the connection, it can be delivered to the site boundary for shared footway/cycle use with 1:22 gradient level which is acceptable. A future link between the Kimmerghame development to the southwest is indicated but would require agreement of the adjacent landowner to implement this connection. It should be noted however, that the delivery of this link may be constrained by the proposed SUDs. While details of this future link are not fully known at this stage, the potential to enhance active travel measures (walking and cycling) in the future is demonstrated and this does not preclude assessment of the scheme overall. All paths within the landscape areas are generally at slopes gentler than 1:20 to provide accessible routes and this is acceptable.

Landscape features within the development includes open space at ground level, terraces and roofscape. In terms of its layout and treatment of soft landscape and public realm, the landscape strategy sets out a logical series of spaces to achieve distinctiveness and this is acceptable.

The drawings were amended to provide a clearer definition between private and public open spaces with the width of the entrance to private communal back green from the street to the west of the site reduced. This was to enhance the level of privacy for communal gardens from those passing through the area and, particularly if the adjacent site was to be redeveloped and connected to this application.

The SUDs strategy across the site is positive in terms of its use of blue-green roofs, swales, rain gardens and suds basins.

Representations received state that the proposed flat roof will attract seagulls and pigeon nesting which is currently an issue within Kimmerghame estate. The proposed development incorporates a green roof, which is designed to enhance biodiversity/habitat benefits and this is acceptable. It should be noted that Kimmerghame estate do not have green roofs.

It should be noted that the landscape plans refer to 'tree types and planting mixes' but do not confirm their species or characterisation despite there being lots of examples in the landscape and ecology strategy. A condition requiring further details of the landscape plan, including hard and soft landscaping, boundary treatments and street furniture are required. This is to assess this matter in more detail and ensure that a high-quality landscape design is delivered.

In line with NPF 4 policy 20 (e), a landscape maintenance schedule was provided, and this appears to be acceptable. The proposed development will be managed by private factoring.

While the proposed development is for a high density of development, the proposal demonstrates a comprehensive and integrated approach to the layout of buildings, streets, footpaths, cycle paths, public and private open spaces, services and SUDS features. The six qualities of successful places will be achieved through the proposals high-quality development design and landscaping.

Compliance with NPF 4 policies 14 and LDP design policies is met.

Trees

NPF4 policy 6 seeks to protect and expand tree covers. LDP policy Env 12 states that development proposals will not be permitted if likely to have a damaging impact on a tree protected by a Tree Protection Order (TPO) or any other tree or woodland worthy of retention unless for good arboricultural reasons. Where acceptable, replacement planting of appropriate species and numbers will be required to offset the loss to amenity.

The trees within the site are not protected by a TPO. To facilitate the construction of the site, 43 trees along the edge of Ferry Road would be removed with the loss mitigated through the planting of 111 new trees and this is acceptable. On the Ferry Road frontage, 12 selected trees would be retained to enhance community security and pedestrian character, and this is welcomed.

Group 1 trees (Cypress hedging) to the south of the site are to be removed and this is acceptable. The Group 1 trees previously had been planted to separate the existing and residential uses and is constrained by a retaining wall that overshadows the site. Its removal would be replaced with more biodiverse planting and allow for integration with the adjoining residential areas. In addition, the Group 1 trees were assessed as being category C trees, meaning that they are of low quality with a limited lifespan of at least ten years, whereas the development proposals make provision for a suitable long-term structural tree planting in this location and would avoid overshadowing the planted swale.

While the proposal will involve the removal of trees, it will also replace extensive areas of hardstanding with soft landscaping and introduce a greater range of habitats through use of blue/green infrastructure and various SUDs treatments proposed at roof, courtyard level and to the south and east of the development.

Outside the application, the trees to the east of the site within Fettes playing fields are protected. It has been confirmed that the installation of the proposed SUDs will not result in excavation within the root protection of these trees. The submitted Arboricultural Impact Assessment (AIA) advises the need for an Arboricultural Clerk of Works to oversee the tree works and protection due to the proximity between the works and adjacent trees including removal of existing block paving, gas sub-station and installation of SUDs. A condition therefore is required to ensure that the works will not have a damaging impact on protected trees.

Overall, impacts on existing trees have been identified and addressed. The identified removal of trees and their replacement is acceptable. Compliance with NPF 4 policy 6 and LDP policy Env 12 is met.

Neighbouring amenity

NPF 4 policy 14 and LDP policy Des 5 seeks to safeguard the amenity of neighbouring developments.

A sunlight, daylight and overshadowing study was provided, demonstrating the before and after situation.

Daylight

The daylight study considers impact to existing residential buildings to the south of the proposed development. The results demonstrate that the majority of the windows achieve the Vertical Sky Component (VSC). For the windows that have VSC less than 27% in the post development situation, the analysis against the allowable 0.8 reduction factor concluded that all windows comply. The proposal will not result in adverse loss of daylight, and this is acceptable.

Privacy

Representations received comment that the proposed development height and removal of existing trees would result in loss of privacy. EDG advises that the pattern of development in an area will help to define appropriate distances between buildings and consequential privacy distances. The proposed six storeys (+ one storey recessed rooftop) Block A to Block C will have a privacy distance approximately 20 metres six storeys high residential blocks on Kimmerghame Place and this is separation distance is acceptable. While there would be a change in the level of privacy currently enjoyed by existing residents within Kimmerghame Place, it should be noted that the trees to the south of the site are within the control of this application.

The distance between Block A and to the rear garden of number 2 to 10 Kimmerghame Row is approximately 53 metres and this is acceptable. It should be noted that the windows on the west elevation on Block A do not face directly onto opposing windows from this distance. While the rooftop terraces would be capable of overlooking into the gardens, there would be no more of an impact compared to the overlooking from existing developments on Kimmerghame Place. The proposed development will not result in adverse loss of neighbouring privacy levels.

Sunlight

A sun path analysis was provided to show pre and post residential development during the Spring Equinox (21st March). The adjacent Village Hotel to the west of the site comprises of a visitor carpark but does not include any amenity areas. Shading to Fettes Playing Fields to the east of the site, which occurs during afternoon hours, is similar for both the current and proposed situation. This is due to the existing high growing trees rather than the development proposed.

Shading to the amenity areas belonging to the apartment blocks on Kimmerghame Place, directly south of the proposed development is shaded by the existing apartment blocks themselves. Therefore, the proposal will not introduce additional loss of sunlight. It should be noted that this section comprises of parking bays with landscaped sections of grass and shrubs.

The sunlight study demonstrates that the whole of the rear garden amenity space at number 2, 4, 6, 8 and 10 Kimmerghame Row receive more than two hours of sunlight on the 31st of March (spring equinox). The proposal therefore will not result in adverse overshadowing to existing amenity spaces, and this is acceptable.

Noise

The proposal is compatible with nearby residential uses and will not exacerbate the situation in terms of noise.

Overall, the proposed development will not result in adverse loss of daylighting, sunlight, or privacy. The proposal is compatible with nearby residential uses in terms of noise.

Compliance with NPF 4 policy 14 and LDP policy Des 5 is met.

Development amenity

Agent of change - Noise

Under Section 25 of the Planning (Scotland) Act 2019, the application site is identified as being a 'noise sensitive development' due to its proximity to Village Hotel to the west of the site which has items of plant located on the roof and ground level. In addition, the hotel has a function suite at the south-east end of the building with can host events and amplified music. The provisions of the Act detail the Agent of Change (AofC) principle which seeks to protect existing owners and occupiers, including cultural venues or facilities, from any additional burden from new noise sensitive developments. The onus is on the new development to ensure compliance on its own land.

A Noise Impact Assessment (NIA) was provided, and Environmental Protection were consulted. The NIA covered road traffic, fixed plant, and music. Environmental Protection do not support the use of closed windows ventilation as a form of mitigation.

It should be noted that 10% of habitable rooms (76 of 788 total) require closed windows ventilation for music noise and this is a small minority. The inclusion of MVHR improves energy performance. Given the urban setting of the site, particularly nearby road traffic noise, background ambience noise during the day is to be expected. For this reason, there are exceptional circumstances to allow a 'windows closed approach' for 10% of habitable rooms to mitigate against music noise. In accordance with the Agent of Change (AofC) Principle, consideration has been given to impacts on future occupiers.

Further to the above, it should be noted that 49% of habitable rooms across the development (386 of 788 total) require closed window assessments and alternative means of ventilation to appropriately mitigate road traffic noise. A further 2% of habitable rooms (18 of 788 total) require closed window assessments and alternative means of ventilation to appropriately mitigate plant noise from the adjacent hotel.

Environmental Protection comment that the NIA did not include assessment in relation to heat air source pumps (ASHP). It should be noted that ASHP are not proposed, and the applicant has confirmed that there would be no centralised ASHP on the roof. The flats will have their own electric MEV heat pumps internally. It is expected that each of the four commercial units would have variable refrigerant flow (VRF) located within the internal plant rooms at the rear. Any plant associated is expected to achieve NR25 targets with windows open at the nearest receptors both within and out with the development. Therefore, a condition is required to ensure that all plant equipment do not breach NR25 target when measured within the nearest living apartment.

In summary, future occupiers will have acceptable levels of living amenity within the development in relation to noise in this urban setting.

Nearby cooking odours

The proposed development will have windows higher than the existing hotel cooking ventilation extraction point. Environmental Protection has raised concerns that hotel cooking odours have the potential to impact on the residential amenity of the proposed properties and the potential for complaints to be received.

An Odour Risk Assessment was carried out. The report advises that there are eight units on the west side of the proposed development on floors five and six that may be affected by any odour emitted from the Village Hotel kitchen exhaust. These units are located between 27- 30 metres to the northeast, east and southeast of the source. It is likely that these units will be more susceptible to odour effects during south westerly and westerly winds. A mechanical ventilation system has been included in some of the development plans, including the apartments likely to be affected by odours. The report advises that those properties are already likely to require to keep their windows closed due to noise and so the closed windows will act to address odour concerns as well.

As with noise, Environmental Protection do not support the use of closed windows ventilation as a form of mitigation for odour. However, the use of closed windows will only affect eight of the proposed units (3%) and this is a small minority.

Mix

EDG advises that in schemes with 12 units or more, 20% of the total number of homes should be designed for growing families. Out of the 256 units proposed, 64 will be for three-bedroom units (34%) and this comfortably exceeds the 20% threshold. Compliance with LDP policy Hou 2 is met.

Floorspace

The proposal meets the minimum floorspace standard contained in the EDG.

Privacy

The blocks are sited, and the windows/balconies are arranged to ensure that future occupiers will have reasonable levels of privacy within the development. The balcony-to-balcony distance between blocks ranges from 10.5 metres to 35 metres and 58 metres and this is acceptable. The south elevation of Block F and the north elevation of Block A is sited the closest with the window-to window distance approximately 14 metres apart. The rooftop terraces on the sixth floor are set back from the projecting balconies. The windows and balconies are designed to overlook the central courtyard, and this is acceptable.

Daylight

In terms of daylight targets, the proposed scheme has been tested using the Vertical Sky Components (VSC) and Average Daylight Factors (ADF). Only where a daylighting pass could not be demonstrated using the VSC and ADF, a more computational heavy assessment of the "no skyline" criteria was carried out. The daylight study confirms that a total of 39 areas was assessed under the no skyline method in which four areas across all five apartment blocks fail to meet their daylighting target. The failed areas relate to the ground floor within Block A and Block C and one area on the first floor within Block E. This is due to shading by adjacent buildings in combination with shading from above balconies or a deeper room plan. The daylight modelling results confirms that 99.6% of habitable areas of the new buildings can meet daylighting requirements and this is acceptable.

The testing of additional daylight improvement measures demonstrated that daylighting levels could be further improved if balconies were to be removed from the scheme. However, this was decided against due to their wider sustainability and well-being benefit associated with them (summertime shading).

Overall, future occupiers will have reasonable levels of daylight levels within the proposed development.

Aspect

EDG advises that single aspect dwellings should not make up more than 50% of the overall dwelling numbers and developments should avoid single aspect dwellings that are north facing, exposed to noise sources, or contain three or more bedrooms.

Out of the 256 units proposed, 56% of the units will be dual aspect flats which exceeds the minimum 50% requirement. The unit mix for single aspect flats includes 62 one-bedroom (24%) and 51 two-bedrooms (20%).

In terms of exposure to noise sources but mitigated through closed windows, 10 single aspect units will face north onto Ferry Road and 19 single aspect units will face west onto Village Hotel. The remainder of the single aspect units are located on the east, south and façade to optimise their orientation and their relationship to the landscaped areas and this is acceptable.

Open space

LDP policy Hou 3 sets out the criteria for private green space in housing development.

Amenity provision within the development includes public realm (36%), shared communal (38.5%), private communal (16%) and ground floor private gardens (9.5%). The proposal is for 256 flats and 19 units will have private ground floor flats. The requirement for communal provision is 10m² per flat (excluding units provided with private gardens). A communal provision of 2,370 m² is therefore required. The central courtyard provides 2626m² of shared amenity and Blocks A-C share 1073m² of private communal amenity. The proposal exceeds the requirement for communal provision, and this is acceptable.

Additional amenity provision for the residential blocks includes private balconies (167 units) and terraces (12 units).

More than 20% of total site area will be useable greenspace (including SUDs and boardwalk). The sunlight study demonstrates that the communal courtyard space will achieve three to five hours (or more) per day during the Spring equinox. This exceeds EDG minimum requirement of two hours of sunlight, and this is acceptable.

Future occupiers will have reasonable levels of living amenity within the development in relation to floorspace, daylight, sunlight, and open space. The proposed development density ensures that an attractive residential environment can be achieved.

Compliance with NPF4 policies 14 and 16 and LDP policies Des 5 and Hou 4 is met.

Parking

Car parking

Out of the 256 residential units proposed, 77 car parking spaces will be provided within the basement level. This means that 30% of the flats will have a parking space. The proposed parking levels complies with the maximum standards in the EDG and given the accessibility of the site to nearby public transport, this is acceptable. The quantity of accessible spaces and EV charging spaces also complies with EDG parking standards.

Representations received comment that the proposed level of car parking is not reflective of the number of units proposed and would have a knock-on effect on parking in the neighbouring areas. The objective of the car parking standard is to reduce reliance on car ownership and to encourage ways of travelling more sustainably. The application was accompanied by a travel plan, outlining measures to reduce car ownership (welcome pack/ bus timetable). In addition, the applicant has confirmed commitment to invest in two club cars.

It should be noted that it is not within the scope of this application to resolve existing car parking issues within the Kimmerghame estate as planning cannot control where individuals choose to plan their journey/park their cars.

Cycle parking

The quantity and types of secure cycle parking complies with the EDG and the Council's C7 Cycle Factsheet. In addition, the numbers and location of short stay visitor cycle parking is acceptable.

Transport Planning were consulted and raised no issues with the proposed car and cycle parking arrangement.

Compliance with NPF 4 policy 13 and LDP policies Tra 2, 3 and 4 is met.

Other Matters

Transport impact

A transport assessment was submitted, and Transport Planning were consulted on the proposals.

The proposed development is predicted to result in fewer persons trips than the existing office use during the period 0700 to 1900 on a weekday. Predicted peak hour vehicular trips are 88 and 72 for the morning and evening peak periods respectively.

The proposed junction within the development is estimated to operate well within capacity. This also includes the addition of traffic estimates associated with the development.

Regarding accessibility of the site by modes other than the car, the available Lothian bus services on Ferry Road and Crewe Road South are 21, 27, 29, 37,38, 29. In addition, on Ferry Road, there are dedicated cycle lanes. In terms of quiet routes for cycling, the site is within distance to route 11 (Roseburn - Pilton - Leith).

Representations received query why Trams should be suggested as a possible transport option when unlikely to be delivered by 2035. Reference to the Trams seeks to highlight how a connected local living and 20-minutes could thrive beyond ten years. Transport Planning have not requested a contribution towards Trams and is satisfied with the proposed travel measures.

Compliance with LDP policy Tra 1 is met.

Air quality

Inverleith Row is an air quality management area (AQMA), situated to the east of the site and the proposed development will feed traffic into the AQMA.

An air quality impact assessment was provided, and Environmental Protection were consulted. Compared to the existing and proposed situation, the proposed development will have no significant impact on the local air quality of existing residents. Environmental Protection does not object to the proposed development on air quality grounds.

Flood impact

NPF4 policy 22 c) states development proposals will (i) not increase the risk of surface water flooding to others or be at risk; (ii) manage all rain and surface water through sustainable urban drainage systems (SUDS), which should form part of and integrate with proposed and existing blue green infrastructure. All proposals should presume no surface water connection to the combined sewer; and (iii) seek to minimise the area of impermeable surface.

The application was accompanied by a Flood Risk Assessment (FRA) and a Surface Water Management Plan (SWMP). Flood Planning were consulted on the proposals and advised that the application can proceed to determination.

The applicant is proposing to discharge surface water to the combined network and Scottish Water has confirmed acceptance of this arrangement.

Compliance with NPF4 policy 22 c) and LDP policy Env 21 is met.

Protected species

NPF4 policy 3 seeks to protect and enhance biodiversity and LDP policy Des 3 seeks to ensure that existing features/characteristics worthy of retention are incorporated in the design of development proposals.

The application was accompanied by Preliminary Ecological Appraisal (PEA). The survey reported no signs/evidence (bats, badger setts and birds) of species protected by legislation on the site. In these circumstances, a licence from NatureScot is not required.

The PEA outlines several biodiversity enhancement measures, including bat/swift boxes. A condition is therefore required to ensure that a detailed Landscape and Ecological Management, Maintenance and Monitoring (LEMMMP) is submitted prior to the commencement of the development. This is to ensure that enhancement measures outlined in the PEA are implemented in the final scheme and in compliance with NPF4 Policy 3b and LDP Des 3.

Archaeology

NPF4 policy 7 (o) seeks to protect and preserve non-designated historic environment assets, places, and their setting in situ wherever feasible.

During the Second World War the site formed part of a 'Z' battery, maned by the Home GUARD. It was constructed between 1942 and 1943 to protect the newly built Ferranti electronics factory still in existence across from the site. The site is visible on various RAF photographs comprising rows of small huts with the hutted accommodation camp for the personnel situated to the West, 61 U2P type rocker launcher units and a GL Mk II type radar set. The battery was removed at the end of the war. Prior to this the site appears to have been open farmland and no further archaeological sites are known from the site.

Given the military history, the application site is regarded as being of archaeological and historic interest. While the site has been significantly impacted by the construction of existing offices, the potential of surviving in situ buried remains is very limited. However, the site still has the potential to contain ordnance and other remains from this military period. Therefore, a programme of archaeological monitoring during the development is recommended. This is to fully excavate and record any surviving archaeological remains in accordance with NPF4 policy 7 (o).

Given the site's important historic association with Edinburgh's WWII Home Front defences, it is recommended that this interpreted/commemorated within the public realm for the site. Therefore, as part of the archaeological mitigation, detailed plans shall be submitted for agreement prior to the commencement of the development. This is to accord with NPF4 policy 7 (o).

Waste services

As requested by Waste services, the Architect is liaising with Waste Services to address the requirements of the proposal. The drawings were amended to show the correct provisions of bin stores and a swept path analysis was provided.

It is intended that waste from the affordable Block (Block F) will be collected within a 10m pull distance. All private waste stores will be situated in the basement. Waste from Blocks A-E is to be privately factored and presented in a waste tendering area to the West of the proposed access road. The tendering area will have dropped kerbs to the pull path for collection.

Contaminated land

The submitted 'Ground Investigation Report' advises that further assessments are required. A condition therefore is required to ensure that a programme of intrusive ground investigation works is carried out and where necessary, a detailed schedule of any required remedial and/or protective measures is submitted to and approved by the Planning Authority. This is to ensure that the land is made safe for the proposed end uses and to address LDP policy Env 22.

Community wealth building

NPF4 policy 25 provides support for development proposals that contribute to local or regional community wealth building strategies and are consistent with local economic priorities.

The proposed development is designed for local living, concentrating activity in the local Crewe Toll area, providing important footfall and helping to sustain existing business as well as encouraging new enterprise. In addition, the proposals will help to bring the site back into productive use, reducing blight and encouraging investment in communities.

Compliance with NPF 4 policy 25 is met.

Developer contributions

Education

On 19 April 2023 the Planning Committee approved the Edinburgh Local Development Plan: Action Programme 2023. The latest pupil generation rates (PGR) were set out in the report and were used to assess the cumulative impact of housing developments across the learning estate.

The assessment of the requirement for developer contributions to support education infrastructure is based on 199 flats within the development (57 one bed / studio flats have been excluded). As the site is a windfall brownfield site the impact of the proposed development on the learning estate has not been previously assessed.

Education have provided a consultation response on the proposals which advances an argument that additional capacity is required for primary school provision at Flora Stevensons. This requirement is based on a cumulative requirement when considering the sites identified within City Plan 2030. The LDP Action Programme Update 2023 did not identify a requirement for an annexe at Flora Stevenson because the housing output assumptions from City Plan sites H31 Royal Victoria Hospital and H32 Crewe Road South were excluded from its assessment. The requirements for delivery of school infrastructure within this area are an unresolved representation to City Plan.

Education have advised that when considering the windfall sites and those allocated within City Plan 2030 there would be a requirement for an annexe to Flora Stevensons that would provide seven classes (six classrooms and one general purpose room) and necessary ancillary support and core accommodation. The annexe will also be required to provide additional Early Learning and Childcare (ELC) places.

Education state that the Council is not currently able to secure the delivery of the proposed annexe because the principle of an annexe is an unresolved representation at examination and the site is not owned by the Council. An application for planning permission for the development of H32 Crewe Road South has not been submitted. In addition, contributions for the delivery of the annexe have not been secured and it does not form part of the Council's Capital Budget Programme. At this time, the Council has no control over the delivery of an annexe. A catchment change with a neighbouring primary school could reduce the overall size of an annexe, would make the best use of the existing learning estate and may increase the diversity of the receiving catchment area in line with one of the recommendations from the Poverty Commission report (September 2020).

A new stage of education (an annexe) and a catchment change both require a statutory consultation under a separate process from determining a planning application. Education have advised that the proposed development is required to make a contribution towards the delivery of an annexe to ensure that a decision on a housing development does not prejudice the outcome of a future statutory consultation.

Education is therefore seeking that the development should contribute to Primary School Infrastructure to support additional Primary School Capacity at a rate of £10,054 per flat. This would result in a total Primary Infrastructure Contribution based on 199 flats of £2,000,746. It should be noted that a new site for an annexe has not been identified and therefore the land value cannot be assessed at this time and contributions towards land value cannot be sought.

In assessing the requirements to provide additional primary school capacity it is not considered appropriate to base this on the potential housing outputs of City Plan. Limited weight can be attributed to these numbers and the sites remain as unresolved objections to City Plan 2030. On the basis of the existing school roll there is currently spare capacity at Flora Stevenson Primary School to accommodate the estimated number of pupils that would be expected to be generated from the development proposed at Ferry Road. Whilst it is accepted that the delivery of education infrastructure should consider the cumulative impact of proposals this case is a unique example as the contribution requirements are reliant on the adoption of specific sites within City plan 2030.

In order to ensure that any further education pressures are limited following the adoption of City Plan 2030 it is recommended that a condition limiting the commencement of works to one year rather than the normal three is attached to the permission. This would enable any further or amended proposals on the site to be considered in the context of City Plan 2030. It is therefore considered that a contribution to the delivery of primary school infrastructure is not required to make this development acceptable.

Notwithstanding, there are capacity issues with the existing high school at present, and this is likely to continue in the future. Contributions are therefore sought for secondary school infrastructure at a rate of £4,914 per flat based on 199 units. This provides a total contribution of £977,886 for secondary school infrastructure.

A legal agreement will be required to secure these provisions towards secondary education infrastructure.

Affordable housing

NPF4 policy 16 (e) states that proposals for market homes will only be supported where the contribution to the provision of affordable homes on a site will be at least 25% of the total number of homes.

A statement of community benefit was provided alongside affordable housing statement.

The applicant has engaged with C~urb Property Development (part of LINK Group) and is committed to providing 65 affordable homes on site within Block F. This exceeds the 25% requirement by one unit.

The RSL have further advised that they are happy with the proposed mix of homes being offered as this will assist in making the delivery of the affordable units more financially viable.

The applicant is proposing to deliver 45 (70%) of the homes for social rent and the remaining 20 (30%) of homes as mid-market rent which is welcomed and supported.

The affordable homes will be tenure blind and will enjoy the same amenities and facilities as the balance of the development in equal ways.

A legal agreement will be required to secure provisions towards affordable housing. This is to address compliance with NPF 4 policy 16 (e) and LDP policy Hou 6.

Healthcare

The site does not lie within a healthcare contribution zone. A contribution towards healthcare therefore is not required.

Transport

Transport Planning have requested the provision of two club car vehicles. Given that the proposed car parking levels do not exceed the maximum standards contained in the EDG, the requested provision of two car club vehicles in the area is reasonable. A contribution of £12,500 (£1,500 per order plus £5,500 per car) would be required. A legal agreement would be required to secure this sum.

Subject to a legal agreement, compliance with NPF 4 policy 18 and LDP policy Del 1 is addressed.

Climate Mitigation and Adaption

NPF4 policy 1 gives significant weight to the global climate and nature crisis to ensure that it is recognised as a priority in all plans and decisions.

NPF4 policy 2 seeks to encourage, promote and facilitate development that minimises emissions and adapts to the current and future impacts of climate change.

The proposal is to reuse a brownfield site to achieve a new community in line with local living and 20-minute neighbourhood. It is for a high density of development in an urban area, minimising the need for green belt land.

The proposal meets the essential criteria of the council's S1 sustainability form. The Energy Strategy sets out how the proposed development has been developed to prioritise passive measures to reduce energy use such as arranging the proposed residential blocks to enhance passive solar gains while also limiting summertime overheating and providing shelter from prevailing winds by reviewing the layout and using the surrounding landscaping. Energy demand will be met through low energy LED lighting, thermostatic heating controls, low water consuming fittings and energy metering and display monitors. Heating to dwellings will be provided by electric MEV heat pumps that recover the heat from the extract air to heat the building and provide hot water, making them an energy efficient low carbon technology.

Compared to existing situation, sustainable travel measures will be achieved with the reduction of car parking spaces with the use of electrical vehicles with EV chargers promoted. In addition, the applicant has indicated commitment to contribute to invest in two club car vehicles which will help to discourage car ownership and alleviate parking pressures. The range of secure cycle parking will encourage residents to travel more sustainably from the development. A site-specific green travel plan was provided.

In terms of flood impacts, the proposal confirms that 1:30-year+CC event remains in drainage features and that 1:200-year+CC surface water can be attenuated safely within the site. The proposal includes SUDs features and sedum roofs which will help to slow the rate of surface run offs.

In terms of addressing nature crisis, the site will be extensively landscaped throughout, and this will introduce extensive biodiversity gains compared to existing situation.

Overall, impact on global climate and nature crisis is demonstrated. The proposal meets NPF 4 interlinking spatial priorities of 'Just Transition', 'Conserving and recycling assets', 'Local living' and 'Compact urban growth'. Overall, compliance with NPF 4 policies 1 and 2 is met.

Conclusion in relation to the Development Plan

The proposal complies with NPF policies and LDP policies. The proposal is for a sustainable redevelopment of a brownfield site that will contribute to local living and 20-minute neighbourhood. The proposal is for a high-quality development design and will not have an adverse impact on its townscape surroundings. Neighbouring amenity will not be adversely affected, and future occupiers will have reasonable levels of living amenity within the development. Car parking levels will be below the maximum standard permitted and cycle parking provision and type is met. Trees identified and selected for their removal are acceptable and their replacement will be achieved through a high quality and biodiverse landscaping design. Conditions are required to address further matters in more detail and to ensure that a high-quality development is delivered. A legal agreement is required to secure provisions towards education infrastructure, provision of two club cars and 25% affordable housing provision.

b) There are any other material considerations which must be addressed?

The following material planning considerations have been identified:

Emerging policy context

On 30 November 2022 the Planning Committee approved the Schedule 4 summaries and responses to Representations made, to be submitted with the Proposed City Plan 2030 and its supporting documents for Examination in terms of Section 19 of the Town and Country Planning (Scotland) Act 1997. At this time little weight can be attached to it as a material consideration in the determination of this application.

Equalities and human rights

Due regard has been given to section 149 of the Equalities Act 2010. No impacts have been identified.

Consideration has been given to human rights. No impacts have been identified through the assessment and no comments have been received in relation to human rights.

Public representations

A summary of the representations is provided below:

material considerations

- Demolition - Addressed in Section B.
- Development height, seven storeys too high - Addressed in Section B.
- No visual representations of the impact of the tree removal from Kimmerghame side - Addressed in Section B.
- Loss of neighbouring amenity (privacy, overlooking, daylight, noise) - Addressed in Section B.
- Impact of future link to Kimmerghame estate - Addressed in Section B.
- Car parking provision and parking overspill - Addressed in Section B.
- Traffic impact from 256 new homes - Addressed in Section B.
- Access and road safety - Addressed in Section B.

- Impact and removal of trees (noise/wind barrier, privacy, supports wildlife/scarce greenery, environmental benefits (carbon soak/air quality/health benefits), water management/prevents soil erosion, cooling in the summer months) - Addressed in Section B.
- Swift nest bricks should be incorporated - Addressed in Section B.
- Flat roof will attract seagulls and pigeons nesting which is an issue within Kimmerghame estate - Addressed in Section B.
- Impact on infrastructure (transport, education and healthcare) - Addressed in Section B.
- Affordable housing is needed - Addressed in Section B.

non-material considerations

- Object to the bus stop being removed completely or moved to a different location - Not within the scope of the application to address.
- Loss/impact on existing views - While unfortunate, there is no right to a particular view.
- Security risk in allowing proposed future path link - This is an indicative element of the proposal and does not preclude assessment of the proposal.
- Construction disruptions - Does not preclude assessment of the proposal.
- Mobile signal issues ongoing - Not a planning matter.
- Will impact on capacity of local buses - The responsibility lies with bus providers to address operational requirements (supply and demand).
- Ownership of the land the trees proposed for removal - Details of landownership are a civil matter not resolved through planning. Landownership Certificate A was submitted with this application, indicating that the trees are within the control of the applicant.
- Developer/corporate greed - Not relevant to the assessment.
- Properties without car parking provision will be more attractive for short stay let uses (STL) - Speculative and not within the assessment of the application.

Conclusion in relation to identified material considerations.

The material considerations have been identified and addressed. There are no outstanding material issues to resolve.

Overall conclusion

The proposal complies with NPF policies and LDP policies. The proposal is for a sustainable redevelopment of a brownfield site that will contribute to local living and 20-minutes neighbourhood. The proposal is for a high-quality development design and will not have an adverse impact on its townscape surroundings. Neighbouring amenity will not be adversely affected, and future occupiers will have reasonable levels of living amenity within the development. Car parking levels will be below the maximum standard permitted and cycle parking provision and type is met. Trees identified and selected for their removal are acceptable and their replacement will be achieved through a high quality and biodiverse landscaping design. Conditions are required to address further matters in more detail and to ensure that a high-quality development is delivered. A legal agreement is required to secure provisions towards education infrastructure, provision of two club cars and 25% affordable housing provision.

The City of Edinburgh Council as Planning Authority direct that under section 58 1(b) of the Town and Country Planning (Scotland) Act 1997 in respect of planning application 23/03649/FUL the substitution for the period of 3 years with the period of 1 year to commence development. This requirement will be covered by condition and the applicant will have opportunity to appeal this to Scottish Ministers.

There are no material considerations that outweigh this recommendation. It is recommended that this application be approved.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following.

Conditions

1. The development to which this permission relates must be begun not later than the expiration of one year, beginning with the date on which this permission is granted. If development has not begun at the expiration of this period, the planning permission lapses.
2. Notwithstanding the approved drawings, the four commercial units on the ground floor within Block E as shown on Drawing 10 and 13A shall be restricted to a Class 1a (Shops, and financial, professional and other services), Class 3 (Food and drink-restricted) and Class 4 (Business) as defined by The Town and Country Planning (Use Classes) (Scotland) Order 1997 (as amended) only.
3. Cooking, heating and reheating operations within the four commercial units on the ground floor within Block E as shown on Drawing 10 and 13A shall be restricted to the use of a Panini machine, toasty machine, baked potato oven, soup urn and one microwave only; no other forms of cooking, heating and reheating shall take place without prior written approval of the Planning Authority.
4. Notwithstanding the approved drawings, 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 will be required.
5. Notwithstanding the approved drawings, 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.

The approved landscaping scheme shall be fully implemented within six months of the completion of the development.

6. i) Prior to the commencement of construction works on site:

- a) A site survey (including intrusive investigation where necessary) must be carried out to establish, 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 required remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Planning Authority.
- ii) 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 for the approval of the Planning Authority.
7. No development shall take place until the applicant has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Planning Authority, having first been agreed by the City Archaeologist.
 8. Notwithstanding the approved drawings, prior to commencement of the development, detailed plans to interpret/commemorate the site's important historic association with Edinburgh's WWII Home Front defences within the public realm for the site shall be submitted to and approved in writing by the Planning Authority. The approved plan shall be implemented before the first residential unit is occupied.
 9. Notwithstanding the approved drawings, prior to commencement of the development, a detailed Landscape and Ecological Management, Maintenance and Monitoring (LEMMMP) shall be submitted to and approved in writing by the Planning Authority. The approved LEMMMP shall be implemented before the first residential unit is occupied.
 10. No tree work to be carried out unless in accordance with the approved Arboricultural Method Statement (BLEBO TREE Surgery - BS 5837 Arboricultural Method Statement Tree Survey Report dated 27/07/2023) or with separate consent from the planning authority.
 11. Prior to the commencement of development, the name of the nominated person responsible for the Arboricultural supervision on site, along with the programme of supervision and reporting must be submitted to and agreed with the planning authority.
 12. Prior to the commencement of development all tree protection measures proposed in the approved Arboricultural Method Statement (BLEBO TREE Surgery -BS 5837 Arboricultural Method Statement Tree Survey Report, dated 27/07/2023) must be implemented in full. These measures must not be removed or altered in any way unless with the consent of the planning authority.

13. Notwithstanding the approved drawings, the design and installation of any plant, machinery or equipment for the four commercial units on the ground floor within Block E shall be such that any associated noise complies with NR25 when measured within the nearest living apartment, and no structure borne vibration is perceptible within any nearby living apartment.

Reasons

1. To accord with Section 58 of the Town and Country Planning (Scotland) Act 1997 and to ensure an appropriate amount of time in which the development can be commenced having regard to the provisions of the development plan and to any other material considerations.
2. To make it clear what consent is being granted for the four commercial units within Block E.
3. To safeguard residential amenity in terms of odour.
4. In order to enable the planning authority to consider this/these matter/s in detail.
5. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site and to ensure that the approved landscaping works are properly established on site.
6. In order to ensure that the site is suitable for redevelopment.
7. In order to safeguard the interests of archaeological heritage.
8. In order to safeguard the interests of archaeological heritage.
9. To ensure that biodiversity enhancement measures as detailed in the Preliminary Ecological Appraisal (PEA) is implemented in the final scheme and to accord with NPF4 Policy 3b and LDP Des 3.
10. In order to safeguard trees.
11. In order to safeguard trees.
12. In order to safeguard trees.
13. To safeguard residential amenity in terms of noise.

Informatives

It should be noted that:

1. It should be noted that:

Consent shall not be issued until a suitable legal agreement, including those requiring a financial contribution payable to the City of Edinburgh Council, has been concluded in relation all of those matters identified in the proposed Heads of Terms.

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.

This matter relates to:

Education -£977,886

Two club car - £12,500 (£1,500 per order plus £5,500 per car)

Affordable housing - 25% (65 affordable homes)

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 site access 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.
5. Existing pedestrian refuge island crossing on Ferry Road fronting the proposed development is required to be upgraded to toucan crossing to satisfaction and at no cost to the Council. It is expected that the toucan crossing is linked to both existing traffic signal to the west and east for uninterrupted traffic flow. It is understood that the applicant proposes to move this crossing slightly to the west.
6. The applicant should note that the Council will not accept maintenance responsibility for underground water storage / attenuation.
7. Any parking spaces adjacent to the carriageway will normally 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.

8. 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.
9. The applicant should note that the proposed development lies on or adjacent to a 'traffic sensitive street' and that this may affect the method and timing of construction, including public utilities - see <https://www.edinburgh.gov.uk/roads-pavements/road-occupation-permits/2>.
10. The incorporation of swift nesting sites/swift bricks into the scheme is recommended. Further details on swift bricks can be found at www.edinburgh.gov.uk/biodiversity.

Background Reading/External References

To view details of the application go to the [Planning Portal](#)

Further Information - Local Development Plan

Date Registered: 11 August 2023

Drawing Numbers/Scheme

01-11, 12A, 13A, 14-43, 44A, 45-57.

Scheme 2

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Laura Marshall, Planning Officer
E-mail: laura.marshall@edinburgh.gov.uk

Appendix 1

Summary of Consultation Responses

NAME: Children and Families

COMMENT: No objection, subject to contributions towards education infrastructure.

DATE: 13 September 2023

NAME: Environmental Protection.

COMMENT: Objection raised.

DATE: 14 December 2023

NAME: Transport Planning

COMMENT: No objections. Conditions/informatives required.

DATE: 14 December 2023

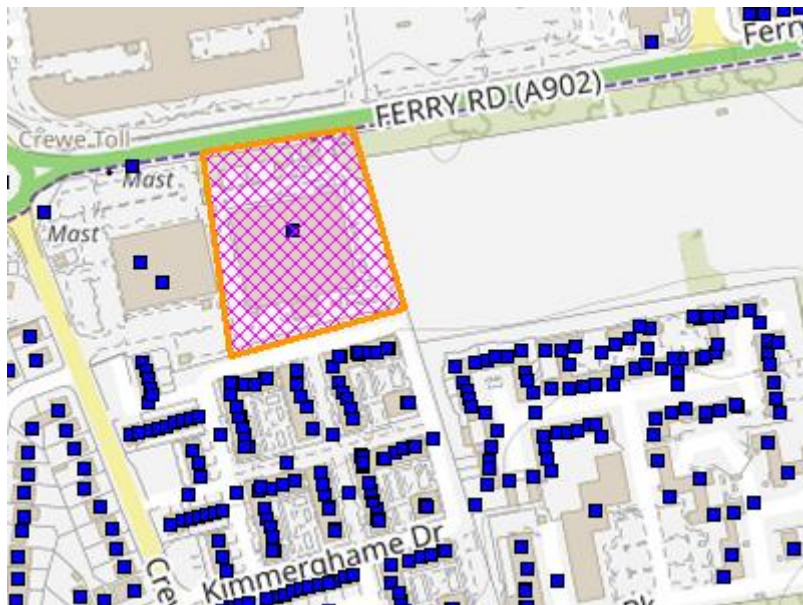
NAME: Flood Planning

COMMENT: The applicant addressed our queries, and we have no further comments regarding flooding and drainage, therefore this application can proceed to determination.

DATE: 22 December 2023

The full consultation response can be viewed on the [Planning & Building Standards Portal](#).

Location Plan



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Development Management Sub-Committee Report

Wednesday 7 February 2024

Application for Planning Permission

2 - 14 Shandwick Place, 1 - 8 Queensferry Street & 1 - 3 Queensferry Street Lane, Edinburgh

Proposal: Part change of use, alterations, and erection of hotel /aparthotel (Class 7). (as amended)

Item – Committee Decision

Application Number – 23/01940/FUL

Ward – B11 - City Centre

Reasons for Referral to Committee

The application has been referred to the Development Management Sub-Committee because the Chief Planner considers the proposal to be of significant public interest. Consequently, under the Council's Scheme of Delegation, the application must be determined by the Development Management Sub-Committee.

Recommendation

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

Summary

The proposal is acceptable with regard to Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as overall it will not harm the listed buildings, their setting and will preserve the character and appearance of the Conservation Area. Overall, it complies with the Local Development Plan and NPF4.

The hotel use is acceptable in this city centre location. It has regard to the global climate and nature crises. It is of an appropriate design and will not harm the Outstanding Universal Value of the World Heritage Site.

Conditions are recommended to ensure implementation of measures to safeguard neighbour's amenity and the operation of nearby uses. Full detail of external materials is required to ensure these are appropriate with regard to the conservation area and listed buildings. A programme of archaeological work is required to safeguard archaeological heritage. A site survey is required to ensure land is safe and stable for the end use.

No other material considerations identified outweigh this conclusion.

SECTION A – Application Background

Site Description

The site includes four separate buildings as per the following:

4-8 Queensferry Street is an early 19th century, category B -listed building (LB ref: 29577, date added 14/12/1970). A three-storey classical terrace which is one of the last surviving of the original James Tait plan. Similar town houses at 1-3 Queensferry Street were later replaced by the former bank building described below. It contains later 19th century dormers on its roof slope with evenly proportioned sash and case windows below. Its upper floors have lawful use as a hostel. The site also includes the ground floor commercial units on this terrace.

2-4 Shandwick Place and 1-4 Queensferry Street is an early 20th century category B-listed building (LB ref: 30180, date added 30/01/1981). It has five storeys in total (four and an attic) and occupies a prominent location on the corner of Shandwick Place and Queensferry Street. Some key features include a turret with curved gable features either side. It was originally a bank and most recently the upper floors have been a hostel with 4-8 Queensferry Street. The existing entrance is taken from Queensferry Street. The site includes the ground floor betting unit and hostel entrance at ground floor.

6-8 Shandwick Place is a late 19th century category C-listed building (LB ref: 51342, date added: 22/07/2009) of four storeys. Key detailing includes a bay window feature at ground floor and arched openings on its uppermost floor with intricate astragal detailing. The upper floors contain four flats.

10-14 Shandwick Place is an unlisted four storey Victorian tenement with bay window features. It has been extended to the rear which connects to the tenement building on Queensferry Street Lane and adjacent 1.5 storey building. The upper floors have lawful use as a nightclub and restaurant.

These buildings have mainly been constructed in traditional building materials (sandstone, slate, timber sash and case windows). The upper floors of all buildings are currently unoccupied.

The site is located within the City Centre where there are a range of uses are evident. It is near to public transport facilities including bus services on Queensferry Street and a tram stop on Shandwick Place.

The site is also located in the New Town Conservation Area and Old and New Town of Edinburgh World Heritage Site. The site is 0.19 hectares in total.

Description of the Proposal

The hotel development will comprise of 129 bedrooms in total and connect all four of the above buildings internally.

The main hotel entrance for guests will be taken from Queensferry Street where the existing betting unit will be replaced, with a staff entrance from Queensferry Street Lane. Lifts will be located near each entrance providing access to all floors, near to accessible bedrooms on the Queensferry Street side of the development.

At basement level there will be a gym, staff facilities, plant machinery and bicycle store. 14 cycle spaces will be provided in total (11 sheffield stands and 3 non-standard racks). A landscaped courtyard will be formed at first floor level at the rear bordered by the development on all four sides.

In total, 1,631.6 m² new build floorspace will be added with the external alterations to each building including the following:

6-8 and 10-14 Shandwick Place

A dark zinc pitched roof top extension with four projecting dormers centrally positioned over windows below (no. 10-14) and a bay window feature (no. 6-8). A new four storey rear extension will be constructed with light, sand coloured render and bronze zinc sections for the walls, a dark grey zinc flat roof and dual-pane windows and juliet balconies facing an internal courtyard area. This will connect to other buildings at detailed below.

The first floor of the existing rear extension, rear windows, chimneys, and roof lights will be removed to accommodate these works.

1-2 Queensferry Street Lane

The four-storey extension will project the length of the site onto Queensferry Street Lane to the north-west. It will replace the existing 1.5 storey building here. Its materials fronting the lane will include a stone facade at ground floor with roller shutter doors, light render on its upper levels with a dual and single pane vertical window arrangement.

2-4 Shandwick Place and 1-4 Queensferry Street

The ground floor betting unit on Queensferry Street will be replaced with a new entrance for the hotel including dual paned timber panelled door set within glazed arched opening with timber frames. A new gate will be added over the existing hostel entrance on Queensferry Street.

Roof lights will be removed or replaced on the former bank buildings' roof slope.

4-8 Queensferry Street

Five new dark zinc clad dormers will replace the existing dormers and one chimney stack on the front elevation facing the street. To the rear, windows and a staircase will be removed to accommodate the new, four storey extension which will project from the terrace' north-east side at its rear. New windows will be installed on the gable side of the terrace facing the lane.

The proposed hotel includes various change of uses (total 1,946 m²) detailed below:

- 10-14 Shandwick Place (upper floors and basement) from a night club (sui generis) / restaurant (class 3) to a hotel (class 7)
- 6-8 Shandwick Place (upper floors) from storage and residential (Class 9) to hotel (class 7)
- 4-8 Queensferry Street (upper floors) partly from residential (class 9) and hostel (class 7) to a hotel (class 9)
- 2 Queensferry Street (ground floor) from betting office (sui generis) to hotel (class 7).
- 1-3 Queensferry Street Lane from nightclub (sui generis) to hotel (Class 7)

Revised Scheme

Internal alterations

- Number of bedrooms increased from 115 to 129.
- Increase in cycle parking and changes to layout.
- Changes to room layouts including increased retention of historic features (as set out in concurrent listed building consent application).

6-8 and 10-14 Shandwick Place

- Design of roof top extension changed with gable form of east section replaced with pitch roof of lower height and window design changed.
- Change to form of rear extension to retain existing pitch roof of tenement building on Queensferry Street Lane and materials from brick to sandstone / light render and dark to light bronze zinc clad.

Queensferry Street

- Proposed additional storey on front elevation and wall structure to house plant equipment to rear omitted on 4-8 Queensferry Street.
- New glass panel to front entrance of existing hostel on 3 Queensferry Street replaced with a gate.

1-3 Queensferry Street Lane

- Material of extension on upper levels changed from dark grey zinc to light render.

Supporting Information

- Bat surveys
- Daylight report
- Design and Access Statement
- Drainage Statement
- Heritage Statement
- Noise Impact Assessment
- Planning Statement
- Sustainability Statement and S1 form

Concurrent applications

3 May 2023 - Listed building consent application 23/01947/LBC submitted for part change of use, alterations, and erection of hotel / aparthotel (Class 7) and Conservation area consent application 23/01948/CON submitted for substantial demolition in a conservation area. These applications are presently under consideration and are related to this planning application 23/01940/FUL.

Relevant Site History

23/01947/LBC

2 - 14 Shandwick Place, 1 - 8 Queensferry Street &

1 - 3 Queensferry Street Lane

Edinburgh

Alterations to create hotel /aparthotel (as amended).

23/01948/CON

3 Queensferry Street Lane, 4 - 8 Queensferry Street &

10 - 14 Shandwick Place

Edinburgh

Substantial demolition in a conservation area.

Other Relevant Site History

5 November 2010 - Planning permission granted for residential flats at 12 Shandwick Place - application reference: 06/03775/FUL.

19 November 2015 - Planning permission granted for renewal of application 06/03775/FUL at 12 Shandwick Place - application reference 15/04522/FUL.

3 April 2019 - Planning permission granted for Section 42 application to amend noise conditions at 12 Shandwick Place - application reference 18/08608/FUL.

23 June 2021 - Planning permission granted for change of use to short stay lets at 8 Shandwick Place - application reference 21/02525/FUL.

3 May 2023 - Concurrent listed building consent application reference 23/01949/LBC at 2-14 Shandwick Place, 1-8 Queensferry Street, 1-3 Queensferry Street Lane, and conservation area consent application reference 23/01948/CON at 1-3 Queensferry Street Lane were submitted which relate to this current planning application.

Pre-Application process

Pre-application discussions took place on this application.

Consultation Engagement

Transport Planning

Archaeology

Flood Planning

Environmental Protection

Edinburgh World Heritage

Scottish Water

Archaeology

Refer to Appendix 1 for a summary of the consultation response.

Publicity and Public Engagement

Date of Neighbour Notification: 23 May 2023

Date of Renotification of Neighbour Notification: Not Applicable

Press Publication Date(s): 2 June 2023

Site Notices Date(s): 29 May 2023

Number of Contributors: 15

Section B - Assessment

Determining Issues

Due to the proposals relating to a listed building(s) and being within a conservation area, this report will first consider the proposals in terms of Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (the "1997 Heritage Act"):

- a) Is there a strong presumption against granting planning permission due to the proposals:
 - (i) harming the listed building or its setting? or
 - (ii) conflicting with the objective of preserving or enhancing the character or appearance of the conservation area?

- b) If the strong presumption against granting planning permission is engaged, are there any significant public interest advantages of the development which can only be delivered at the scheme's proposed location that are sufficient to outweigh it?

This report will then consider the proposed development under Sections 24, 25 and 37 of the Town and Country Planning (Scotland) Act 1997 (the 1997 Act):

Having regard to the legal requirement of Section 24(3), in the event of any policy incompatibility between National Planning Framework 4 (NPF4) & Edinburgh Local Development Plan 2016 (LDP) the newer policy shall prevail.

Do the proposals comply with the development plan?

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

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

In the assessment of material considerations this report will consider:

- equalities and human rights.
- public representations; and
- any other identified material considerations.

Assessment

To address these determining issues, it needs to be considered whether:

a) The proposals harm the listed building and its setting.

The following HES guidance is relevant in the determination of this application:

- Managing Change in the Historic Environment: Setting
- Managing Change in the Historic Environment: Extensions
- Managing Change in the Historic Environment: Roofs
- Managing Change in the Historic Environment: Windows

Section 59 (1) of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997 states:

"In considering whether to grant planning permission for development which affects a listed building or its setting, a planning authority or the Secretary of State, as the case may be, shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

6-8 Shandwick Place, LB ref 51342, dated 22/07/2009.

HES guidance on extensions states these should play a subordinate role and not dominate the original building. It should not threaten the original design concept. Where external form is significant to a buildings' character a roof extension will not be appropriate that destroys this.

The roof top extension will change the buildings' appearance and the new, pitched roof is not characteristic of its original form. However, its overall design takes appropriate cues from the listed building. Its height is in proportion to the storeys below, which in tandem with its slight setback and sloped form will achieve an appropriate degree of subservience.

The bay window feature has larger glazed openings than the floors below. However, each floor level of the building differs in its window arrangement whilst the simple design of this feature will avoid competing with the bold classical detailing on this façade from public view. Its perceived scale will be further reduced by the separation of its glazing with vertical frames. The roof skew will help separate this building at roof level from the extension proposed at 10 to 14 Shandwick Place.

Removal of existing features on the roof (rooflights, chimneys) to facilitate this extension are acceptable. As small-scale additions of limited visibility from public view their loss will not adversely impact on the buildings' overall character.

The buildings rear elevation has previously been altered and its concealed location is not visible from public view. Given this, the proximity of all new development to the sites' rear will have no impact on the wider appreciation, character, or historic interest of this listed building.

2-4 Shandwick Place, 1-4 Queensferry Street LB ref: 51342, 22/07/2009

HES guidance on extensions also states that the presence of a neighbouring high building should not be taken as a reason for an inappropriate roof extension to a historic building.

The former bank building occupies a highly visible position on the corner between Shandwick Place and Queensferry Street.

An important aspect of its wider setting is its level of prominence from the east on Princes Street. The buildings' form such as its curved gables and turret feature at roof level are clearly articulated against the sky's backdrop. The height of the building is accentuated by the lower scale of buildings either side.

The new rooftop extension on Shandwick Place will change this view however its lower scale, simple pitched form and use of a dark muted colour will avoid competing with the form and detailing of the former bank building. The simple design will similarly avoid interfering with views onto this key detailing from oblique angles on Shandwick Place.

Small scale alterations to remove or replace rooflights are acceptable with the replacement slate to match the existing roof slope.

Alterations to the existing hostel entrance will result in the doors not being used. However, this change is reversible, and the installation of a gate will still allow its detailing here to be visible. This alteration is justifiable in the context of overall improvements that will occur to the buildings' frontage. The existing modern glazed shopfront being replaced with a new entrance where its arched form, panelling and materials taking cues from older frontages either side.

New development to the rear will be in some proximity to this buildings' simpler plain elevation that is not readily visible from public view. Given this context and the space that will be retained here there will be no adverse impact on its setting.

4-8 Queensferry Street LB 29577 dated 14/12/1970.

HES guidance on roofs states historic dormers should be retained. The addition of new features to principal roof slopes should generally be avoided. New dormers should be appropriately designed and located with care.

As per the listing description, this row of townhouses are among the last remaining of the original James Tait plan, well-proportioned and represent their original 19th century design.

The dormers on the roof slope are later 19th century additions. They are historic but appear in a state of some disrepair externally and their inconsistent size is at odds with the regular window pattern below. The chimney to be removed is proportionally small in relation to the townhouse' other chimneys fronting the street. It occupies a more discreet position, its form partly masked by the former bank buildings' gable side. In this context, these removals and a small loss of historic fabric is appropriate.

The new dormers will be of a high-quality modern design, with a scale and form that will sit well on the roof slope. This change will clearly introduce new, distinguishable additions on its principal elevation. However, this townhouse is unique to the immediate context with its scale differing from buildings either side and this change will not break a uniform pattern of development on the street. In these specific circumstances, this change to this townhouse is appropriate. The replacement roof will appropriately match the existing slate.

To the rear, it is recognised the townhouse form will be altered by the new, four storey extension on Queensferry Street Lane with subsequent loss of rear windows. This will impact on a glimpsed view of its subsidiary elevation only. The extension will be set down from the roof slope with the traditional pitched roof form retained. In this context, the development will not adversely impact on its overall setting. New gable windows facing the lane will be of a traditional 'six over six' arrangement appropriately matching those existing.

In light of the above, the proposal will not have a detrimental impact on the architectural character, historic interest or setting of this listed building.

Windows will be retained and refurbished where practicable or replaced with double glazing if required. Full details of this are required by condition to assess this matter in detail. Similarly, detail of all external materials is required by condition for this reason.

All other listed buildings in the sites' vicinity will not materially be impacted on by the development.

Conclusion in relation to the listed building

Subject to condition, the proposal is acceptable with regard to Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

b) The proposals harm the character or appearance of the conservation area.

Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states:

"In exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

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.

The historic environment generally has consistency in the use of traditional materials (stone, slate), however there is some variety to buildings form and scale. Later, alterations are also evident including roof extensions on Shandwick Place.

This historic townscape is therefore not defined by one architectural style. Whilst the proposed changes to the roof will clearly be modern, their simple design, proportionate scale and dark muted tones will blend suitably with this historic context where change has occurred.

Space to the rear has significant large existing extensions which are also characteristic within nearby former courtyards. The extension is appropriately scaled given this context and its lighter shades of render will be compatible with the existing use of this material and stone nearby.

Similarly, its height facing onto Queensferry Street Lane will be in-keeping with the generally continuous line of buildings on its south side. Buildings here vary in quality, age, and design. In this context, an appropriately scaled modern building will not appear at odds with its surroundings.

Larger down takings will include removal of structures in some state of disrepair (dormers and building on Queensferry Street & Lane) or more modern additions of functional design (part of rear courtyard extension, Queensferry Street shopfront). Their removal is appropriate as they do not presently make positive contributions to the conservation area. All other removals will have no material impact on this historic environment as a whole as they are small parts of the buildings on-site.

The full details of material specification will be required by condition to ensure these details are appropriate to the conservation area.

The hotel use is also in keeping with the range of uses evident in this part of the New Town.

Conclusion in relation to the conservation area

Overall, the proposal in scale form and design will preserve the character and appearance of the conservation area. It is therefore acceptable with regard to Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

a) The proposals comply with the development plan.

National Planning Framework 4 (NPF4) was adopted by the Scottish Ministers on 13 February 2023 and forms part of the Council's Development Plan. NPF4 policies supports the planning and delivery of Sustainable Places, Liveable Places and Productive Places and are the key policies against which proposals for development are assessed. Several policies in the Edinburgh Local Development Plan (LDP) are superseded by equivalent and alternative policies within NPF4. The relevant policies to be considered are:

- NPF 4 Sustainable place policies 1, 2, 3, 4, 7, 9, 11, 12, 13
- NPF 4 Productive place policies 27, 30
- LDP City Centre policy Del 2
- LDP Design policies Des 1, Des 2, Des 3, Des 4, Des 5, Des 12
- LDP Developer Contributions policy Del 1
- LDP Employment policy 10
- LDP Environment policy Env 21
- LDP Transport policies Tra 2, Tra 3, Tra 4,
- LDP Retail policy Ret 9

The non-statutory Listed Buildings and Conservation Area and the Edinburgh Design Guidance are material considerations.

Use

LDP policy Emp 10 (Hotel Development) states hotel development will be permitted in the city centre subject to considerations of impacts on diversity and vitality.

LDP policy Ret 9 (Alternative use of shop units in defined centres) states in the City Centre Retail Core, change of use proposals which undermine the retailing function of the centre will not be permitted.

NPF 4 policy 27 a) states development proposals that enhance and improve the vitality and viability of city, town, and local centres, including proposals that increase the mix of uses, will be supported.

NPF 4 policy 30 a) (Tourism) states development proposals for extended tourist accommodation in locations identified in the LDP will be supported.

Part b) outlines the considerations for tourism related development including economic, community, transport, accessibility, and environmental impacts. Community considerations include impact on the provision of homes and services for local people.

The hotel use is supportable in principle in this city centre location, near to tourist attractions and public transport facilities. It will increase the provision of tourist accommodation and will have positive economic impacts such as job creation and increased footfall. In tandem with the retention of shop units at ground floor, provision of a new hotel and use of vacant floors will help improve city centre vitality.

In addition, as the change of use of the unit on Queensferry Street is for a betting shop (sui generis) to form part of the hotel entrance, no loss of a shop use (class 1) will occur. Similarly, basement level changes to form ancillary hotel space will result in loss of an existing nightclub only. Therefore, there is no conflict with retail policy Ret 9.

With regard to NPF 4 policy 30, the hotel will change the lawful use of four residential units on the upper floors. Consequently, this would result in loss of residential accommodation, and it is recognised the provision of homes forms part of assessing community impacts under this policy. Additionally, that residential use contributes to the economy including occupiers use of shops, services, resultant employment in addition to making contributions to the local community.

In this case, the four units have an extant planning permission 21/02525/FUL to be converted to short term lets. Therefore, there is the potential for their residential use to be lost out with consideration of this planning application. Additionally, the units appear to have been unoccupied for several years since 2015.

The conversion of these units' forms part of a wider hotel redevelopment which will bring a new use to unoccupied upper floors. Whilst detailed economic impacts have not been provided, it is anticipated the hotel will result in 30 new jobs. Moreover, it will result in increased provision of high-quality accommodation for visitors with a 129-bedroom capacity. The potential resultant local economic benefits from this have been highlighted above.

In consideration of this, the hotel will make a positive contribution to the local economy. These benefits are considered to outweigh the loss of the four residential units in these specific circumstances.

The change of use of the nightclub to a hotel is appropriate in this centre location.

Overall, the proposal complies with LDP policy Emp 10, Ret 9, NPF 4 policies 27, 30. Other aspects of policies highlighted above, (accessibility, environment, transport etc) are assessed through relevant sections of this report.

Conservation Area and Listed Building

NPF 4 policy 7 c) (Historic Assets and Places) states development proposals for the reuse, alteration or extension of a listed building will only be supported where they will preserve its character, special architectural or historic interest and setting.

NPF 4 policy 7 d) (Historic Assets and Places) states development proposals in or affecting conservation areas will only be supported where the character and appearance of the conservation area and its setting is preserved or enhanced.

Impact on listed buildings and the conservation area have been assessed through sections a) and b). The proposals comply with NPF 4 policy 7 c) and d).

World Heritage

NPF 4 policy 7 l) states development proposals affecting a World Heritage Site (WHS), or its setting will only be supported where their Outstanding Universal Value is protected and preserved.

Modern interventions have occurred in the townscape. The extent of changes to historic roofscapes will be proportionally modest and in keeping with buildings nearby. Scale of extensions will be in keeping with development nearby. There will be no significant impact on views that contribute positively to the outstanding universal value of the WHS. The hotel use is in keeping with the WHS where a range of uses are evident.

The proposal will therefore protect and preserve the Outstanding Universal Value of the World Heritage Site and its setting. It complies with NPF 4 policy 7 I).

Sustainability

NPF 4 policy 9 (Brownfield, vacant and derelict land) a) states development resulting in the sustainable reuse of brownfield land will be supported.

Part 9 d) states given the need to conserve embodied energy, demolition will be regarded as the least preferred option.

NPF 4 policy 12 (Zero Waste) policy intent is to encourage, promote and facilitate development that is consistent with the waste hierarchy.

The proposed development incorporates a decarbonisation strategy to improve the sustainability credentials of the existing building.

Its thermal performance will be improved through secondary glazing and upgrades to building fabric where appropriate. Low carbon technologies such as Air Source Heat (ASH) pumps will be incorporated with no use of fossil fuels.

The existing heritage assets will be retrofitted and re-used in line with the waste hierarchy with down takings minimised. As outlined in the sustainability statement, such measures will contribute towards a significant reduction in carbon emissions when compared with continual use of the site without renovation.

These aspects will also be assessed through any subsequent building warrant process where there will be requirement to comply with Section 6 (energy) of the current Building Standards.

Overall, the development is sustainable. It re-uses a brownfield site, incorporates sustainability measures and is in a well-connected location.

The proposal complies with the objectives of NPF 4 policy 9 a) d) and intentions of policy 12.

Ecology

NPF 4 policy 4 f) (Natural Places) states development proposals likely to have an adverse effect on protected species will only be supported where the proposal meet relevant statutory tests.

The submitted preliminary bat roost assessment and bat emergency surveys have been reviewed. No sightings of bats or roosts were found within the building during the second survey. Therefore, bats are not currently a constraint to the development and the proposal does not conflict with NPF 4 policy 4 (f).

However, the applicant should note the report recommends a repeat survey to be carried out by the start of the next bat roosting season if work has not have started. An informative has therefore been included to highlight this matter.

Drainage

NPF 4 policy 22 c) (Flood risk and water management) states development proposals will not increase the risk of surface water flooding.

LDP policy Env 21 (Flood Protection) states permission will not be granted for development that would increase flood risk.

The submitted drainage strategy has been reviewed by CEC Flood Planning and no objections have been received. It is anticipated the surface water discharge rate will be unchanged due to the sites' unchanged impermeable area.

The applicant will require further approval from Scottish Water and an informative has been included in regard to this.

Overall, the proposal complies with LDP policy Env 21 and NPF 4 policy 22.

Design, Quality and Place

NPF4 Policy 14 supports development proposals that are designed to improve the quality of an area and are consistent with the six qualities of successful places. These qualities include a place being healthy, pleasant, connected, distinctive, sustainable, and adaptable.

LDP policy Des 1 (Design Quality and Context) refers to development creating or contributing to a sense of place based on positive characteristics of the surrounding area.

LDP policy Des 3 (Development Design) refers to development incorporating existing characteristics and features worthy of retention on site and surrounding area.

LDP policy Des 4 (Development Design - Impact on Setting) sets out criteria for development to have a positive impact on the character of the wider townscape and landscape.

LDP policy Des 12 (Alterations and Extensions) states planning permission will be granted for extensions which are compatible with the character of the existing building.

The interventions to the existing buildings will result in distinctive modern changes which take cues from the local character. The scale and form of the publicly visible extensions will appear proportionate to the existing buildings. Further, they align with existing building heights on each street.

The window design of the additions at roof level on Shandwick Place take reference from buildings' historical pattern through their scale, vertical alignment, and detailing. New dormers on Queensferry Street are similarly well proportioned and are of a high-quality design.

The larger scale of the change to the site's rear is appropriate in this less visible location where sizeable development is characteristic. Positive characteristics here are still retained such as historic buildings traditional pitched roof form.

Materials will mainly be modern. It is important these are high-quality and relate well to this sensitive, historic context. A condition has therefore been included for submission of all material specifications.

The hotel entrance on Queensferry Street fits well with the building and street taking design inspiration from detailed arched openings either side. The traditional gate over the existing entrance preserves its historic detailing.

New windows serving habitable rooms onto the lane side will create additional overlooking onto a quieter secondary route. This design aligns with wider considerations of creating a safer, more pleasant, and healthy place through increased surveillance.

In addition, it is conceivable the proposal could be adaptable in future to accommodate a different use if necessary. However specific alternative uses have not been identified and cannot be assessed under this submission.

In this regard, the proposal supports the delivery of a health, pleasant, distinctive, and adaptable place. Other identified place qualities are considered through other sections of the report.

The scale, height, form, and materials are of similar character and urban grain to the surrounding buildings. The overall design concept is therefore appropriate in this location complying with relevant sections of the EDG and design policies.

Amenity

LDP policy Des 2 (Co-ordinated Development) states planning permission will be granted for development which will not compromise the effective development of adjacent land.

LDP policy Des 5 (Development Design - Amenity) states planning permission will be granted for development where it is demonstrated the amenity of neighbouring development is not affected.

NPF4 policy 23 e) (Health and Safety) states development proposals that are likely to raise unacceptable noise issues will not be supported. The agent of change principle applies to noise sensitive development. A Noise Impact Assessment may be required where the nature of the proposal or its location suggests significant effects are likely.

LDP policy Ret 11 (Food and Drink Establishments) states the change of use of a shop or other premises to a café / pub will not be permitted if likely to lead to unacceptable effects to the detriment of living conditions for nearby residents.

The EDG offers specific guidance in relation to assessing impact on daylight, sunlight, privacy, and immediate outlook.

Daylight

The applicant has demonstrated that the levels of daylight to all affected residential properties will be within accepted thresholds of the EDG. A Vertical Sky Component (VSC) of equal to or greater than 0.8 of the former value will be achieved. This reduced level of daylight is therefore unlikely to be noticeable within these rooms to the occupiers of these properties.

The exception to this, are the upper floors at 18 to 18 A Shandwick Place where the use is assumed to be commercial. Planning permission 06/04089/FUL was granted to convert these floors from commercial to residential use however it appears this permission was never taken up. The openings to the rear have been boarded up for over 10 years and there is no evidence of domestic rates having been paid.

Overall, the degree of impact on daylight to residential properties will not be adverse and complies with the EDG.

Privacy

Where new openings from the roof top extensions may have some outlook onto residential windows facing the street (Shandwick Place, Queensferry Street) and rear (Queensferry Street Lane), separation distances between openings do not materially change from the existing situation. Therefore, the net impact on privacy on occupiers' will be minimal.

The closest proximity of over 8m to residential windows on Queensferry Street Lane from outlook on from the new extension is acceptable. Openings will not directly face each other and similar distances between windows are evident further west on this lane. The closer 5m distance between the new top floor gable opening in the townhouse and the facing property is also acceptable given this will face an opening that is a secondary source of outlook into this room.

In terms of privacy, the proposal will be in keeping with the spatial pattern of the area and complies with the EDG.

Sunlight

There are no garden spaces in the vicinity of the site that will be impacted upon by the proposal.

Co-ordinated Development

The development generally avoids direct overlooking onto private land as openings either face into the site or out onto streets. Whilst of a large scale, the position of the rear extension near the boundary is acceptable given this is similar to the existing situation.

Overall, the development would not prejudice any potential neighbouring re-development.

Noise and Odours

The NPF4 definition for the Agent of Change principle states where an application is likely to be affected by noise from existing development, the applicant is required to demonstrate potential impact on occupants of the proposed development and include appropriate measures to mitigate this impact.

The submitted noise impact assessment (NIA) considers impact of existing noise on the development and noise impacts from the development on nearby noise sensitive properties.

In regard to the former, hotel bedrooms will be located above potentially noise-generating premises. There are commercial units at ground floor on Shandwick Place and Queensferry Street with Mathers Bar detected in the NIA as the likely most noisy source.

The NIA includes mitigation measures such as minimum sound insulations to ensure noise from such sources are below the required thresholds within hotel bedrooms. It is anticipated such measures will ensure uses can co-exist without impacting on each other's operations.

A condition has been imposed for the above mitigation to be installed and operational prior to first use of the hotel to safeguard the operations of existing noise sources and hotel occupiers' amenity.

The hotel has potential to increase transient visitors to this area where some impacts on noise may be anticipated. However, given this use has already been established on-site, is appropriate in the city centre and in part replaces a nightclub there are no specific concerns regarding its impact on residents living conditions.

With regard to traffic noise, façade sound insulation performance is required to achieve appropriate conditions within each bedroom. Noise sources from the hotel include plant machinery (roof level and courtyard) and the gym at basement level. Mitigation measures are recommended to keep noise contained below the appropriate level and a condition has been recommended to ensure its installation prior to the hotel's occupation.

In regard to odours, submitted details show ventilation from cooking operations will terminate at roof height which should avoid adverse impact on neighbouring residents.

Environmental Protection have been consulted and have raised no objection to the proposals subject to conditions in relation to installation of submitted ventilation details and noise mitigation measures prior to start of operations on-site. Conditions to that effect have therefore been imposed.

Subject to condition, the proposal complies with LDP policy Des 5 (Amenity), NPF 4 policy Ret 11 and NPF 4 policy 23 e).

Transport

Cycle parking

LDP policy Tra 3 (Cycle Parking) states permission will be granted where proposed cycle parking and storage complies with standards in Council Guidance.

LDP policy Tra 4 (Design of Off-Streetcar and Cycle Parking) refers to the design considerations for cycle parking including ease of its accessibility.

The EDG states for hotels 1 cycle space should be provided for 10 bedrooms. The cycle fact sheet requires 20 % provision to be non-standard spaces.

For the 129 bedrooms, the 14 cycle spaces provided at basement level including 3 nonstandard spaces exceeds the above guidance. Step-free access to this facility will be provided via the adjacent lift.

The proposal complies with LDP policy Tra 3, Tra 4 and relevant guidance.

Car parking

NPF 4 policy 13 e) (Sustainable transport) states development with no car parking will be supported, particularly in urban locations well-served by sustainable transport modes and which do not create barriers to access by disabled people. The policy intent seeks development to prioritise travel by sustainable transport.

NPF 4 policy 14 b) refers to connectivity supporting a successful place. Including supporting well-connected networks that make moving around easy and reduce car dependency.

Policy Tra 2 (Private Car Parking) states permission will be granted for development where car parking provision complies with and does not exceed parking levels set out in council guidance.

The development is located on a suitable site in the city centre as it is well-connected to sustainable transport modes.

No car parking is proposed which is appropriate in this urban location as the site is well-served by sustainable transport modes and no barriers to access are created for disabled people. Transport is near the site which will provide convenient fully accessible transport options for all users.

The proposal complies with NPF 4 policies 13, 14 and LDP policy Tra 2.

Archaeology

NPF4 Policy 7 o) states that non-designated historic environment assets, places and their setting should be protected and preserved in situ wherever feasible.

LDP policy Env 8 (Protection of Important Remains) and LDP policy Env 9 (Development Sites of Archaeological Significance) aim to protect archaeological remains.

The City Archaeologist has been consulted on the proposals and has raised concern regarding the archaeological impact from loss of original features including the central staircase in the former bank building. However, overall, it is concluded that the proposals will have a moderate archaeological impact and a condition is recommended for a detailed programme of archaeological historic building recording and reporting to be undertaken.

Subject to condition, the proposal overall complies with NPF 4 policy 7 o) and Env 8.

Developer Contributions

LDP policy Del 1 (Developer Contributions and Infrastructure Delivery) states proposals will be required to contribute to infrastructure provision where relevant and necessary to mitigate any negative additional impact and where commensurate to the scale of the proposed development.

The applicant will be required to contribute the sum of £170,816 (based on additional 76 bed hotel (£231,000) and existing uses, 1,261sqm class 11 use (£31,645), 140.8sqm Class 3 use (£28,539), 206sqm class 2 use (£0.00), and 4 class 9 use in Zone 1) to the Edinburgh Tram in line with the approved Tram Line Developer Contributions report.

An informative has been included to detail that this sum is required by legal agreement.

Subject to this agreement, the proposal complies with LDP policy Del 1.

Other Matters

Air Quality

NPF 4 policy 23 d) states development proposals likely to have significant adverse effects on air quality will not be supported.

The development will be well served by sustainable transport modes, encourages use of cycling and reduced reliance on private car. Opportunities to improve the sustainability credentials of the buildings on-site have been incorporated and the extent of down takings generally minimised.

Overall, a significant adverse effect on air quality is not likely therefore there is no conflict with NPF4 policy 23 d).

Contaminated Land

As the proposal involves some works to previously developed land at ground floor a condition has been applied for a site survey to ensure the land is safe and stable for its end use.

Conclusion in relation to the Development Plan

Overall, the proposal complies with the Local Development Plan.

d) There are any other material considerations which must be addressed?

The following material planning considerations have been identified:

Emerging policy context

On 30 November 2022, the Planning Committee approved the Schedule 4 summaries and responses to Representations made, to be submitted with the Proposed City Plan 2030 and its supporting documents for Examination in terms of Section 19 of the Town and Country Planning (Scotland) Act 1997. At this time little weight can be attached to it as a material consideration in the determination of this application.

Equalities and human rights

The development is suitable for a range of users. Level access is provided into the building from Queensferry Street with lift access to all floors near this entrance. Accessible bedrooms are provided on each floor near to the lifts. A fully accessible route is provided for staff into the building and non-standard cycles are incorporated.

Due regard has been given to section 149 of the Equalities Act 2010 through consideration of the above.

Consideration has been given to human rights. No impacts have been identified through the assessment and no comments have been received in relation to human rights.

Public representations

A summary of the representations is provided below:

objection

material considerations

- Adverse impact on listed buildings through external changes: Addressed in section a)
- Additional information sought regarding windows, plans: The information received (as revised) is considered sufficient to accord with relevant legislation in order to determine the application.

non-material considerations

- Impact on trading and structural damage of ground floor commercial units: these matters cannot be assessed under planning.
- Adverse impact on listed buildings through internal alterations: Assessed under concurrent listed building consent application.

- Contrary to LDP policy Env 4: This policy has been superseded by NPF 4 policy 7.

support

material considerations

- Preserve World Heritage Site and Conservation Area: Addressed in section a) and b) Conservation Area and WHS
- Positive impact on area through design and new use: Addressed in section b) Use and Design
- Sustainability credentials of development: Addressed in section b) Sustainability.
- Well-connected location: Addressed in section b) Sustainability and Transport
- Economic and social benefit from hotel use: Addressed in section b) Use.
- Complies with Local Development Plan and other material considerations: Addressed through the above report.

non-material considerations

-Reputation of developer: This matter cannot materially be assessed under this planning application

neutral

material considerations

- Additional information required (heritage, access): The information received (as revised) is considered sufficient to accord with relevant legislation in order to determine the application.
- Good use of site and retention of existing ground floor commercial use: Addressed through section b) - Use.
- Cumulative servicing impact from hotels: These comments are noted. Each case is assessed on its own, individual merits and potential transport impacts have been considered. The implementation of any wider plans would be out with the remit of what is required under this planning application.

Conclusion in relation to identified material considerations.

The material considerations support the presumption to grant planning permission.

Overall conclusion

The proposal is acceptable with regard to Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as it will not harm the listed buildings, their setting and will preserve the character and appearance of the Conservation Area. Overall, it complies with the Local Development Plan and NPF4.

The hotel use is acceptable in this city centre location. It has regard to the global climate and nature crises. It is of an appropriate design and will not harm the Outstanding Universal Value of the World Heritage Site. Conditions are recommended to ensure implementation of measures to safeguard neighbour's amenity and the operation of nearby uses. Full detail of external materials is required to ensure these are appropriate with regard to the conservation area and listed buildings. A programme of archaeological work is required to safeguard archaeological heritage. Use of sustainable transport modes are encouraged. No unacceptable impacts on transport, ecology and flooding are raised. The proposal is acceptable with regard to equalities and no human rights impacts have been identified.

No other material considerations identified outweigh this conclusion.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following.

Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted. If development has not begun at the expiration of this period, the planning permission lapses.
2. (a) A site survey (including initial desk study as a minimum) must be carried out to demonstrate, 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 the 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 Planning Authority. 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 Planning Authority prior to occupation of the development.
3. 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.
4. A detailed specification of the proposed alterations to all existing windows as detailed on approved plan reference 66 A, 67 A, 68 A, 70 A and 71 A shall be submitted to and approved in writing by the Planning Authority before work is commenced on site.

5. No demolition/alterations/development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (historic building recording, interpretation, conservation, analysis & reporting, publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.
6. The noise mitigation measures and recommended maximum plant specifications detailed in the submitted Buro Happold Noise Impact assessment referenced 0050479 Rev P07 (detailed under sections titled 'Environmental Noise Break-in', 'Agent of Change' and 'Noise Break-Out') dated 8 November 2023 and approved plan reference 75 A should be installed and operational prior to the start of operations on-site.
7. The ventilation details as shown on approved plan reference 75 A and detailed on pages 24 and 25 of the submitted Buro Happold Noise Impact Assessment (reference 0050479 revision P07, dated 08 November 2023) should be installed and operational prior to the start of operations on-site.

Reasons

1. To accord with Section 58 of the Town and Country Planning (Scotland) Act 1997.
2. In order to ensure the site is made safe for the proposed use.
3. In order to enable the planning authority to consider this/these matter/s in detail.
4. To safeguard the character of listed buildings and the conservation area.
5. In order to safeguard the interests of archaeological heritage.
6. In the interests of neighbours' amenity and to safeguard the operations of adjacent uses.
7. To safeguard neighbours' amenity.

Informatives

It should be noted that:

1. Planning permission shall not be issued until a suitable legal agreement, including those requiring a financial contribution payable to the City of Edinburgh Council, has been concluded in relation all of those matters identified in the proposed Heads of Terms. -

These matters are:

The applicant will be required to contribute the net sum of £170,816 (based on additional 76 bed hotel (£231,000) and existing uses, 1,261sqm class 11 use (£31,645), 140.8sqm Class 3 use (£28,539), 206sqm class 2 use (£0.00), and 4 class 9 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.

A legal agreement will be required to secure these funds.

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. A repeat bat survey should be undertaken if work has not commenced on-site by the next bat roosting season. Any demolition or refurbishment work should be supervised by a suitably experienced ecological clerk of works.
5. The proposed site is adjacent to the operational Edinburgh Tram. To ensure that work on or near the tramway is carried out safely, it is necessary to obtain authorisation to agree a safe system of work. It is a legal obligation to comply with the Authority to Work (AtW) process whilst working on or near the tramway. See <https://edinburghtrams.com/atw>.
6. Prior to the commencement of construction works on site the applicant should submit to the planning authority confirmation that Scottish Water accept the proposed surface water discharge rate to the combined network.

Background Reading/External References

To view details of the application go to the [Planning Portal](#)

Further Information - [Local Development Plan](#)

Date Registered: 10 May 2023

Drawing Numbers/Scheme

01-04, 06-14,15B, 16A-22A, 23C, 24B, 25A-28A,29B-30B, 31C, 32A-37A, 38A-43A, 44B-46B, 47A-52A,53B, 54A-56A, 57B-64 B, 65B, 66A-71A, 72C, 75A

Scheme 3

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Lewis McWilliam, Planning Officer
E-mail: lewis.mcwilliam@edinburgh.gov.uk

Appendix 1

Summary of Consultation Responses

NAME: Transport Planning

COMMENT: No objections subject to conditions or informatives as appropriate in relation to tram contributions, cycle parking and discussions with the Councils' tram team.

DATE: 8 December 2023

NAME: Archaeology

COMMENT: No objections subject to condition regarding a programme of archaeological works.

DATE: 13 July 2023

NAME: Flood Planning

COMMENT: No objections subject to condition requiring Scottish Water approval of proposed surface water discharge rate.

DATE: 19 September 2023

NAME: Environmental Protection

COMMENT: No objections subject to conditions in regard to noise mitigation measures and ventilation details.

DATE: 29 November 2023

NAME: Edinburgh World Heritage

COMMENT: Revised proposal will have an improved impact on the World Heritage Site and welcome the proposed changes.

DATE: 15 November 2023

NAME: Scottish Water

COMMENT: No objections. Further submissions to SW required.

DATE: 15 September 2023

NAME: Archaeology

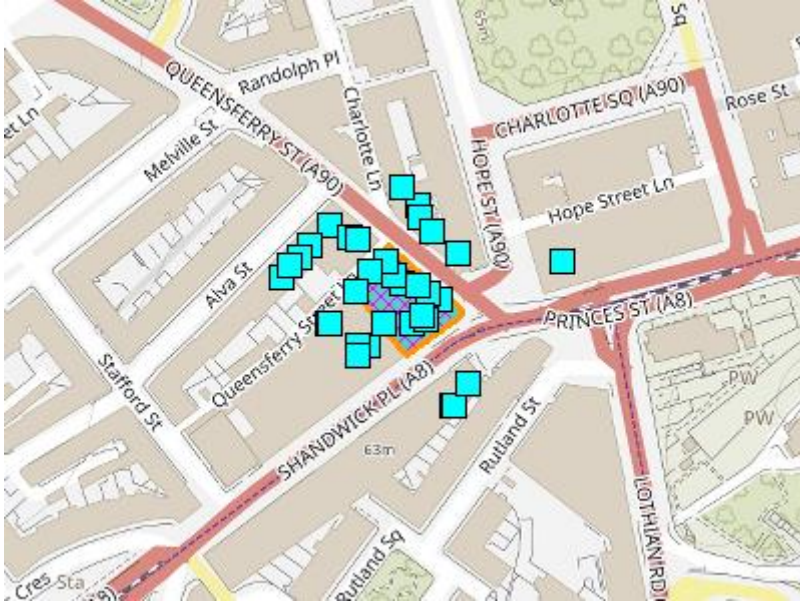
COMMENT: Concern regarding removal of staircase to 4-8 Queensferry Street however overall proposals are considered to have a moderate archaeological impact.

A condition for a programme of archaeological works is recommended should consent be granted.

DATE: 10 November 2023

The full consultation response can be viewed on the [Planning & Building Standards Portal](#).

Location Plan



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Development Management Sub-Committee Report

Wednesday 7 February 2024

Application for Listed Building Consent

2 - 14 Shandwick Place, 1 - 8 Queensferry Street & 1 - 3 Queensferry Street Lane, Edinburgh

Proposal: Alterations to create hotel /aparthotel (as amended).

Item – Committee Decision

Application Number – 23/01947/LBC

Ward – B11 - City Centre

Reasons for Referral to Committee

The application has been referred to the Development Management Sub-Committee because an objection has been received from a statutory consultee and the recommendation is to grant listed building consent. Consequently, under the Council's Scheme of Delegation, the application must be determined by the Development Management Sub-Committee.

The application requires the Scottish Ministers to be notified prior to determination due to this statutory consultee objection.

Recommendation

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

Summary

The proposal will have significant impacts on listed buildings particularly through the loss of original staircases and Historic Environment Scotland have objected on these grounds.

Internally, changes to these features have already occurred which have diminished their contribution to the buildings' overall historic or special interest. The degree of further intervention to these features is appropriate in this context as its overall impact is not harmful. It forms part of works that help provide a new use to these buildings. All other changes are appropriate in this regard. The proposal in scale, form and design is also in keeping with the historic environment.

The proposal is therefore acceptable with regard to Sections 14 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as it will not harm the listed buildings, their setting and will preserve the character and appearance of the Conservation Area.

The application requires the Scottish Ministers to be notified prior to determination due to the outstanding objection from Historic Environment Scotland.

SECTION A – Application Background

Site Description

The site includes four separate buildings as per the following:

4-8 Queensferry Street is an early 19th century, category B -listed building (LB ref: 29577, date added 14/12/1970). A three-storey classical terrace which is one of the last surviving of the original James Tait plan. Similar town houses at 1-3 Queensferry Street were later replaced by the bank building. It contains later 19th century dormers on its roof slope with evenly proportioned sash and case windows below. Its upper floors have lawful use as a hostel. The site also includes the ground floor food and drink unit (class 3) at no. 7-8.

2-4 Shandwick Place and 1-4 Queensferry Street is an early 20th century category B-listed building (LB ref: 30180, date added 30/01/1981). It has five storeys in total (four and an attic) and occupies a prominent location on the corner of Shandwick Place and Queensferry Street. Some key features include a turret with curved gable features either side. It was originally a bank and most recently the upper floors have been a hostel with 4-8 Queensferry Street. The existing entrance is taken from Queensferry Street. The site includes the ground floor betting unit at 2 Queensferry Street.

6-8 Shandwick Place is a late 19th century category C-listed building (LB ref: 51342, date added: 22/07/2009) of four storeys. Key detailing includes a bay window feature at ground floor and arched openings on its uppermost floor with intricate astragal detailing. The upper floors contain flats.

10-14 Shandwick Place is an unlisted four storey Victorian tenement with bay window features. It has been extended to the rear which connects to the tenement building on Queensferry Street Lane and adjacent 1.5 storey building. The upper floors have lawful use as a nightclub and restaurant.

These buildings have mainly been constructed in traditional building materials (sandstone, slate, timber sash and case windows). The upper floors of all buildings are currently unoccupied.

The site is located within the City Centre where there are a range of uses are evident. It is near to public transport facilities including bus services on Queensferry Street and a tram stop on Shandwick Place.

The site is also located in the New Town Conservation Area and Old and New Towns of Edinburgh World Heritage Site. Its area is 0.19 hectares in total.

Description of the Proposal

The hotel development will comprise of 129 bedrooms in total and connect all four of the above buildings internally.

The main hotel entrance for guests will be taken from Queensferry Street where the existing betting unit will be replaced, with a staff entrance from Queensferry Street Lane. Lifts will be located near each entrance providing access to all floors, near to accessible bedrooms on the Queensferry street side of the development.

At basement level there will be a gym, staff facilities, plant machinery and bicycle store. 14 cycle spaces will be provided in total (11 sheffield stands and 3 non-standard racks). A landscaped courtyard will be formed at first floor level at the rear bordered by the development on all four sides.

In total, 1,631.6 m² new build floorspace will be added with the external alterations to each building including the following:

6-8 and 10-14 Shandwick Place

- A dark zinc pitched roof top extension with four projecting dormers centrally positioned over windows below (nos 10-14) and a bay window feature (nos 6-8).
- Demolish first floor of rear extension (nos. 10-14) and construct a new four storey rear extension constructed in light render with dual-pane windows and juliet balconies of uniform design facing an internal courtyard area.

Queensferry Street Lane

- Demolish existing 1.5 storey building and replace with a new, four storey extension. Materials include a light render on upper floors with the window pattern including a dual and single pane vertical arrangement. A stone facade will be at ground floor with roller shutters doors.

1-4 Queensferry Street

- Removal of ground floor betting office unit at 2 Queensferry Street and replace with hotel entrance including dual paned timber panelled door set within glazed arched opening with timber frames. A new gate is to be added over the existing hostel entrance.

4-8 Queensferry Street

- Remove existing dormers and replace with five dark zinc clad dormers of uniform design.

The proposed hotel includes various change of uses to the hotel (total 1,946 m²) detailed below:

- 10-14 Shandwick Place (upper floors) from a night club (sui generis) / restaurant (class 3) to a hotel (class 7)
- 6-8 Shandwick Place (upper floors) from storage and residential (Class 9) to hotel (class 7)
- 4-8 Queensferry Street (upper floors) partly from residential (class 9) and hostel (class 7) to a hotel (class 9)

- 2 Queensferry Street (ground floor) from betting office (sui generis) to hotel (class 7).
- 1-3 Queensferry Street Lane from a nightclub (sui generis) to hotel (class 7)

Revised Scheme

Internal alterations

- Number of bedrooms increased from 115 to 129.
- Increase in cycle parking.
- Changes to internal layout
- Extent of raised floor reduced to not extend into the former bank buildings' public rooms.
- Retention of pyramidal skylight in former bank building.
- Increased retention or relocation of original features in all buildings.

6-8 and 10-14 Shandwick Place

- Design of roof top extension changed with gable form of east section replaced with pitch roof of lower height and window design changed.
- Change to form of rear extension to retain existing pitch roof of tenement building on Queensferry Street Lane and materials from brick to sandstone / light render and dark to light bronze zinc clad.

Queensferry Street

- Proposed additional storey on front elevation and wall structure to house plant equipment to rear omitted on 4-8 Queensferry Street.
- New glass panel to front entrance of existing hostel on 3 Queensferry Street replaced with a gate.

1-3 Queensferry Street Lane

- Colour of zinc clad on extension changed from dark grey to light render.

Supporting Information

- Architect Consultation Response
- Design and Access Statement
- Heritage Statement
- Planning Statement
- Sustainability Statement and S1 Form

Concurrent applications

3 May 2023 - Planning application 23/01940/FUL submitted for part change of use, alterations, and erection of hotel / aparthotel (Class 7) and Conservation area consent application 23/01948/CON submitted for substantial demolition in a conservation area.

These applications are presently under consideration and are related to this listed building consent application.

Relevant Site History

23/01940/FUL

2 - 14 Shandwick Place, 1 - 8 Queensferry Street &

1 - 3 Queensferry Street Lane

Edinburgh

Part change of use, alterations, and erection of hotel /aparthotel (Class 7). (as amended)

23/01948/CON

3 Queensferry Street Lane, 4 - 8 Queensferry Street &

10 - 14 Shandwick Place

Edinburgh

Substantial demolition in a conservation area.

Other Relevant Site History

5 November 2010 - Planning permission granted for residential flats at 12 Shandwick Place - application reference: 06/03775/FUL.

19 November 2015 Planning permission granted for renewal of application of application 06/03775/FUL at 12 Shandwick Place - application reference 15/04522/FUL.

3 April 2019 - Planning permission granted for Section 42 application to amend noise conditions at 12 Shandwick Place - application reference 18/08608/FUL.

23 June 2021 - Planning permission granted for change of use to short stay lets at 8 Shandwick Place - application reference 21/02525/FUL.

Pre-Application process

Pre-application discussions took place on this application.

Consultation Engagement

Historic Environment Scotland

Archaeologist

Refer to Appendix 1 for a summary of the consultation response.

Publicity and Public Engagement

Date of Neighbour Notification: Not Applicable

Date of Renotification of Neighbour Notification: Not Applicable

Press Publication Date(s): 2 June 2023

Site Notices Date(s): 29 May 2023

Section B - Assessment

Determining Issues

Due to the proposals relating to a listed building(s) within a conservation area, this application for listed building consent requires to be assessed against Sections 14 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (the "1997 Heritage Act"):

- Having due regard to HES Policy and guidance, do the proposals:
 - a. harm a listed building or its setting? or
 - b. conflict with the objective of preserving or enhancing the character or appearance of the conservation area?
- If the proposals do comply with HES Policy and guidance, are there any compelling reasons (including but not limited to the public sector equality duty) for not approving them?
- If the proposals do not comply with HES Policy and guidance, are there any compelling reasons (including but not limited to the public sector equality duty) for approving them?

Assessment

To address these determining issues, it needs to be considered whether:

a) The proposals harm the listed building or its setting.

The following HES guidance is relevant in the determination of this application:

- Managing Change in the Historic Environment: Extensions
- Managing Change in the Historic Environment: Interiors
- Managing Change in the Historic Environment: Roofs
- Managing Change in the Historic Environment: Setting
- Managing Change in the Historic Environment: Windows

6-8 Shandwick Place, LB ref 51342, dated 22/07/2009.

HES guidance on extensions states these should play a subordinate role and not dominate the original building. It should not threaten the original design concept. Where external form is significant to a buildings' character a roof extension will not be appropriate that destroys this.

The roof top extension will change the buildings' appearance as a pitched roof is not part of its original form. However, its overall design takes appropriate cues from the listed building. Its height is in proportion to the storeys below, which in tandem with its pitched form and slight setback will achieve an appropriate degree of subservience.

The bay window feature has larger glazed openings than the floors below. However, each floor level of the building differs in its window arrangement whilst the simple design of this feature will avoid competing with the bold classical detailing on this façade from public view. Its perceived scale will be further reduced by the separation of its glazing with vertical frames. The roof skew will help separate this building at roof level from the extension proposed at 10 to 14 Shandwick Place.

Removal of existing features on the roof (rooflights, chimneys) to facilitate this extension are acceptable. As small-scale additions of limited visibility from public view their loss will not adversely impact on the buildings' overall character.

The buildings rear elevation has previously been altered and its concealed location is not visible from public view. Given this, the proximity of all new development to the sites' rear will have no impact on the wider appreciation or historic interest of the listed building.

Internally, loss of the original staircase and historic walls with subsequent change to its plan form will have some negative heritage impacts. HES have objected on the basis that loss of this staircase would have a harmful impact on the special architectural interest and cultural significance of this building.

These removals are to enable direct, vertical movement between buildings of the new hotel, with existing land level differences preventing use of the current stair for this purpose.

The loss of this staircase is regrettable however it is not the best example of such a feature from the Georgian period. Some evidence has been detailed of alteration to its balustrade and historic changes to its length. Moreover, given changes that have occurred to the floors its context within the building differs now from the historical position. The change forms part of works that help future proof the building through enabling a new use for this building. Moreover, the buildings' special interest as a 3 bay town house of classical detailing with a 20th century shopfront arrangement will be preserved. Other original features (cornicing, panelling, architraves, and shutter boxes) will be retained or relocated.

Overall, the proposals do not harm the special architectural or historic interest of the listed building, or its setting.

2-4 Shandwick Place, 1-4 Queensferry Street LB ref: 51342, 22/07/2009

HES guidance on extensions also states that the presence of a neighbouring high building should not be taken as a reason for an inappropriate roof extension to a historic building.

The former bank building occupies a highly visible position on the corner between Shandwick Place and Queensferry Street. An important aspect of its wider setting is its level of prominence from the east on Princes Street. The buildings' form such as its curved gables and turret feature at roof level are clearly articulated against the sky's backdrop. The height of the building is accentuated by the lower scale of buildings either side.

The new rooftop extension on Shandwick Place will change this view however its lower scale, simple pitched form and use of a dark muted colour will avoid competing with the form and detailing of the former bank building. The simple design will similarly avoid interfering with views onto this key detailing from oblique angles on Shandwick Place.

Small scale alterations to the roof slope here to remove or replace rooflights are acceptable with the replacement slate to match the existing roof slope.

Alterations to the existing hostel entrance will result in the doors not being used. However, this change is reversible, and the installation of a gate will still allow its detailing here to be visible. This alteration is justifiable in the context of overall improvements that will occur to the buildings' frontage. The existing modern glazed shopfront being replaced with a new entrance where its arched form, panelling and materials taking cues from older frontages either side.

Internally, the works will have an impact on the buildings' historic interest through loss of an original staircase. HES have objected on the basis that this loss would have a harmful impact on the listed building. The stairs being the former, main entrance into the bank centrally positioned in the building. Its detailing includes a decorative timber balustrade and stone steps.

The applicant's justification for its removal includes that its original functioning has been altered. The stair formerly extending from ground to fourth floor providing the main 'vertical circulation' into the bank. This was changed in the late 1930s with its length reduced no longer providing ground floor access. Other aspects of the stair were also removed here, including its colonnaded entrance and stair hall.

Other operational challenges for incorporating its retention have also been highlighted. Principally, that connecting the four buildings on-site due to floor level changes. The position of the existing entrance from 3 Queensferry Street provides the best opportunity to achieve this without additional impacts on the floor plan. It has been stated that using the original stair would require additional insertions for fire escape purposes.

The staircase removal will have some adverse impacts on the buildings' historic interest. However, through loss of its original length to the ground floor and associated features, part of its interest has already been diminished. It can no longer be read or appreciated as a central feature into the former bank building from its entrance, as originally intended. Moreover, the decorative pyramidal skylight and decorative cornicing that sits above the stair will be retained. The upper floor space around this will continue to allow occupants the ability to appreciate this design feature. In consideration of this, its loss is justifiable as part of the development as a whole.

The internal works will minimise change to the buildings' public rooms on first and second floor. As detailed in submitted heritage information, original room proportions have generally been altered with later subdivisions evident. The works will remove some non-original walls and new insertions principally for bathrooms pods will not be full height, therefore minimises interference with original decorative ceilings and corning. Raised floor levels here will be confined to bathrooms only, providing level access for services to corridors and lobby space. Some new walls to sub divide hotel bedrooms are justifiable given the original scale and proportions of the rooms have been changed. Similarly, replacing the non-original entrance stair with a new stair and lift access will not result in loss of historic fabric and is appropriate in this regard.

Rooms above these two levels are generally of secondary importance therefore the greater extent of insertions here to form new hotel rooms is appropriate. Original features of special interest will be retained or re-located.

New development to the rear will be in some proximity to this buildings' simpler plain elevation that is not readily visible from public view. Given this context and the space that will be retained here there will be no adverse impact on its setting.

4-8 Queensferry Street LB 29577 dated 14/12/1970.

HES guidance on roofs states historic dormers should be retained. The addition of new features to principal roof slopes should generally be avoided. New dormers should be appropriately designed and located with care.

As per the listing description, this row of townhouses are among the last remaining of the original James Tait plan, well-proportioned and represent their original 19th century design.

The dormers on the roof slope are later 19th century additions. They are historic but appear in a state of some disrepair externally and their inconsistent size is at odds with the regular window pattern below. The chimney to be removed is proportionally small in relation to the townhouse' other chimneys fronting the street. It occupies a more discreet position, its form partly masked by the former bank buildings' gable side. In this context, these removals and a small loss of historic fabric is appropriate.

The new dormers will be of a high-quality modern design, with a scale and form that will sit well on the roof slope. This change will clearly introduce new, distinguishable additions on its principal elevation. However, this townhouse is unique to the immediate context with its scale differing from buildings either side and this change will not break a uniform pattern of development on the street. In these specific circumstances, this change to this townhouse is appropriate. The replacement roof will appropriately match the existing slate.

To the rear, it is recognised the townhouse form will be altered by the new, four storey extension on Queensferry Street Lane with subsequent loss of rear windows. This will impact on a glimpsed view of its subsidiary elevation only. The extension will be set down from the roof slope with the traditional pitched roof form retained. In this context, the development will not adversely impact on its overall setting. New gable windows facing the lane will be of a traditional 'six over six' arrangement appropriately matching those existing.

In light of the above, the proposal will not have a detrimental impact on the architectural character, historic interest or setting of this listed building.

Windows on the listed buildings will be retained and refurbished where practicable or replaced with double glazing if required. Full details of this are required by condition to assess this matter in detail. Similarly, detail of all external materials are required by condition for this reason.

All other listed buildings in the sites' vicinity will not materially be impacted on by the development therefore no assessment of heritage impacts is required.

Conclusion in relation to the listed building

The proposal will have significant impacts on listed buildings particularly through the loss of original staircases and Historic Environment Scotland have objected on these grounds. Internally, changes to these features have already occurred which have diminished their contribution to the buildings' overall historic or special interest. The degree of further intervention to these features is appropriate in this context as its overall impact is not harmful. It forms part of works that help provide a new use to these buildings. All other changes are appropriate in this regard. The proposal in scale, form and design is also in keeping with the historic environment.

The proposal is therefore acceptable with regard to Sections 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as it will not harm the listed buildings or their setting.

b) The proposals harm the character or appearance of the conservation area.

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.

The historic environment generally has consistency in the use of traditional materials (stone, slate), however there is some variety to buildings form and scale. Later, alterations are also evident including roof extensions on Shandwick Place.

This historic townscape is therefore not defined by one architectural style. Whilst the proposed changes to the roof will clearly be modern, their simple design, proportionate scale and dark muted tones will blend suitably with this historic context where change has occurred.

Space to the rear has significantly been developed with large extensions evident on the site and nearby on former courtyards. The extension is appropriately scaled given this context and its lighter shades of render will be compatible with the existing use of this material and stone nearby.

Similarly, its height facing onto Queensferry Street Lane will be in-keeping with the generally continuous line of buildings on its south side. Buildings here vary in quality, age, and design. In this context, an appropriately scaled modern building will not appear at odds with its surroundings.

Larger down takings will include removal of structures in some state of disrepair (dormers and building on Queensferry Street & Lane) or more modern additions of functional design (part of rear courtyard extension, Queensferry Street shopfront). Their removal is appropriate as they do not presently make positive contributions to the conservation area. All other removals will have no material impact on this historic environment as a whole as they are small parts of the buildings on-site.

The full details of material specification will be required by condition to ensure these details are appropriate to the conservation area.

The hotel use is also in keeping with the range of uses evident in this part of the New Town.

Conclusion in relation to the conservation area

Overall, the proposal in scale form and design will preserve the character and appearance of the conservation area. It is therefore acceptable with regard to Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

Archaeology

The City Archaeologist has been consulted on the proposals and has raised concern regarding the archaeological impact from loss of the staircase at 4-8 Queensferry Street.

However, overall, it is concluded that the proposals will have a moderate archaeological impact and a condition is recommended for a detailed programme of archaeological historic building recording and reporting to be undertaken.

c) there are any other matters to consider.

The following matters have been identified for consideration:

Equalities and human rights

The development is suitable for a range of users. Level access is provided into the building from Queensferry Street with lift access to all floors near this entrance.

Accessible bedrooms are provided on each floor near to the lifts. A fully accessible route is provided for staff into the building and non-standard cycles are incorporated.

Due regard has been given to section 149 of the Equalities Act 2010 through consideration of the above.

Consideration has been given to human rights. No impacts have been identified through the assessment and no comments have been received in relation to human rights.

Public representations

A summary of the representations is provided below:

support

material considerations

- Positive impact on area through design and new use: Addressed through sections a) and b)
- Conservation Area: Addressed in section b) Conservation Area and WHS

non-material considerations

- Preserve World Heritage Site
- Sustainability credentials of development
- Well-connected location
- Economic and social benefit from hotel use
- Reputation of developer
- The above matters have been assessed through this concurrent planning application and are not material to this listed building consent application.

objection

material considerations

- Harmful impact from internal alterations (staircase removals, raised floor height, impact on original features, room proportions): Addressed in section a) Listed Buildings.
- Adverse impact from external alterations (alterations and extensions to roofs, door alterations): Addressed in section a) Listed Buildings.
- Adverse impact from additional storey on 4-8 Queensferry Street: This aspect has been removed from the revised plans.
- Detail of window changes required: A condition has been included for details of this to be submitted.

non-material considerations

- Impact on commercial units from construction activity: This matter cannot be assessed under this listed building consent application.
- Potential property damage: This matter cannot be assessed under this listed building consent application.
- Proposal is contrary to LDP policy Env 4: This policy has been superseded and is no longer applicable.

Conclusion in relation to other matters considered.

Other matters support the presumption to grant listed building consent.

Overall conclusion

The proposal will have significant impacts on listed buildings particularly through the loss of original staircases and Historic Environment Scotland have objected on these grounds.

Internally, changes to these features have already occurred which have diminished their contribution to the buildings' overall historic or special interest. The degree of further intervention to these features is appropriate in this context as its overall impact is not harmful. It forms part of works that help provide a new use to these buildings. All other changes are appropriate in this regard. The proposal in scale, form and design is also in keeping with the historic environment.

The proposal is therefore acceptable with regard to Sections 14 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as it will not harm the listed buildings, their setting and will preserve the character and appearance of the Conservation Area.

The application requires the Scottish Ministers to be notified prior to determination due to the outstanding objection from Historic Environment Scotland.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following.

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. No demolition/alterations/development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (historic building recording, interpretation, conservation, analysis & reporting, publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.
3. A detailed specification of the proposed alterations to all existing windows as detailed on approved plans reference 66 A - 71 A shall be submitted to and approved in writing by the Planning Authority before work is commenced on site.

Reasons

1. In order to enable the planning authority to consider this/these matter/s in detail.
2. In order to safeguard the interests of archaeological heritage.
3. To safeguard the character of listed buildings and the conservation area.

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. The application requires the Scottish Ministers to be notified prior to determination due to the outstanding objection from Historic Environment Scotland.

Background Reading/External References

To view details of the application go to the [Planning Portal](#)

Further Information - Local Development Plan

Date Registered: 3 May 2023

Drawing Numbers/Scheme

01 - 04, 06 - 14, 15 A - 22 A, 23 C, 24 B, 25 A- 28 A29 B - 30 B, 31 C, 32 A - 43 A, 44 B - 45 B, 46 A-52 A, 53 B53 B, 54 A - 62 A, 63 B - 64 B, 65 B, 66 A - 71 A, 72 C, 75

Scheme 2

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Lewis McWilliam, Planning Officer
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Appendix 1

Summary of Consultation Responses

NAME: Historic Environment Scotland

COMMENT: Objection due to harmful impact on listed buildings through loss of staircases.

DATE: 14 December 2023

NAME: Archaeologist

COMMENT: Concern regarding removal of staircase to however overall proposals are considered to have a moderate archaeological impact.

A condition for a programme of archaeological works is recommended should consent be granted.

DATE: 10 November 2023

The full consultation response can be viewed on the [Planning & Building Standards Portal](#).

Location Plan



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Development Management Sub-Committee Report

Wednesday 7 February 2024

**Application for Conservation Area Consent
3 Queensferry Street Lane, 4 - 8 Queensferry Street & 10 - 14
Shandwick Place, Edinburgh**

Proposal: Substantial demolition in a conservation area.

**Item – Committee Decision
Application Number – 23/01948/CON
Ward – B11 - City Centre**

Reasons for Referral to Committee

The application has been referred to the Development Management Sub-Committee as it relates to a concurrent planning and listed building consent applications that are of significant public interest.

Recommendation

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

Summary

The proposed demolitions are acceptable in terms of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, NPF 4 policy 7 and the interim HES guidance.

SECTION A – Application Background

Site Description

The site includes four separate buildings as per the following:

4-8 Queensferry Street is an early 19th century, category B -listed building (LB ref: 29577, date added 14/12/1970). A three-storey classical terrace which is one of the last surviving of the original James Tait plan. Similar town houses at 1-3 Queensferry Street were later replaced by the bank building. It contains later 19th century dormers on its roof slope with evenly proportioned sash and case windows below. Its upper floors have lawful use as a hostel. The site also includes the ground floor food and drink unit (class 3) at no. 7-8.

2-4 Shandwick Place and 1-4 Queensferry Street is an early 20th century category B-listed building (LB ref: 30180, date added 30/01/1981). It has five storeys in total (four and an attic) and occupies a prominent location on the corner of Shandwick Place and Queensferry Street. Some key features include a turret with curved gable features either side. It was originally a bank and most recently the upper floors have been a hostel with 4-8 Queensferry Street. The existing entrance is taken from Queensferry Street. The site includes the ground floor betting unit at 2 Queensferry Street.

6-8 Shandwick Place is a late 19th century category C-listed building (LB ref: 51342, date added: 22/07/2009) of four storeys. Key detailing includes a bay window feature at ground floor and arched openings on its uppermost floor with intricate astragal detailing. The upper floors contain four flats.

10 - 14 Shandwick Place is an unlisted four storey Victorian tenement with bay window features. It has been extended to the rear which connects to the tenement building on Queensferry Street Lane and adjacent 1.5 storey building. The upper floors have lawful use as a nightclub and restaurant.

These buildings have mainly been constructed in traditional building materials (sandstone, slate, timber sash and case windows). The upper floors of all buildings are currently unoccupied.

The site is located within the City Centre where there are a range of uses are evident. It is near to public transport facilities including bus services on Queensferry Street and a tram stop on Shandwick Place.

The site is also located in the New Town Conservation Area and Old and New Towns of Edinburgh World Site.

Description of the Proposal

Demolish first floor of extension to rear of 10-14 Shandwick Place and one and a half storey building at 3 Queensferry Street Lane.

Supporting Information

- Architect consultation Response
- Design and Access Statement
- Ecology Survey
- Heritage Statement
- Planning Statement
- Sustainability Statement and S1 Form

Revised plans

- Extent of down takings reduced with existing roof slope retained on 4-8 Queensferry Street.
- No change to the proposed demolition works that require conservation area consent.

Concurrent applications

3 May 2023 - Planning application 23/01940/FUL and listed building consent application 23/01947/LBC submitted for part change of use, alterations, and erection of hotel / aparthotel (Class 7). These applications are presently under consideration and are related to this conservation area consent application 23/01948/CON.

Relevant Site History

23/01947/LBC

2 - 14 Shandwick Place, 1 - 8 Queensferry Street &
1 - 3 Queensferry Street Lane

Edinburgh

Alterations to create hotel /aparthotel (as amended).

23/01940/FUL

2 - 14 Shandwick Place, 1 - 8 Queensferry Street &
1 - 3 Queensferry Street Lane

Edinburgh

Part change of use, alterations, and erection of hotel /aparthotel (Class 7). (as amended)

06/01651/FUL

3 Queensferry Street Lane

Edinburgh

EH2 4PF

Change of use from former storage area to form extension to existing night club premises.

Granted

7 July 2006

Other Relevant Site History

5 November 2010 - Planning permission granted for residential flats at 12 Shandwick Place - application reference: 06/03775/FUL.

26 June 2012 - Planning application 12/00652/FUL and listed building consent application 12/00652/LBC withdrawn.

19 November 2015 - Planning permission granted for renewal of application 06/03775/FUL at 12 Shandwick Place - application reference: 15/04522/FUL.

3 April 2019 - Planning permission granted for Section 42 application to amend noise conditions at 12 Shandwick Place - application reference: 18/08608/FUL.

23 June 2021 - Planning permission granted for change of use to short stay lets at 8 Shandwick Place - application reference 21/02525/FUL.

Pre-Application process

Pre-application discussions took place on this application.

Consultation Engagement

HES

Archaeology

Refer to Appendix 1 for a summary of the consultation response.

Publicity and Public Engagement

Date of Neighbour Notification: Not Applicable

Date of Renotification of Neighbour Notification: Not Applicable

Press Publication Date(s): 26 May 2023

Site Notices Date(s): 23 May 2023

Number of Contributors: 10

Section B - Assessment

Determining Issues

Consent is required because section 66 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (the "1997 Heritage Act") states that in making a decision on the demolition of a building in a conservation area section 6 to 25 of the same Act shall have effect in relation to buildings in conservation areas as they have effect in relation to listed buildings. The proposals therefore require to be assessed in terms of Section 64 of the 1997 Heritage Act:

- Having due regard to HES Policy and guidance, does the proposed demolition conflict with the objective of preserving or enhancing the character or appearance of the conservation area?
- If the proposals do comply with HES Policy and guidance on demolition in a conservation area, are there any compelling reasons (including but not limited to the public sector equality duty) for not approving them?
- If the proposals do not comply with HES Policy and guidance on demolition in a conservation area, are there any compelling reasons (including but not limited to the public sector equality duty) for approving them?

Assessment

To address these determining issues, it needs to be considered whether:

a) Demolition of building(s) is acceptable, or the proposals harm the character or appearance of the conservation area?

Section 66 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states that in making a decision on the demolition of a building in a conservation area, certain provisions of the same Act shall have effect in relation to buildings in conservation areas as they have effect in relation to listed buildings.

NPF 4 policy 7 f) (Historic Assets and Places) states demolition of buildings in a conservation area which make a positive contribution to its character will only be supported in certain circumstances.

Historic Environment Scotland's (HES) Interim Guidance on the Designation of Conservation Areas and Conservation Area Consent (April 2019) outlines criteria to assess demolition of unlisted buildings in a conservation area including a buildings' importance to the character or appearance of the conservation area.

The New Town Conservation Area Character Appraisal summaries as follows:

"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."

The one and a half storey building proposed for demolition has a functional appearance including large metal roller shutter doors fronting Queensferry Street Lane. It may retain some historic stone; however, it has an overall dilapidated appearance through its disuse and previous alterations with a random mix of materials on its front. Similarly, the rear extension on 10-14 Shandwick Place is a later, modern addition of simple design with a large, flat roof expanse and limited detailing.

In this regard, these structures are not characteristic of older historic buildings in the conservation area, such as those outlined in the appraisal above. Through their functional design and limited architectural merit they make no specific, positive contribution to its character.

The demolition is acceptable with regard to Section 66 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. It does not conflict with NPF 4 policy 7 f) or HES guidance. It will have a neutral impact on the character and appearance of the conservation area and is acceptable, subject to planning permission being granted for an acceptable replacement development.

b) Replacement Development

HES interim guidance also states where demolition is acceptable consent to demolish should generally only be given where there is an acceptable proposal for a new building.

Similarly, NPF 4 policy 7 g) (Historic Assets and Places) states demolition in a conservation area will only be supported where an acceptable design, layout and materials are being used for the replacement development.

It is recommended that planning permission reference 23/01940/FUL and listed building consent reference 23/01947/LBC are granted for alterations and extensions to buildings on-site to form a hotel. This re-development will be of an appropriate high-quality design, whilst its layout and materials will have a positive impact on the conservation area.

The proposal therefore complies with NPF 4 policy 7 g).

c) There are any other matters to consider.

The following matters have been identified for consideration:

Archaeology

NPF4 Policy 7 o) states that non-designated historic environment assets, places and their setting should be protected and preserved in situ wherever feasible.

The site is located in an area of archaeological significance with a number of historic buildings dating from the 19th and early 20th century.

No objections have been received from the City Archaeologist for the proposed demolitions subject to the submission of a programme of archaeological works.

A condition has therefore been applied for a comprehensive programme of historic building recording to be undertaken prior to and during demolition and that a provision for public/community engagement during this programme of archaeological work is put in place.

Subject to this condition, the proposal complies with NPF 4 policy 7 o).

Equalities and human rights

Due regard has been given to section 149 of the Equalities Act 2010. No impacts have been identified.

Consideration has been given to human rights. No impacts have been identified through the assessment and no comments have been received in relation to human rights.

Public representations

A summary of the representations is provided below:

support comments

material comments

- Preserve character and appearance of Conservation Area: Addressed through sections a) and b)
- High quality design: Addressed in section b).
- Complies with relevant material considerations: Addressed through the above report.

non-material comments

- Preserve World Heritage Site
- Sustainability credentials of development
- Well-connected location
- Economic and social benefits from hotel use
- Complies with Local Development Plan

- Reputation of developer

The above matters are not material to the assessment of this conservation area consent application which relates to the acceptability of proposed demolition works only.

Conclusion in relation to other matters considered.

The proposals do not raise any concerns in relation to other matters identified.

Overall conclusion

The proposed demolitions are acceptable in terms of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. It complies with NPF 4 policy 7 and the interim HES guidance.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following.

Conditions

1. No demolition shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (historic building recording and analysis, dendro-chronological assessment and analysis, reporting, publication, public engagement) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.
2. 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 of Development for planning application reference 23/01940/FUL.

Reasons

1. In order to safeguard the interests of archaeological heritage.
2. In order to safeguard the character of the conservation area.

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.

Background Reading/External References

To view details of the application go to the [Planning Portal](#)

Further Information - [Local Development Plan](#)

Date Registered: 3 May 2023

Drawing Numbers/Scheme

01-14, 15 A - 16A, 17 B, 19 A - 24 A, 26 A - 39 A

Scheme 2

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Appendix 1

Summary of Consultation Responses

NAME: HES

COMMENT: No concerns regarding conservation area demolition proposals.

DATE: 12 December 2023

NAME: Archaeology

COMMENT: Demolitions are acceptable on archaeological grounds subject to condition.

DATE: 10 November 2023

The full consultation response can be viewed on the [Planning & Building Standards Portal](#).

Location Plan



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