

Development Management Sub-Committee Report

Wednesday 24 August 2022

**Application for Conservation Area Consent.
Headstart Nursery, 64 - 68 Morningside Drive, Edinburgh**

Proposal: Complete Demolition in a Conservation Area

**Item – Committee Decision
Application Number – 22/01915/CON
Ward – B10 - Morningside**

Reasons for Referral to Committee

The concurrent application for planning permission to redevelop the site is being considered by the Development Management Sub Committee.

Recommendation

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

Summary

The proposed demolition of the existing building is acceptable with regards to Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

SECTION A – Application Background

Site Description

The site currently forms the premises of the existing Headstart Nursery which is a single storey flat roof building and is located on the north side of Morningside Drive. It is a single unit that was previously amalgamated from three shop units. The building projects in front of the neighbouring two storey and an attic Victorian terrace to the west of the site. The site to the north is immediately bordered by an electric substation and Morningside Park beyond. Access to the park is on the east side of the site with Morningside Cemetery located nearby to the northeast of the site.

The building has operated as the Headstart nursery since the early 1990s before the area was designated as a conservation area in 2010. Historical maps suggest that the building was constructed some 20 years after the construction of its neighbouring Victorian terraces to the west of the site.

The surrounding area is predominately residential with a mix of detached, semi-detached villas and terraces from the Edwardian and Victorian period. To the east of the site, within Morningside Court is a 1960's flatted development where the architecture is at odds with the character of the surrounding area.

Description Of The Proposal

The application seeks conservation area consent to demolish the existing Headstart Nursery building in its entirety. The proposal is to facilitate a proposed flatted development under planning application 22/01916/FUL.

Relevant Site History

22/01916/FUL

Headstart Nursery
64 - 68 Morningside Drive
Edinburgh
EH10 5NU

Proposed demolition of existing nursery school and construction of seven flats with associated landscaping and cycle parking.

20/00550/CON

Headstart Nursery
64 - 68 Morningside Drive
Edinburgh
EH10 5NU

Complete demolition in a conservation area. Demolition of existing nursery school
Granted
25 May 2020

20/00549/FUL

Headstart Nursery
64 - 68 Morningside Drive
Edinburgh
EH10 5NU

Planning application for demolition of existing nursery school and construction of 3 No. townhouses with landscaping, cycle and bin stores, and ancillary infrastructure (as amended).
Granted
25 May 2020

Other Relevant Site History

None.

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: Not Applicable

Date of Renotification of Neighbour Notification: Not Applicable

Press Publication Date(s): 13 May 2022;

Site Notices Date(s): 10 May 2022;

Number of Contributors: 2

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 buildings

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

- Managing Change - Interim guidance on the Designation of Conservation Areas and Conservation Area Consent (2019).

The site is located within the Plewlands Conservation area and the character appraisal states the following:

The urban fabric of the area can be divided into a number of distinct zones defined in terms of their building types, heights and density... To the North lie a mixture of detached/semi-detached villas, tenements and terraces contrasted with the open space of Morningside Park and Morningside Cemetery.

Building periods are predominantly late 19th century. The area is mainly composed of Victorian/Edwardian Terraced housing. Building types in the area range from 4-storey Victorian tenement blocks to 2 and a half storey terraces to 2-storey detached/semidetached houses. Tenement blocks occupy corner plots throughout the area as building rows continue from Comiston Road. These tenements generally contain shops at ground level, a few with the original frontages remaining...

There is an overall architectural coherence with the houses being built of grey or red sandstone and roofed with slate. However, there is a wide range of difference in character mirroring the eclectic stylistic influences prevalent in Victorian and Edwardian architecture. There are also small pockets of Arts and Crafts cottages and a sprinkling of thirties design properties. Further unity is derived from the terraced form of most development...

Conservation Area Consent (application reference, 20/00550/CON) was granted by the Development Management Sub Committee on 21 May 2020. The consent does not expire until 21 May 2023 and the planning history of the site is therefore material in assessing the current application for conservation area consent.

The building is not listed as a building of architectural or historic interest under the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997. The proportions of the shop frontage on the south and east elevation are traditional in appearance. However, the shop front does not include any distinctive/decorative detailing on its stallriser and pilasters and there is no external corncicing. Only one pilaster detailing remains. The upper astragal patterns on the windows of unit 68 do not match the windows on unit 66 and 64. The vertical rhythm of the shop front is largely disrupted by its elongated fascia board which is not traditional in appearance. The main entrance on the corner is the only entrance that has a recessed doorway. The building has been garishly painted in bright blue with bright yellow paint on the windows and doors. It does not make a positive contribution to the character or appearance of the conservation area.

When assessed against the Plewlands Conservation Area Character Appraisal which highlights the essential characteristics of the area, the building is atypical. The building is a 20th Century infill development of a corner site that has been the subject of various ad hoc adaptations throughout its life. The scale and the lack of distinctive detailing is not consistent with the stylistic influences of Victorian/Edwardian architecture throughout the area. In addition, the scale, form and design of the building is not consistent with commercial uses found on the ground floor of tenement buildings. The siting of the building in front of the neighbouring terraces exaggerates the oddity of the building in terms of its scale and form as it does not reflect the traditional linear arrangements of buildings in this area

Whilst atypical buildings can make a positive contribution to conservation areas, in this case the building and its detailing are not of sufficient quality to merit retention on this basis. As the building does not positively impact on the character and appearance of the conservation, there is no strong presumption against its demolition. It should be noted that, planning permission is not required to demolish a non-residential building. The merits of the demolition within a conservation area are addressed in the concurrent application for conservation area consent.

It should be noted that the current occupation and potential alternative uses are not relevant to whether the building is of such intrinsic value in the conservation area that it should be kept. Under the approved Conservation Area Consent (application reference, 20/00550/CON) it was advised that the existing building had become untenable for its current use. Historic Environment Scotland was consulted on the proposal and raised no comment. In its guidance on conservation area consent it states - In deciding whether conservation area consent should be granted, planning authorities should take account of 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. The scale, form and design of the building does not play any significant role to the character or appearance of the surrounding streetscape. In addition, the building does not contribute to any important views within the area. As the building is of limited importance to the character and appearance of a conservation area, a condition survey or the marketability of alternative uses is not required be demonstrated. The demolition of the building is to facilitate a flatted development of high quality and the merits of the alternative proposals outweigh the loss of the existing building.

The merits of the replacement building are addressed in the concurrent application for planning permission.

Conclusion in relation to the conservation area

With regards to Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, the demolition of the building is therefore acceptable.

b) There are any other matters to consider?

The following matters have been identified for consideration:

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

- Building should be saved and used for the benefit of the community - addressed in the assessment section.

non-material considerations

- Reference to development design and parking - this is assessed under planning application 22/01916/FUL.
- Health and safety issues in relation to construction phase - this does not preclude assessment of the proposal.

Conclusion in relation to other matters considered

The material issues have been identified and addressed. There are no new material issues to address.

Overall conclusion

The proposed demolition of the existing building is acceptable with regards to Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

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.

Reasons:-

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

Informatives

It should be noted that:

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

Background Reading/External References

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

Further Information - Local Development Plan

Date Registered: 8 April 2022

Drawing Numbers/Scheme

01-03.

Scheme 1

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Laura Marshall, Planning Officer
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Summary of Consultation Responses

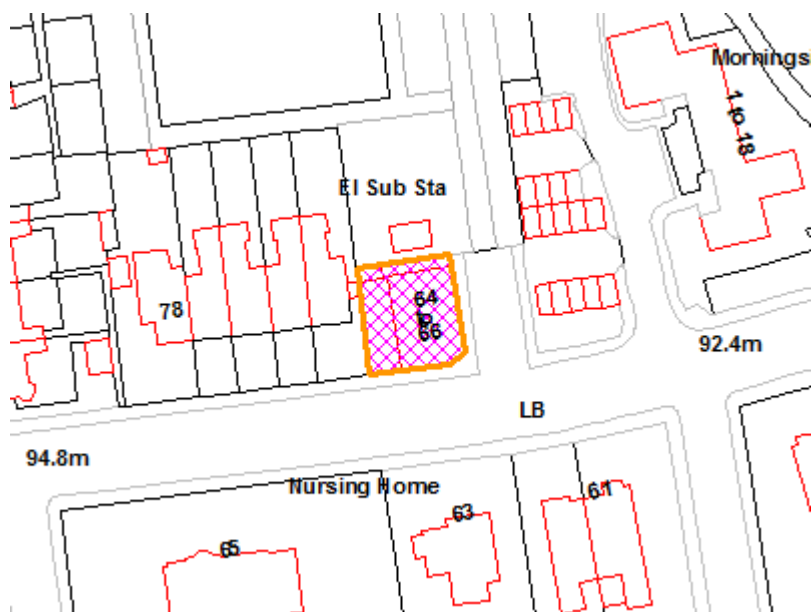
NAME: Historic Environment Scotland

COMMENT: No comment.

DATE: 18 May 2022

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

Location Plan



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