

Development Management Sub Committee

Wednesday 18 March 2020

**Application for Planning Permission 19/02155/FUL
at 95, 95A And 95B Craigmillar Road, Edinburgh, EH4 3PE.
Demolition of vacant office block, change of use from office
to dwelling house in existing vacant castle, change of use
and extension of stable block to care home with associated
garden ground and historic wall reinstatement, hard and
soft landscaping, car parking and associated works.**

Item number

Report number

Wards

B05 - Inverleith

Summary

The proposal complies with the adopted Edinburgh Local Development Plan (LDP) policies Des 1, Des 3, Des 4, Des 5, Hou 5, Env 2, Env 3, Env 4, Env 9, Env 11, Env 12, Env 16, Env 18, Env 21, Tra 2, Tra 3, Tra 4, Rs 6 and the relevant Historic Environment Scotland Guidance publications on Managing Change in the Historic Environment.

The proposal complies with The Planning (Listed Building and Conservation Areas) Scotland Act 1997. The character and appearance of the conservation area and the setting of the listed buildings will be preserved.

Whilst the proposal does not comply with LDP policy Env 10 there are benefits in securing the renovation of the listed castle, removal of the derelict office block, bringing a new use to the listed stable buildings on the site and creating a development which enhances the rural character and landscape quality of the Green Belt. In addition the provision of a care home is a valuable addition to the local community in terms of care for the elderly.

Taking into account the benefits of the proposal, overall it is considered to comply with the Edinburgh Local Development Plan.

Links

[Policies and guidance for this application](#)

LDPP, LDES01, LDES03, LDES04, LDES05, LEN03, LEN04, LEN09, LEN10, LEN11, LEN12, LEN16, LEN21, LTRA02, LTRA03, LTRA04, LEN18, HES, HESDEM, HESEXT, HESUSE, NSG, NSLBCA, NSGCGB, NSGD02,

Report

Application for Planning Permission 19/02155/FUL at 95, 95A And 95B Craigmock Road, Edinburgh, EH4 3PE. Demolition of vacant office block, change of use from office to dwelling house in existing vacant castle, change of use and extension of stable block to care home with associated garden ground and historic wall reinstatement, hard and soft landscaping, car parking and associated works.

Recommendations

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

Background

2.1 Site description

The site, known as Craigmock Castle, is situated on the eastern side of Corstorphine Hill and accessed via a private driveway leading from Craigmock Road.

The present B-listed castle would appear to be constructed in four main phases from an original Z plan Towerhouse constructed in 1547 for Edinburgh merchant William Adamson, with a 17th century eastern extension and 19th century extensions by both Playfair and Leadbetter. To the rear and sides of the house are the remains of the castle's walled gardens, parts of which would appear to date back to the 16th/17th century, along with evidence of 17th/18th century landscaping features (ha-ha to north of castle) and a B-listed former stable block. The buildings were listed on 14 July 1966 (reference 28014).

There is also a large (1135 square metre) 1960's office block extension to the original castle, of a utilitarian single storey design, with a flat roof, and finished in glass and timber.

The site lies within the designated Special Landscape Area of Corstorphine Hill, is designated Open Space, lies within a blanket Tree Preservation Order (TPO) area and forms part of the Green Belt.

2.2 Site History

17 August 1967 - Planning permission granted for change of use and erection of extension to castle. Application reference: 00942/67.

17 November 2014 - Planning permission granted for change of use from commercial to single dwelling residential (as amended). Application reference: 14/03815/FUL. No evidence has been submitted to the planning authority that this consent has been taken up and this permission has expired.

20 May 2017 - Applications for planning permission and listed building consent withdrawn for demolition of auxiliary buildings and erection of new 60 bedroom care home. Application reference: 16/04744/FUL and 16/04792/LBC.

24 May 2017- Planning permission refused for the demolition of auxiliary buildings and erection of new 60 bedroom care home. Application reference: 17/01824/FUL. Application refused on potential impact upon trees, impact on archeology, failure to satisfy the tests for demolition of the stable block and potential impact upon Greenbelt and special landscape area.

24 May 2017- Listed building consent refused for the demolition of auxiliary buildings within grounds of listed castle: demolition of stables building, demolition of office extension. Alterations to existing, and erection of additional garden wall. All stonework to from the demolition of the stables to be re-purposed in new castle garden wall. Application Reference: 17/01823/LBC. Application refused due to impact on listed building and failure to meet the tests for the demolition of the listed stable block.

Main report

3.1 Description of the Proposal

The application is for planning permission for the demolition of a vacant office block, the change of use of the existing vacant castle from office to dwelling house, the change of use and extension of the stable to a 60 bedroom care home with associated garden ground and historic wall reinstatement, hard and soft landscaping, car parking and associated works.

The existing office block is a 1960's extension to the original castle, of a utilitarian single storey design, with a flat roof, and finished in glass and timber. The office block is substantial with a site area of 1135 square metres, greater than the site area of the original castle building at 360 square metres. The extension will be entirely removed and the stonework below the turret where the extension connects to the castle will be reinstated, while a stone balustrade will also be reinstated.

The proposed care home will cover a site area of 1530 square metres. It will be separated from the main castle building but will be attached to the stable block located to the south eastern corner of the site. It will be two storeys in height apart from the south-east corner of the site where it slopes down to permit a lower ground floor element. The nursing home will have a maximum height of approximately 10 metres along its eastern elevation. However over the majority of the building it will be no taller than the existing stable block at roughly 7.4 metres.

The principal elevation of the care home will have a mixture of modern and traditional design and materials. It will have glazed elements, and render together with traditional materials like natural stone, reconstituted stone, zinc and pitched roofs. The front and side elements of the proposal will largely have pitched roofs while the rear of the proposal will have a flat roof and will largely be finished in render. The proposal will require the removal of 4 trees protected by a tree preservation Order (TPO). However 48 trees will be replanted. The proposed development will incorporate 15 car parking spaces, 8 cycle spaces and two motor cycle spaces.

Supporting Documents

The following supporting documents have been submitted in support of the application:

- Daylight and Sunlight Assessment;
- Design and Access Statement;
- Design and Tree Strategy Document;
- Drainage Strategy Plan;
- Ecological Statement;
- Flood Risk Assessment;
- Surface Water Management Checklist;
- Transport Statement;
- Tree Survey and Arboricultural Report;
- Tree Survey Schedule and
- Planning Statement.

These are all available to view on the Planning and Building Standards Online Services.

3.2 Determining Issues

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

Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states that in considering whether to grant planning permission for development which affects a listed building or its setting, a planning authority 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.

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- (a) the proposed uses are acceptable in principle;
- (b) the proposal would preserve the character and setting of the listed buildings on the site;
- (c) the proposal impacts on the landscape character and the natural environment;
- (d) the proposed scale, design and materials are acceptable
- (e) the proposal has an acceptable amenity impact;
- (f) the proposal impacts upon protected trees;
- (g) Other matters and
- (h) representations raise issues to be addressed.

a) Principle of Uses

The site lies within an area designated as Green Belt, Special Landscape Area and Open Space in the adopted Edinburgh Local Development Plan (LDP).

Policy Env 10 (Development in the Greenbelt) of the adopted Edinburgh Local Development Plan (LDP) states that within the Greenbelt and countryside shown on the proposals map, development will only be permitted where it meets one of certain criteria and would not detract from the landscape quality and/or rural character of the area. Criterion a) states that development should only be for the purpose of agriculture, horticulture, woodland and forestry and countryside recreation.

The non-statutory guidance for Development in the Countryside and GreenBelt states that *The key test for all proposals in the countryside and green belt will be to ensure that the development does not detract from the landscape quality and/or rural character of the area*

It is accepted that the proposed use does not fall within the category of Greenbelt uses and so does not comply with criteria (a) of policy Env 10.

Criteria (b) of LDP policy Env 10 supports the change of use of an existing building, provided the building is of architectural merit or a valuable element in the landscape and is worthy of retention. Buildings should be of domestic scale, substantially intact and structurally capable of conversion.

Within the site as a whole, Craigcrook Castle is to be changed back to residential use. Whilst not being of traditional domestic scale, it was originally a single dwelling and this is acceptable in principle under criteria (b) of LDP policy Env 10.

The change of use of the stable block to part of a nursing home is also acceptable in principle under criteria (b) of LDP policy Env 10. It is noted that the use of the stable block as a nursing home is not a compatible Greenbelt and/or countryside use. However, the site is currently utilised for offices which is also a non-compatible use.

The proposed uses of the existing buildings are compatible with criteria (b) of policy Env 10 but the new build element also has to be assessed against this policy.

Criteria (c) of LDP policy Env 10 supports development relating to an existing use or building, such as an extension to a site or building, ancillary development or intensification of the use, provided the proposal is appropriate in type in terms of the existing use, of an appropriate scale, of high quality design and acceptable in terms of traffic impact. The non-statutory guidelines on Development in the Countryside and Greenbelt clarifies that ancillary development is defined as a building or use which is linked to and dependent upon the main use of the site/building but is of secondary importance.

While the extension does not detract from the landscape quality of the area, the extension of the existing stable block to form a care home does not meet criteria (c) as defined under LDP policy Env 10 due to its scale. However, there are material considerations indicating that the proposal should be granted. These are set out in the following sections.

LDP policy Hou 5 (Conversion to Housing) states that planning permission will be granted for the change of use of existing buildings in non residential use to housing provided a satisfactory residential environment can be achieved, appropriate open space amenity and car and cycle parking can be achieved and that the change of use is acceptable having regard to other policies in this plan.

The property was previously one dwelling. The change of use of the castle to a dwelling is acceptable in principle under LDP policy Hou 5. Other policies of the LDP and material considerations require to be assessed in terms of the provision of the care home as detailed below.

(b) Character and Setting of Listed buildings on the Site

Craigcrook Castle is category B listed and mainly of 17th century construction, with later additions. The large office building which is attached to the original castle building is now proposed to be demolished and can be classed as substantial demolition.

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".

Paragraph 4 of Historic Environment Scotland Policy Statement 2019 (HEPS) identifies that,

"The documents that should be referenced for the management of the historic environment are Scottish Planning Policy, Our Place in Time: The Historic Environment Strategy for Scotland, the associated primary and secondary legislation and Historic Environment Scotland's Managing Change series of guidance notes".

HEPS outlines how we should undertake our duty of care whenever a decision affects the historic environment. It contains a number of policies including a policy statement that decisions affecting the historic environment should be informed by an inclusive understanding of its breadth and cultural significance. Other policies stress that detrimental impacts should be avoided. Where appropriate opportunities for enhancement should be sought.

The Council's non statutory guidance for Development in the Countryside and Greenbelt states that *Development in the countryside and greenbelt should protect the rural character of the area. In order to protect its setting, existing landscape features should be protected and the impact of obtrusive suburban clutter associated with the development such as roads, lamp posts, pavements, car parks and boundary features should be minimised*

Craigcrook Castle and its rural setting are significant for architectural and historic reasons. The original towerhouse around which the castle has been built has stood on this site since 1547. The building has been designed as a set piece with a walled garden, landscape features and stable block. Extensions to the building are architecturally significant by well known architects.

Craigcrook Castle - demolition works

Historic Environment Scotland's Managing Change guidance on the demolition of listed buildings states that the removal of smaller parts of a building, like small scale extensions should be assessed as alterations rather than demolition. However, in this instance the office building is substantial and its removal should be classed as demolition.

The guidance sets out the criteria for the demolition of a listed building as follows;

Where the application proposes the demolition of a listed building applicants will be expected to provide evidence to show that:

- a. the building is not of special interest or*
- b. the building is incapable of repair or*
- c. the demolition of the building is essential to delivering significant benefits to economic growth or the wider community or*
- d. the repair of the building is not economically viable and that it has been marketed at a price reflecting its location and condition to potential restoring purchasers for a reasonable period.*

Policy Env 2 (Listed Buildings- Demolition) of the Local Development Plan (LDP) advises that the demolition of a listed building will only be supported in exceptional circumstances, taking into account the condition of the building and cost of repairs and maintenance, the adequacy of efforts to retain the building and the merits of alternative proposals for the site and whether public benefits to be derived from the demolition outweigh the loss.

The existing office block is a 1960's addition to the original castle, of a utilitarian single storey design, with a flat roof, and finished in glass and timber. It is not of special interest. The proposed demolition of this building will not adversely impact on the special importance of the castle building and the demolition of this aspect is supported as it will allow for the castle to be seen as a standalone building. There are no features of the existing office block which merit retention. The demolition meets criteria (a) of the Managing Change guidance.

The demolition of the office block complies with LDP policy Env 2 and associated HES guidance and positively preserves the character of the listed building, its features of special interest and its setting.

Craigcrook Castle - setting

Historic Environment Scotland's document 'Managing change in the Historic Environment - Setting states - *Setting is the way the surroundings of a historic asset or place contribute to how it is understood, appreciated and experienced. Setting often extends beyond the property boundary or 'curtilage' of an individual historic asset into a broader landscape context. Both tangible and less tangible elements can be important in understanding the setting. Less tangible elements may include function, sensory perceptions or the historical, artistic, literary and scenic associations of places or landscapes.*

The document states that where development is proposed it is important to:
Identify the historic assets that might be affected;
Define the setting of each historic asset and
Assess the impact of any new development on this.

LDP Policy Env 3 (Listed Buildings - Setting) states that development within the curtilage or affecting the setting of a listed building will be permitted only if not detrimental to the appearance or character of the building, or to its setting.

The demolition of the substantial, dilapidated, office block extension, which is directly attached to the castle and the small reinstatement works proposed will be a benefit to the listed castle and its setting. The office block has clearly been designed to minimise its impact upon the castle. However, it is still highly visible from the principal elevations of the castle and from the castle windows. Its obvious disrepair has only increased the negative impact it has on the listed building. The existing office building does currently have a highly negative impact upon the special interest of the listed castle and its setting.

Historic Environment Scotland (HES) in its consultation response concur that the removal of the office extension would enhance the immediate setting of the Castle.

The demolition and alterations have a positive impact on the main listed building (Craigcrook Castle) and its setting.

Whilst it has been established the removal of the dilapidated office block will improve the special interest and setting of the listed castle, the impact the proposed nursing home on the setting of Craigcrook Castle must also be assessed.

The proposed nursing home will be large. However, it will not be an extension to the original castle building. Instead it will be constructed a minimum of approximately 44 metres away from the castle, set away from principal views leading up to the castle and angled away from the castle building itself. The proposed nursing home will largely be of two storey height and shall be screened from the castle by the planting of trees and reinstatement of stone walls. While it will still be noticeable within the castle grounds, it will have far less of a negative impact upon the setting of the castle building than the current office and will overall be a gain to the setting of the castle.

Overall, the proposed works preserve the character and setting of Craigcrook Castle and represent an enhancement of its features of special architectural and historic interest.

Stable Block - Extension and Alterations

The stable block is listed as being within the curtilage of Craigcrook Castle. The new care home will be attached to this listed structure and so has to be assessed against the same HES Managing Change guidance and LDP policies as the works to the main listed building. However, being an ancillary curtilage building of less architectural interest than the castle, there is greater scope for change.

Historic Environment Scotland's (HES) Managing Change in the Historic Environment guidance note on 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;
- must be designed in a high quality manner using appropriate materials.

Previous applications for the construction of a nursing home at the site have involved the demolition of the stable block. It is now proposed that the block be renovated and will be the focal point and main entrance to the nursing home.

Policy Env 4 (Listed Buildings - Alterations and Extensions) in the Edinburgh Local Plan (LDP) states that proposals to alter a listed building will be permitted where those alterations are justified; will not result in unnecessary damage to historic structures or result in a diminution of the building's interest; and any additions would be in keeping with other parts of the building.

The existing stable block is formed of sandstone walls, with a slate roof. The applicant has provided details of a fire which took place in 1995 in the stable block and has advised that the roof timbers, windows, doors, chimney pots, roof ventilators, flashings, interior trim and tarmac landscape setting are non-original.

Regardless of the repair work which took place after the fire, there remains historic value to the stable building. The renovation and re use of the stable block is therefore encouraged.

The alterations to the stable block itself are sensitive to the building's design (replacement of like for like sash and case windows with slim line double glazing and overhauling of existing slate roof).

The extension to the stable block will largely be the same overall height as the existing building and will utilise large glazed link elements and the use of pitched roofs and some traditional materials to the principal elevation. The extension will, however, be substantially larger than the existing building and cannot be said to be subservient in scale and form. Nevertheless, the stable block will be renovated and will form the main focal point and entrance to the care home. The bulk of the proposed extension will be to the rear of the stable block and will be on the existing car park area.

It is also noted that the heritage statement provided with the application appears to show that historically there were a large amount of further ancillary buildings which were connected to and sited around the stable block.

Historic Environment Scotland's (HES) Managing Change in the Historic Environment guidance note on the use and adaptability of listed buildings is applicable. It states that *for a building to remain in use over the long term, change will be necessary. This reflects changes over time in how we use our buildings and what we expect from them. A buildings long-term future is at risk when it becomes hard to alter and adapt it when needed. Proposals that keep buildings in use, or bring them back into use, should be supported as long as they do the least possible harm.*

The HES guidance note on the use and adaptability of listed buildings also explains that the process of converting a building will have some impact on a building's special interest, regardless of how well it is handled.

Whilst it is acknowledged that the extension to form the care home will have some impact upon the special interest of the stable block, due to its size, it is noted that the stable block is an ancillary curtilage building which appears to have had numerous other large structures connected to it and around it historically as it was set away from the main castle. The stable block will be carefully renovated and the extension is also well designed in high quality materials sensitive to the character of the listed building. The proposed extension will ensure that the stable block is kept in use and that its future is secured.

The proposed extension broadly complies with LDP policy Env 4 and the HES Managing Change in the Historic Environment guidance note on the use and adaptability of listed buildings.

Walled Garden

The application also proposes the re-erection of a walled garden area to be associated with the care home. This will utilise parts of the historic walled garden which remain on the site and large sections of new wall will be formed around the area which would have been historically occupied by the walled garden boundaries. The principle of the formation of this feature is supported and would further positively benefit the setting of the castle.

Craigcrook Castle - alterations

Historic Environment Scotland's document 'Managing change in the Historic Environment - External Walls states every effort should be made to repair the external walls of a historic building and alterations or repairs should protect its character. Walls are valuable in their own right as major elements in the design of a historic building and for their practical performance and appearance. In this case, the removal of the extension will allow the re-instatement of the original walls and this is supported by HES guidance and LDP policy Env 4.

HES in their consultation response stated: *Of additional importance to us, the care home development is coming forward with proposals for the conversion and re-occupation of Craigcrook Castle into a single residential dwelling. We are supportive of the proposed alterations within the Castle - the interior remains of significance (especially the main rooms on the ground floor) and these would be retained within the*

proposals. Externally, apart from removal of the office extension, which would enhance the immediate setting of the Castle, no major alterations are being suggested

The proposed internal alterations to the castle are limited and are acceptable. The interior remains of significance (especially the main rooms on the ground floor) and these would be retained within the proposals. Overall, the alterations positively preserves the character of the listed building, its features of special interest and its setting.

Conclusion- Character and Setting of Listed buildings on the Site

The applicant has put forward an argument that the new care home will enable the removal of the existing office building, the reinstatement works to the castle and its gardens, renovation of the stable block and ensure the future use of the existing listed buildings. However, the applicant is not putting forward a case that this is enabling development. There is no suggestion that the buildings are at risk but the proposals must be assessed against the statutory test under S14 of the Planning (Listed Building and Conservation Areas)(Scotland) Act 1997 as noted in the determining issues set out above.

HES commented that *"We can now see that these current proposals, while still involving a substantial care home building, have been developed with a more considered understanding of the cultural significance of Craigcrook. The later 19th century stables and earlier garden walling would be retained and incorporated into the proposals, which we support and, from a purely LBC standpoint, we no longer object to the proposals"*.

It has been shown that there are many positive aspects to the proposal in terms of the works to the main castle building and its setting. It is also positive that the stable block is to be renovated and the garden walls of the castle are also to be reinstated.

The extension to form the care home will have some impact upon the special interest of the stable block, due to its size. However, the stable block is an ancillary curtilage building which appears to have had numerous other large structures connected to it and around it historically. The stable block will be carefully renovated and the extension is well designed in high quality materials sensitive to the character of the listed building. The proposed extension will ensure that the stable block is kept in use and that its future is secured.

HES in their consultation response commented that *Due to its history and significance, we have been concerned in recent years over the Castle's future"*

The proposed renovation and change of use of the castle back to a residential dwelling will also protect its future.

Overall the proposals preserve the listed buildings on the site and their setting in accordance with the Planning (Listed Building and Conservation Areas)(Scotland) Act 1997.

c) Landscape Character and Natural Environment

The site lies within the designated Green Belt and is part of a designated Special Landscape Area (SLA). The SLA boundary reflects the hill form, with patterns of long-established semi-native woodland, former parkland and pasture.

The impacts in relation to Greenbelt policy are considered above.

Policy Env 11 of the LDP advises that consent will not be granted for development which would have a significant adverse impact on the special character of the SLA.

The 2010 Review of Local Landscape Designations states that the area *comprises a distinctive and scenically attractive, low, elongated north-south ridge and having a unique wooded character, which contrasts with the surrounding built development*. Pressures on this area are noted as *inappropriate development or poor quality design affecting landscape character, in particular the pattern of tree and woodland cover, or impacting upon key views from surrounding areas*

The designated Green Belt and SLA cover an extensive area beyond the castle grounds, encompassing Corstorphine Hill. It is important to note that while the majority of the site is included within the special landscape area, including the area in which the office block has been constructed, the majority of the proposed care home will be constructed within an area of the site which has been excluded from the SLA. Indeed only approximately a 1/3rd of the care home would be constructed within the SLA.

The applicant has submitted a landscape assessment which shows that the care home will be constructed on the least valuable area of the site in terms of landscape. Quite large areas of the site where the care home is proposed is currently an unused large tarmac car park. Part of the care home will be constructed within the defined SLA. However, the landscape assessment submitted has indicated that this element of the site still has a low contribution to the overall SLA and has low to medium landscape value.

The area of land where the existing office is located is within a far more valuable landscape area; it is fully within the defined SLA and with its removal this area of landscape will once again be able to be utilised. The proposal will be of overall benefit to the areas of the SLA within the application site.

It is acknowledged that there are concerns relating to the nursing homes potential impact upon the TPO protected trees directly located to the south of the site. The trees in question are essential to the landscape character of the SLA. It is noted that the 2010 Review of Local Landscape Designations states the unique wooded character of the area contrasts with the surrounding built development. However, as stated above, the revised proposals mean that there is limited risk to these trees.

Overall it is felt that the proposal will not have a significant adverse impact upon the special landscape area and would not detract from the landscape quality and rural character of the area.

The proposal, overall, complies with LDP policy Env 11.

LDP policy Env 18 states that proposals involving the loss of open space will not be permitted unless it is demonstrated that there will be no significant impact upon the quality or character of the local environment, the open space is a small part of a larger area or of limited amenity or leisure value and the loss would not be detrimental to the wider network including its continuity or biodiversity value.

Paragraph 194 of the adopted LDP clarifies that this policy aims to protect all open spaces, both public and privately owned, that contribute to the amenity of their surroundings and the city, provide or are capable of providing for the recreational needs of residents and visitors or are an integral part of the city's landscape and townscape character and its biodiversity.

The proposal will involve the loss of a significant area of open ground within the site. However, much of the land in which the care home is proposed to be constructed is currently utilised as a tarmac car parking area which contributes little to the amenity of its surroundings or the city. This area is also not an integral part of the landscape character.

It is further noted that the proposal will also facilitate the removal of the large existing office building. The land in which the care home shall be constructed is of less landscape value than the area currently occupied as an office building. The proposal will also facilitate an area of walled garden where the office extension currently stands for residents of the care home and a woodland walk area is also proposed.

The proposal complies with LDP policy Env 18.

d) Scale, design and materials

LDP Policy Des 1 (Design Quality and Context) states that developments should draw on the positive characteristics of the surrounding area.

LDP policy Des 3 (Development Design- Incorporating and Enhancing Existing and Potential Features) suggests that planning permission will be granted for development where it is demonstrated that existing characteristics and features worthy of retention on the site and in the surrounding area have been identified, incorporated and enhanced through its design.

LDP policy Des 4 (Development Design - Impact on Setting) states that planning permission will be granted for development where it is demonstrated that it will have a positive impact on its surroundings, having regards to:

- (a) height and form;
- (b) scale and proportions, including the spaces between buildings;
- (c) position of buildings including other features on the site and
- (d) materials and detailing.

The Edinburgh Design Guidance states that for a proposal to respond positively to its context, it is essential that it is designed with a good understanding of its site and the surrounding area.

The proposed care home will be of a significant scale and will occupy a footprint substantially larger than that of the castle building at 1530 metres squared compared to a footprint of 360 metres square for the castle. However it must be recognised that the total site area of Craigcrook Castle is 17,385 metres square and that the construction of the care home will facilitate the demolition of an existing 1,135 square metre office extension.

The development will be positioned a suitable distance from the neighbouring Strachan House care home in accordance with LDP policy Des 4.

The proposed care home will be largely two storeys in height with a limited lower ground floor element to the south east where the site slopes downwards. Its overall maximum height will be 10 metres (approximately) which is significantly lower than the nearby castle and it will be largely shielded by nearby trees. The nearby Strachan House care home is a single storey and two storey building so the new build will be compatible with this context on the edge of the application site. The proposed care home has regard to the height of nearby buildings in accordance LDP policy Des 4.

The stable block has been retained and is incorporated into the developments design. The care home has been designed to make the stable block the focal point of the development making it the main entrance to the home. The additions are largely to the rear of this building and designed to have minimal impact. The proposal complies with LDP policy Des 3.

External materials proposed are a mixture of modern and traditional. There will be quite a large area of glazing used to separate the original coach house from the more modern extension element. The principal elevation of the extension will utilise pitched roofs similar to that on the coach house while the materials proposed are a mixture of traditional stone, slate, timber cladding and render. The elements to the rear and partially to the side of the extension will be of flat roof design to minimise the overall height of the development.

The building will be located in a relatively secluded area, screened by tall mature trees and in terms of positioning is appropriate to the setting of the site and its buildings.

Overall the proposal generally complies with adopted LDP policy Des 1, Des 3 and Des 4 and the Edinburgh Design Guidance.

e) Amenity

LDP policy Des 5 (Development Design- Amenity) states that planning permission will be granted for development where it is demonstrated that the amenity of neighbouring developments is not adversely affected.

The proposal will be positioned a minimum of approximately 18 metres from the neighbouring care home. The supporting information submitted indicates that the proposal will meet the Edinburgh Design Guidance in terms of protecting daylight levels to existing buildings.

The proposal will be positioned more than 11 metres from the mutual eastern boundary of the site. It is noted that there will be two small side windows in two rooms that will face directly north and will only be set 7.7 metres from the common boundary. This in itself should not significantly affect the levels of privacy currently enjoyed by the neighbouring care home. Whilst the proposed care home will be located fairly close to the proposed rear garden of the castle, none of the proposed windows will directly overlook the garden. This garden will also be screened to a degree by the reinstated stone garden wall.

Environmental Protection was consulted as part of the assessment of the application and has no concerns relating to noise levels or air quality as a result of the completed development.

The care home will have an acceptable impact on neighbouring residential amenity and complies with LDP policy Des 5.

LDP policy Hou 5 (Conversion to Housing) states that planning permission will be granted for the change of use of existing buildings in non residential use to housing provided a satisfactory residential environment can be achieved, appropriate open space amenity and car and cycle parking can be achieved and that the change of use is acceptable having regard to other policies in this plan.

The existing castle has a history of being used as residential accommodation. It has only been used as an office since the 1960s. The castle is large and with the renovations proposed will make a dwelling house with large gardens, high quality amenity space and satisfactory car and cycle spaces.

The proposed change of use complies with LDP policy Hou 5.

LDP policy Des 5 states that planning permission shall be granted for development where it is demonstrated that future occupiers have acceptable levels of amenity in relation to noise, daylight, sunlight, privacy or immediate outlook.

In addition the Edinburgh Design Guidance (EDG) explains that its guidance on daylight, sunlight and privacy applies to development where these aspects of amenity are particularly valued. This would include care homes.

The application site, whilst still being relatively central within the city, does exhibit a quiet countryside setting which is largely tranquil and peaceful. Adequate levels of privacy can be obtained, while the immediate outlook is either onto a range of TPO protected trees, the grounds of a listed castle or nearby care home also set within leafy surroundings.

It is noted that the care home will be constructed quite close to the TPO protected trees to the south and this will undoubtedly have some impact upon the amount of sunlight/daylight that the resident rooms facing these trees will experience. The fact that some residents could spend a large proportion of their time within these rooms, which may be overshadowed, was a concern. However, the applicant has stated that in modern care homes the emphasis is on interaction and therefore residents are encouraged to spend much of their day in social spaces.

They also state that the windows proposed in the building are large, with bedrooms in the lower level having full height glass and approximately three times the required glazing opening. They have also provided a sunlight/daylight assessment that predicts that an adequate amount of sunlight/daylight will pass through the nearby trees and enter the bedrooms of the home.

The other 30 rooms within the care home will be located further away from the trees and will face in other directions with less direct impact in terms of loss of sunlight/daylight. It is also noted that this care home will have access to a large secure walled garden area which will be set far enough away from the trees to avoid overshadowing as well as a roof terrace area and large woodland garden. On balance, it is felt that future occupiers of the care home will have an acceptable level of amenity overall.

The proposed care home generally complies with LDP policy Des 5 and the Edinburgh Design Guidance in terms of amenity.

f) Impact upon protected trees

LDP policy Env 12 (Trees) states that: Development will not be permitted if it is likely to have a damaging impact on a tree or trees protected by a Tree Preservation Order or other trees worthy of retention on or around a proposed development site, unless necessary for good arboriculture reasons. Where such consent is granted, replacement planting will be required to offset the loss to amenity.

The numerous trees within the application site and the trees directly to the south of the site which are owned by the Ravelston and Murrayfield golf club all fall within a blanket TPO protection zone.

The tree report submitted provides details on the large TPO protected trees within, and immediately adjacent to, the application site. The trees within the site contribute to the attractiveness and character of the immediate locality, the Greenbelt and the defined Special Landscape Area (SLA).

Five trees will be removed within the site as part of the development. However, it is also shown that 48 trees will also be planted as part of the redevelopment of the site.

The initial consultation response from the Councils arboriculture's did confirm that there was a lot to support in the application. However, there were also concerns raised. Concerns related to the proximity of the proposed development to the mature trees to the south which it was felt would result in a situation where the amenity of the development would be significantly and adversely affected by shading and future occupiers may also be concerned with safety, leaf fall etc. This was likely to create pressure for the trees concerned to be cut back or even felled. Overall it was felt that the proposal was contrary to LDP policy Env 12

As a result of this consultation response, further discussions were carried out with the applicant. An amended scheme has now been provided in which an element of the nursing home has been moved back from the mutual boundary to the south. This means that the proposal should now be a minimum of approximately 10 metres from the southern mutual boundary and 11.2 metres from the nearest tree to the south of the site. As a result, the proposed building, level changes and re grading of the site will now not intrude into the root protection area (RPA) for any of the large TPO protected trees to the south of the site.

The applicant has also confirmed that in addition there is no requirement for any hardstanding to be installed within the RPAs of any trees and they would also accept a condition for the details of any ground works within the RPAs to be fully provided before work commences within these areas.

The applicant has also provided a sunlight assessment that predicts that the proposed windows facing to the south towards the large wooded area will receive an acceptable degree of sunlight/daylight through these trees and therefore any future pressure to remove the trees as a result of overshadowing concerns should be minimised.

It is further acknowledged that the golf club that owns the trees to the south of the site has recently applied to have some of these trees pruned and one tree overhanging the boundary wall to be removed. This was approved under application 19/03920/TPO. The trees to the south of the site do not appear to have been managed in previous years. The tree report submitted states that it was very difficult to assess some of the trees within the ownership of the golf course as they were very overgrown.

The applicant has stated that the trees to the south have begun to adversely affect parts of the historic listed wall that lines the boundary of the castle grounds. This does mean that regardless of whether or not planning permission is granted for the proposed care home, in the future a balance will likely have to be struck between protecting the historic boundary walls of the castle and the TPO protected trees. Further applications to prune and indeed fell some of these trees therefore may be forthcoming.

In addition the area in which the care home is proposed is currently utilised as a large car parking site and general amenity space for a large office, which potentially could have hundreds of workers and visitors. Under the properties current legal use, this part of the site could be heavily utilised. If in the future there were concerns about tree safety and the potential impact that the trees may have not only on the protected walls, but the listed stable building, potentially busy car park and garden grounds then action would have to be taken regardless of whether the care home is constructed or not.

However, with a proper ongoing care and maintenance programme the trees around the care home and the wider site in general should not pose a health and safety risk and the construction of the care home should not make it any more likely that permission to prune or fell the TPO protected trees is sought.

It is felt that on balance the proposal complies with LDP policy Env 12.

g Other Matters

Protected species

LDP policy Env 16 (Species Protection) states that planning permission will not be granted for development that would have an adverse impact upon species protected under European or UK law.

An ecology report was also submitted as part of the application. The councils ecologist was consulted and no concerns have been raised.

The proposal complies with LDP policy Env 16.

Archaeology

Policy Env 9 (Development of Sites of Archaeological Significance) of the LDP state that development will not be permitted which damages archaeology which should be preserved in situ or are not justified.

The Councils archaeologist has no objections to the proposal subject to an appropriate condition being applied to the consent. With this condition the proposal complies with policy Env 9 of the adopted LDP.

Transport Matters

LDP policies Tra 2 (Private Car Parking) and Tra 4 (Design of Off Street Car and Cycle Parking) give guidance relating to the provision and design of private car and cycle parking on the site, whilst LDP policy Tra 3 (Private Cycle Parking) relates to the provision of cycle parking and storage.

The proposed development will incorporate 15 car parking spaces, including 1 disabled persons space and 2 electric charging spaces, 8 cycle spaces and 2 motor cycle spaces. The existing office development currently has 64 car parking spaces.

A transport statement has been submitted and indicates that the development will have only a small impact in terms of traffic generation in the surrounding area. It is acknowledged that the current legal use of the castle as an office including its large extension would likely generate more car traffic to and from the site than the single dwelling and care home proposed.

The submitted transport statement also identifies the suitability of the existing access route for use by the care home.

An assessment of the accessibility of the site has been submitted as part of the Transport statement. The site is located with a 20 minute walking time of local amenities and Craigmillar Road has links into existing cycle networks. A bus stop is located within a 5 minute walk of the site on Craigmillar Road, although this is for a relatively infrequent service. A greater network of bus routes can be accessed on the A90 at Hillhouse Road which is within walking distance for staff and visitors.

The Roads Authority was consulted as part of the assessment of the application and had no objections to the proposal.

In conclusion, the proposed care home will have no impact on road safety. Parking levels are also acceptable.

The proposal complies with LDP policy Tra 2, Tra 3 and Tra 4.

Flood Prevention

LDP policy Env 21 (Flood Prevention) states that planning permission will not be granted for development that would increase a flood risk or be at risk of flooding itself.

A flood risk assessment (FRA) and surface water management plan (SWMP) were submitted as part of the assessment of the application. The Council's flood prevention department and the Scottish Environmental Protection Agency (SEPA) was consulted and have no objections after assessing the submitted FRA and SWMP.

The proposal complies with LDP policy Env 21.

Water and Drainage

LDP policy Rs 6 (Water and Drainage) states that planning permission will not be granted where there is an inadequate water supply or sewerage available to meet the demands of the development.

Scottish Water was consulted as part of the assessment of the application. It confirmed that it had no objections to the proposal.

The proposal complies with LDP policy Rs 6.

Healthcare Contributions

The site is not located within an area where it is identified that developer contributions towards healthcare are required by new development.

Requirement for care homes

Recent Scottish Government publications have indicated that NHS Scotland and social care services are challenged with growing demand and a reduced number of care homes in recent years. There is a need for more care homes, especially in areas of growing populations like Edinburgh.

Employment

The information submitted suggests that up to 30 members of staff will be required within the proposed care home. This could provide job opportunities for people within the local area.

h) Public Comments

Material Representations - Objection:

- Traffic safety issues on Craigcrook Road- This is addressed in section 3.3g;
- Insufficient parking provision proposed- This is addressed in section 3.3g;
- Poor connectivity of the site- This is addressed in section 3.3g;
- Historic gate and access to the castle are too narrow for an intensive use- This is addressed in section 3.3g;
- Site within designated green belt land - This is addressed in section 3.3a and c;
- Neighbouring developments have already eroded the setting of the listed building- This is addressed in section 3.3b;
- Damage to the natural environment - This is addressed in section 3.3c and g;
- Overshadowing - This is addressed in section 3.3e;
- Loss of trees in the green belt - This is addressed in section 3.3f;
- Impact on badger populations - This is addressed in section 3.3g;
- Design should better reflect the historic significance of the 16th C. castle - This is addressed in section 3.3d;
- Risks destabilising local GP practices - This is addressed in section 3.3g;
- The neighbour notification process was not carried out correctly- All information available shows that the neighbour notification process was correctly carried out;
- All plans are not available to view- All relevant plans are publically available online.

Material Representations - support

- Removes existing poorly designed office blocks - This is addressed in section 3.3b;
- Allows for preservation of the main castle which is of greatest historic value - This is addressed in section 3.3b;
- Recreates the historic walled garden - This is addressed in section 3.3b;
- Would potentially have less traffic flow than the existing office use - This is addressed in section 3.3g;
- Formation of required nursing home spaces- - This is addressed in section3.3g.

Non-Material Representations - objection

- Noise and disruption during construction- This is not a material planning consideration.
- Third planning application for a care home in Blackhall in last 18 months- Every application is dealt with on its own merit.
- The existing care home should be expanded and existing access utilised if demand is required- This is not part of the proposal.
- Castle and grounds should be used for community uses- This is not part of the proposal.
- Unnecessary loss of historic stable block- The stable block is not being demolished.
- Precedent created for future development in the green belt.- Every application is determined on its individual merit.

Conclusion

The proposal complies with the adopted Edinburgh Local Development Plan (LDP) policies Des 1, Des 3, Des 4, Des 5, Hou 5, Env 2, Env 3, Env 4, Env 9, Env 11, Env 12, Env 16, Env 18, Env 21, Tra 2, Tra 3, Tra 4, Rs 6 and the relevant Historic Environment Scotland Guidance publications on Managing Change in the Historic Environment.

The proposal therefore complies with The Planning (Listed Building and Conservation Areas) Scotland Act 1997. The character and appearance of the conservation area and the setting of the listed buildings will be preserved.

Whilst the proposal does not comply with LDP policy Env 10 there are benefits in securing the renovation of the listed castle, removal of the derelict office block, bringing a new use to the listed stable buildings on the site and creating a development which enhances the rural character and landscape quality of the Green Belt. In addition the provision of a care home is a valuable addition to the local community in terms of care for the elderly.

The applicant has provided sufficient information to justify this breach of policy Env 10. On this basis, the proposals are deemed to be acceptable.

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

3.4 Conditions/reasons/informatives

1. 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. and completed prior to the development being occupied.
2. No demolition or development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, historic building recording, conservation, analysis & reporting, public engagement, publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.

The work would be carried out by a professional archaeological organisation, either working to a brief prepared by CECAS or through a written scheme of investigation submitted to and agreed by CECAS for the site. Responsibility for the execution and resourcing of the programme of archaeological works and for the archiving and appropriate level of publication of the results lies with the applicant.
3. If any tree roots over over 25mm diameter, or large bundles of fine-roots from retained trees are discovered in unexpected areas (i.e. outwith the root protection area), any tree roots over 25mm diameter, or large bundles of fine-roots need to be severed or if any tree branches need to be cut, or they become damaged a suitably qualified arboriculturalist shall be contacted and the trees inspected. A written report of any findings following this inspection shall be submitted to the Planning Authority for further approval prior to any further works commencing.
4. Prior to the occupation of the care home all proposed external works to the listed castle hereby approved, including the demolition of the office extension, and all proposed landscaping, tree planting and works to construct garden walls within the site shall be completed to the satisfaction of the Council as Planning Authority.

5. Details of any ground works to be carried out within the Root Protection Area of any trees within the site shall be submitted for the written approval of the Council as Planning Authority, prior to work commencing on site.
6. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Planning Authority before work is commenced on site; Note: samples of the materials may be required.

Reasons:-

1. In the interests of health and safety.
2. In the interests of archeological recording.
3. To protect the TPO protected trees.
4. To ensure the amenity of the site and the special interest of the listed building.
5. To protect the trees on the site.
6. In the interests of visual amenity.

Informatives

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
3. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.

4. 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;
5. The developer should submit a maintenance schedule for the SUDS infrastructure for the approval of the Planning Authority
6. Authorisation is required under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR) to carry out engineering works in or in the vicinity of inland surface waters (other than groundwater) or wetlands. Inland water means all standing or flowing water on the surface of the land (e.g. rivers, lochs, canals, reservoirs).

Management of surplus peat or soils may require an exemption under The Waste Management Licensing (Scotland) Regulations 2011. Proposed crushing or screening will require a permit under The Pollution Prevention and Control (Scotland) Regulations 2012. Consider if other environmental licences may be required for any installations or processes.

A Controlled Activities Regulations (CAR) construction site licence will be required for management of surface water run-off from a construction site, including access tracks, which:
is more than 4 hectares, is in excess of 5km, or includes an area of more than 1 hectare or length of more than 500m on ground with a slope in excess of 25

See SEPA's Sector Specific Guidance: Construction Sites (WAT-SG-75) for details. Site design may be affected by pollution prevention requirements and hence we strongly encourage the applicant to engage in pre-CAR application discussions with a member of the regulatory services team in your local SEPA office.

Below these thresholds you will need to comply with CAR General Binding Rule 10 which requires, amongst other things, that all reasonable steps must be taken to ensure that the discharge does not result in pollution of the water environment. The detail of how this is achieved may be required through a planning condition.

Details of regulatory requirements and good practice advice for the applicant can be found on the Regulations section of our website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the regulatory services team in your local SEPA office.

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

Foul

This proposed development will be serviced by Edinburgh PFI Waste Water Treatment Works. Unfortunately, Scottish Water is unable to confirm capacity at this time so to allow us to fully appraise the proposals we suggest that the applicant completes a Pre-Development Enquiry (PDE) Form and submits it directly to Scottish Water. The applicant can download a copy of our PDE Application Form, and other useful guides, from Scottish Water's website

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

Infrastructure within boundary

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

The applicant must identify any potential conflicts with Scottish Water assets and contact our Asset Impact Team directly.

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

8. Two parking spaces shall be served by a minimum 7Kw (32amp) Type 2 electric vehicle charging socket. This shall be installed and operational in full prior to the development being occupied.
9. Clearance of vegetation from the proposed construction area has the potential to disturb nesting birds; therefore clearance should be carried out outside the bird nesting season March - August (inclusive). Should it be necessary to clear ground during the bird nesting season the land should be surveyed by a suitably qualified ecologist and declared clear of nesting birds before vegetation clearance starts. There may also be nesting birds present in or on the buildings and again a qualified ecologist should check for evidence of nesting birds and appropriate action taken.
10. A license/licenses, for works which will impact on badgers, associated with this development, should be obtained from SNH prior to work commencing on site.

It is advised that a badger protection plan be produced which shall include details of the following:

1. Less than one month prior to work commencing all three setts should be re-inspected and camera trapped for a period of seven days, to confirm that they remain disused.

2. Sett B should be excluded using appropriate Badger fencing and one-way gates, before work proceeds.
 3. Badger fencing should be installed throughout the site boundary, to prevent Badgers from returning.
 4. During demolition and construction work no holes in the ground should be left overnight with either a shallow slope or planks in place to allow Badgers to escape.
 5. As setts B and C remain available to the Badger colony and as sett A is not a main sett, no mitigation will be necessary.
11. A license/licenses, for works which will impact on bats, associated with this development, should be obtained from SNH prior to work commencing on site.

It is further advised that immediately prior to repair work on the wall being carried out, one sunset emergence survey shall be carried out on the four sections identified as suitable for roosting bats (described in Table 1 and Figure 1 of the Supplementary Ecological Report Sept 2019). This should include sufficient trained surveyors, equipped with broadband bat detectors and should take place between 1 May and 31 August.

The Holly (NT9) assessed as having low suitability for roosting bats should be soft felled to minimise the risk of disturbance to any possible bat roosts within.

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

22 representations were received in relation to the application: 10 objection comments and 12 support comments. The issues raised are addressed in section 3.3 of this report.

Background reading/external references

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

**Statutory
Development**

Plan Provision

Date registered 17 May 2019

**Drawing
numbers/Scheme**

01;02a;03;04;05a;06;07;08;09a;10a;11a;12b;13b;14a;15a;16,

Scheme 2

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Robert McIntosh, Planning Officer

E-mail:robert.mcintosh@edinburgh.gov.uk Tel: 0131 529 3422

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

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

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

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

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

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

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

LDP Policy Env 10 (Development in the Green Belt and Countryside) identifies the types of development that will be permitted in the Green Belt and Countryside.

LDP Policy Env 11 (Special Landscape Areas) establishes a presumption against development that would adversely affect Special Landscape Areas.

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

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

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

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

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

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

LDP Policy Env 18 (Open Space Protection) sets criteria for assessing the loss of open space.

Relevant Government Guidance on Historic Environment.

Managing Change in the Historic Environment: Demolition sets out Government guidance on the principles that apply to the demolition of listed buildings.

Managing Change in the Historic Environment: Extensions sets out Government guidance on the principles that apply to extending listed buildings.

Managing Change in the Historic Environment: Use and Adaptation of Listed Buildings sets out Government guidance on the principles that apply to enable the use, the reuse and adaptation of listed buildings.

Relevant Non-Statutory Guidelines

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

Non-statutory guidelines DEVELOPMENT IN THE COUNTRYSIDE AND GREEN BELT, provide guidance on development in the Green Belt and Countryside in support of relevant local plan policies.

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

Appendix 1

**Application for Planning Permission 19/02155/FUL
at 95, 95A and 95B Craiggrook Road, Edinburgh, EH4 3PE
Demolition of vacant office block, change of use from office
to dwelling house in existing vacant castle, change of use
and extension of stable block to care home with associated
garden ground and historic wall reinstatement, hard and soft
landscaping, car parking and associated works.**

Consultations

Roads Authority

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

- 1. All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Council if he wishes the bays to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order but this does not require to be included in any legal agreement. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved;*
- 2. The developer must submit a maintenance schedule for the SUDS infrastructure for the approval of the Planning Authority.*

Note:

A. The proposed 15 car parking spaces, including 1 disabled and 2 electric charging spaces, 8 cycle spaces and 2 motor cycle spaces for the proposed care home are acceptable under the Council's parking standards. The existing office development is understood to have 64 car parking spaces.

B. A Transport Statement has been submitted in support of the application and is considered to be an acceptable reflection of both the estimated traffic generated by the development and of the traffic on the surrounding road network. The submitted document is generally in line with the published guidelines on transport assessments and concludes that the proposed development will have minimal impact on the surrounding road network. A draft travel plan is included within the Transport Statement.

Environmental Protection.

Environmental Protection has made comments on a similar proposal in 2017. The application was for the demolition of auxiliary buildings at 95 Craiggrook Road to make way for a new 60 bedroom care home. The site is located between an existing care home to the east and Craiggrook Castle to the west.

Ground conditions relating to potential contaminants in, on or under the soil as affecting the site will require investigation and evaluation, in line with current technical guidance such that the site is (or can be made) suitable for its intended new use/s. Any remediation requirements require to be approved by the Planning & Building Standards service. The investigation, characterisation and remediation of land can normally be addressed through attachment of appropriate conditions to a planning consent (except where it is inappropriate to do so, for example where remediation of severe contamination might not be achievable)

The applicant is proposing a low level of parking which is positive. The applicant must be aware of the Edinburgh Design Standards that have been introduced which stipulates that 1 in 6 car parking spaces must have electric vehicle charging points serving them as a minimum. This proposal is over the threshold of this criterion although therefore at least 2 spaces must have a 7Kw (type 2 sockets) charging provision be provided and operational prior to occupation. Technical information on chargers is detailed in the Edinburgh Design Standards -Technical Information Design Standards.

If you are proposing an energy centre or centralised boilers you will need to ensure that information is submitted and if required a supporting chimney height calculation as per the Clean Air Act which is anything above 366Kw. The Pollution Prevention and Control (Scotland) Regulations 2012 were amended in December 2017 to transpose the requirements of the Medium Combustion Plant Directive (MCPD -Directive (EU) 2015/2193 of 25 November 2015 on the limitation of emissions of certain pollutants into the air from medium combustion plants). The purpose of the MCPD is to improve air quality. All combustion plant between 1 and 50 MW (net rated thermal input) will have to register or have a permit from SEPA. Environmental Protection will require that secondary abatement technology is incorporated into any plant above 1MW (accumulate assessment). Environmental protection shall recommend an informative to ensure this is addressed.

Environmental Protection has no objection to this proposed development subject to the following conditions.

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.
and completed prior to the development being occupied.*

2. Two parking spaces shall be served by a minimum 7Kw (32amp) Type 2 electric vehicle charging socket. This shall be installed and operational in full prior to the development being occupied.

Informative

1. Details of any energy centre shall be provided with reference to the Clean Air Act 1993.

SEPA

Flood Risk

We have reviewed the information provided in this consultation and it is noted that, although the application site appears to lie out with the SEPA Flood Map, the site is adjacent to a small watercourse and consequently the application site may be at risk of flooding.

Craigcrook Castle - Demolish Office and return to castle use to a single dwelling.

The castle is currently in use as an office with an L-shaped office extension. It is proposed to demolish the extension and return the castle to a single dwelling. In line with SEPA's Land use vulnerability guidance, the current use as an office is considered to be a 'Less Vulnerable Land Use' where as the proposed use as a dwelling house is considered to be a 'Highly Vulnerable Land Use' thereby resulting in an increase in land use vulnerability at the site.

A Flood Risk Assessment (FRA) (SLR, August 2019) has been provided in support of this development. The FRA concludes that the castle is down gradient of Corstorphine Hill to the west and based on the topography, surface water runoff would be diverted to the north of the castle. As there will be no increased areas of hardstanding as a result of the development, it is unlikely that there would be an increase in flood risk elsewhere as a result of the proposed works.

As we have no records of flooding at the site and given that this is an existing habitable building and the works will reduce the overall footprint of the building, we have no objection to the proposed castle development on flood risk grounds.

Craigcrook Care Home - New development

It is proposed to build a new Care Home to the south east of the castle which would be located next to the existing Strachan House Care Home.

We note from OS maps that there is a small unnamed watercourses to the south of the proposed development however based on the information provided, we note that the small watercourses is actually an ephemeral drainage ditch.

The topographic information provided demonstrates that the channel gradient falls steadily towards the south east with the lowest ground levels to the south east of the site being approximately 3m lower than the proposed finished flood levels of the care home.

As such, in the event of out of bank flow, the preferential pathway would likely be towards this low point and not towards the care home. It is also noted that there is approximately a 10m buffer between the building and the banks of the drain. As such, the site is unlikely to be at risk of flooding and we have no objection on flood risk grounds.

We consider water quantity aspects of surface water drainage to largely be the remit of local authorities and as such we have no detailed comments on surface water management at the development. We would wholly support any comments made by The Edinburgh City Council regarding additional assessment of the site in relation to surface water management.

Caveats & Additional Information for Applicant

The SEPA Flood Maps have been produced following a consistent, nationally-applied methodology for catchment areas equal to or greater than 3km² using a Digital Terrain Model (DTM) to define river corridors and low-lying coastal land. The maps are indicative and designed to be used as a strategic tool to assess flood risk at the community level and to support planning policy and flood risk management in Scotland.

Please note that we are reliant on the accuracy and completeness of any information supplied by the applicant in undertaking our review, and can take no responsibility for incorrect data or interpretation made by the authors.

The flood risk advice contained in this letter is supplied to you by SEPA in terms of Section 72 (1) of the Flood Risk Management (Scotland) Act 2009 on the basis of information held by SEPA as at the date hereof. It is intended as advice solely to Edinburgh Council as Planning Authority in terms of the said Section 72 (1).

Regulatory advice for the applicant

Regulatory requirements

Authorisation is required under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR) to carry out engineering works in or in the vicinity of inland surface waters (other than groundwater) or wetlands. Inland water means all standing or flowing water on the surface of the land (e.g. rivers, lochs, canals, reservoirs).

Management of surplus peat or soils may require an exemption under The Waste Management Licensing (Scotland) Regulations 2011. Proposed crushing or screening will require a permit under The Pollution Prevention and Control (Scotland) Regulations 2012. Consider if other environmental licences may be required for any installations or processes.

A Controlled Activities Regulations (CAR) construction site licence will be required for management of surface water run-off from a construction site, including access tracks, which:

is more than 4 hectares, is in excess of 5km, or includes an area of more than 1 hectare or length of more than 500m on ground with a slope in excess of 25

See SEPA's Sector Specific Guidance: Construction Sites (WAT-SG-75) for details. Site design may be affected by pollution prevention requirements and hence we strongly

encourage the applicant to engage in pre-CAR application discussions with a member of the regulatory services team in your local SEPA office.

Below these thresholds you will need to comply with CAR General Binding Rule 10 which requires, amongst other things, that all reasonable steps must be taken to ensure that the discharge does not result in pollution of the water environment. The detail of how this is achieved may be required through a planning condition.

Details of regulatory requirements and good practice advice for the applicant can be found on the Regulations section of our website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the regulatory services team in your local SEPA office.

Archaeologist

Further to your consultation request, I would like to make the following comments and recommendations concerning the above linked LBC & FUL applications for the demolition of vacant office block, change of use from office to dwelling house in existing vacant castle, change of use and extension of stable to care home with associated garden ground and historic wall reinstatement, hard and soft landscaping, car parking and associated works

The site affects the site of Craigcrook Castle situated to the west of the centre of Edinburgh on the eastern side of Corstorphine Hill. This historic site has been occupied from at least the early 14th century under the ownership of the Graham family. The estate is taken over by St Giles Cathedral in 1362. The present B-listed castle would appear to be constructed in four main phases from an original Z plan Towerhouse constructed in 1547 for Edinburgh merchant William Adamson, 17th century eastern extension and 19th century extensions by both Playfair and Leadbetter. To the rear and sides of the house are the remains of the castles walled gardens parts of which would appear to date back to the 16th/17th century, along with evidence of 17th/18th century landscaping features (ha-ha to north of castle) and a B-listed former stable block.

Based on the historical and archaeological evidence the site has been identified as occurring within an area of archaeological significance. Accordingly, this application must be considered under the terms Scottish Government's Our Place in Time (OPIT), Scottish Planning Policy (SPP), Historic Environment Scotland's Policy Statement (HESPS) 2016 and Archaeology Strategy and CEC's Edinburgh Local Development Plan (2016) Policies DES 3, ENV2, ENV4, ENV8 & ENV9. The aim should be to preserve archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.

Modern Office Block

In terms of the current modern building its loss would not be considered significant and potentially beneficial to the historic setting of the Castle and surviving walls and stable block. The location of proposed new build care home within the current car-park and set away from the Castle is considered (in terms of scale and location) to have a lesser more moderate impact on the Castle. Indeed, the retention of the surviving historic walls and

recreation of a garden on the site of the modern offices is welcomed as it will have a beneficial impact on the setting of this important historic building.

Historic Buildings

As stated above it is welcomed that this scheme proposes the retention and conservation of the surviving sections of historic walls, attached to and running north from the listed stables. These walls may date back to the 16th/17th century and clearly contain within them evidence for early estate buildings.

Further regarding the B-listed stables and Castle. Although the proposed conversion of these buildings will have an impact upon both buildings, it is considered that such impacts are overall low-moderate in scale.

If consent/permission is granted, it is essential that historic building surveys (level 3: internal and external elevations and plans, photographic and written survey and analysis) are undertaken of the historic buildings and structures affected prior to/ during any demolition and development in order to provide a permanent record of these historic structures. In addition, plans must be submitted to ensure the protection and conservation of the surviving historic estate walls during demolition and development.

Buried Archaeology

The development will see significant ground-breaking works (e.g. demolitions, construction, landscaping, new services) which could reveal significant archaeological evidence for the development of Craigcrook Castle and its estate dating back to the medieval period. Having assessed these potential impacts, it has been concluded that though significant given the existing development on the site they are regarded as potentially moderate.

Accordingly, it is recommended that if consent is granted that a programme of archaeological work is undertaken prior to and during demolition/ development to fully excavate, record and analyse any significant remains which may be impacted upon. This work will be linked to a detailed programme of archaeological historic building and public engagement as discussed above and secured by the following recommended condition;

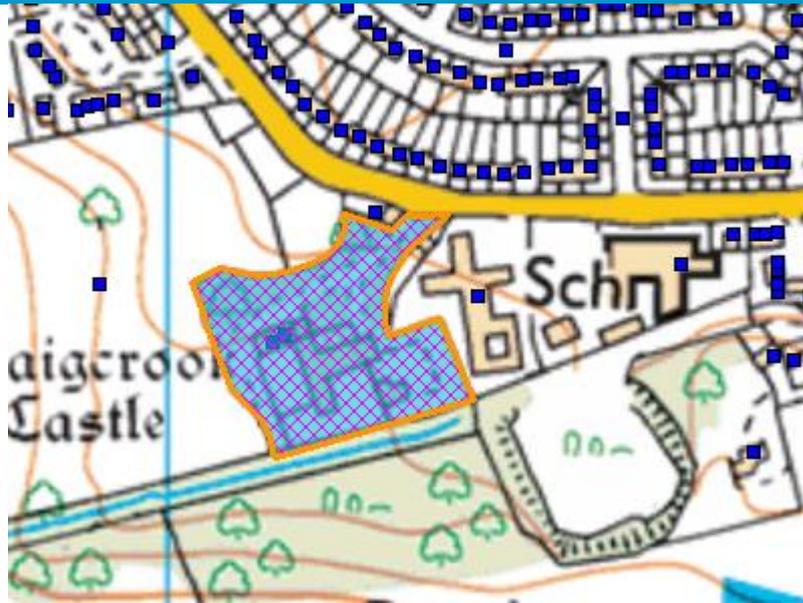
'No demolition or development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, historic building recording, conservation, analysis & reporting, public engagement, publication) in accordance with a written scheme of investigation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

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

Flood Prevention

This addresses Flood Prevention's comments and this application can now proceed to determination.

Location Plan



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