

# Development Management Sub Committee

Wednesday 20 May 2020

## Application for Conservation Area Consent 20/00550/CON At Headstart Nursery, 64 - 68 Morningside Drive, Edinburgh Complete demolition in a conservation area. Demolition of existing nursery school

Item number

Report number

Wards

B10 - Morningside

### Summary

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With reference to the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, the proposals preserve the character and appearance of the conservation area. The demolition of this unlisted building in this part of the conservation area is acceptable. The merits of the alternative proposals under planning application 20/00549/FUL will not have a detrimental impact on the character and appearance of the conservation area. There are no material considerations which outweigh this conclusion.

### Links

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[Policies and guidance for this application](#)

LEN02, LDPP, LEN05, OTH, CRPLEW, HEPS, HESCAC,

# Report

## **Application for Conservation Area Consent 20/00550/CON at Headstart Nursery 64 - 68 Morningside Drive Edinburgh. Complete demolition in a conservation area. Demolition of existing nursery school.**

### **Recommendations**

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

### **Background**

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#### **2.1 Site description**

The site 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 north east 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.

This application site is located within the Plewlands Conservation Area.

#### **2.2 Site History**

10 October 2019 - Application for planning permission withdrawn for the demolition of existing nursery school and construction of 3 (three) new townhouses (Application reference: 19/03853/FUL).

10 October 2019 - Application for conservation area consent withdrawn for the complete Demolition in a Conservation Area of a nursery school (Application reference: 19/03856/CON).

5 February 2020 - Application for planning permission submitted to demolish the existing nursery school and construction of 3 No. townhouses with landscaping, cycle and bin stores, and ancillary infrastructure, this lodged in parallel to this application (Application reference: 20/00549/FUL).

## **Main Report**

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### **3.1 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 residential development under planning application 20/00549/FUL.

### **3.2 Determining Issues**

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states - special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

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

### **3.3 Assessment**

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

- a) the loss of the buildings will preserve or enhance the character or appearance of the conservation area and
- b) comments raised have been addressed.

#### **a) Impact of the Loss of the Buildings**

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

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

The Historic Environment Policy for Scotland (HEPS) outlines how the Council should undertake the collective duty of care whenever a decision in the planning system will affect the historic environment. There are three key areas which define how the historic environment should be understood, recognised and managed to support participation and positive outcomes, including "Managing Change" under policies HEP2, HEP3 and HEP4.

HES Interim Guidance on the designation of conservation areas and conservation area consent (April 2019) sets out Government guidance on the principles that apply to the demolition of unlisted buildings in conservation areas.

LDP Policy Env 5 (Conservation Areas - Demolition of Buildings) states that proposals for the demolition of an unlisted building within a conservation area, which is considered to make a positive contribution to the character of the area, will only be permitted in exceptional circumstances and taking into account the considerations set out in Policy Env 2 Listed Buildings - Demolition.

LDP Policy Env 6 Conservation Areas - Development states that the general presumption will be in favour of retaining buildings that make a positive contribution to the conservation area.

The site lies 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/semi-detached 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.*

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 or 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 history. 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.

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. However, the submitted Design Statement highlights how the existing building has 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 to be demonstrated. The demolition of the building is to facilitate three high quality townhouses and the merits of the alternative proposals outweigh the loss of the existing building.

The proposed demolition of the building within the site is acceptable. The proposal complies with HES guidance, policy Env 2 and Env 5 of the LDP.

#### b) Public Comments

##### **Material comments- Objection:**

- Existing building makes a positive contribution and its demolition will affect the character of the area - Addressed in Section 3.3 (a).
- Building is historically significant which contributed to the function and growth of sustainable communities - Addressed in Section 3.3 (a).
- The building can be adapted to alternative uses - Addressed in Section 3.3 (a).
- Necessary to have a replacement plan granted before its demolition - Addressed in Section 3.3 (a).
- The merits of the alternative proposals - Addressed in Section 3.3 (a).

## **Non-Material - Objection**

- Empty plot would be dangerous, lead to vandalism and anti-social behaviour - this is not a planning consideration.
- Would affect listed buildings - there are no listed buildings nearby.
- Morningside community desperate for preschool facilities - Applications for conservation area consent are only concerned with impacts on the character of a conservation area.
- Demolition would affect ground stability and neighbouring properties - this is not a planning consideration.

## **Conclusion**

With reference to the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 the proposals preserve the character and appearance of the conservation area. The demolition of this unlisted building in this part of the conservation area is acceptable. The merits of the alternative proposals under planning application 20/00549/FUL will not have a detrimental impact on the character and appearance of the conservation area. There are no material considerations which outweigh this conclusion.

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

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

## **Financial impact**

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

There are no financial implications to the Council.

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

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

## **Equalities impact**

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

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

## **Sustainability impact**

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

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

## Consultation and engagement

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### 8.1 Pre-Application Process

There is no pre-application process history.

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

The application was advertised on 14 February 2020 and the application attracted 7 valid objection comments. The comments raised are addressed in the assessment section of the report.

## Background reading/external references

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

## **Statutory Development**

### **Plan Provision**

**Date registered** 5 February 2020

**Drawing numbers/Scheme** 01-03.,

Scheme 1

### **David R. Leslie**

Chief Planning Officer

PLACE

The City of Edinburgh Council

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## **Links - Policies**

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### **Relevant Policies:**

LDP Policy Env 2 (Listed Buildings - Demolition) identifies the circumstances in which the demolition of listed buildings will be permitted.

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

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

### **Other Relevant policy guidance**

The Plewlands Conservation Area is mainly comprised of two storey residential terraced development. The predominant height is two storeys with a small number of flatted elements of mainly three and four storeys. The buildings are complemented by mature trees, extensive garden settings, shallow stone boundary walls and spacious roads.



The Historic Environment Policy for Scotland 2019 outlines Government policy on how we should care for the historic environment when taking planning decisions.

HES Interim Guidance on Conservation Area Consent sets out Government guidance on the principles that apply to the demolition of unlisted buildings in conservation areas

# Appendix 1

## **Application for Conservation Area Consent 20/00550/CON At Headstart Nursery 64 - 68 Morningside Drive Edinburgh. Complete demolition in a conservation area. Demolition of existing nursery school.**

### **Consultations**

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#### Historic Environment Scotland

##### **Our Advice**

We have considered the information received and do not have any comments to make on the proposals. Our decision not to provide comments should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on listed building/conservation area consent, together with related policy guidance.

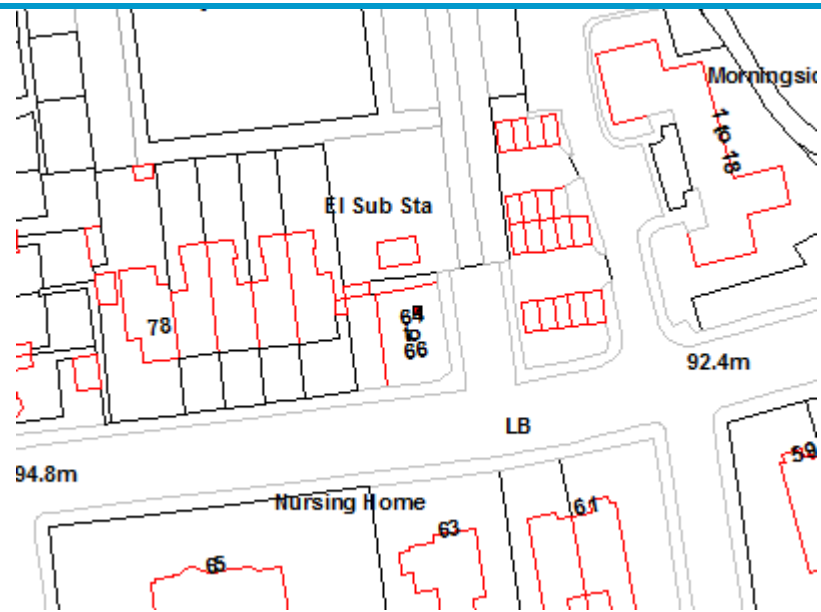
##### **Further Information**

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

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

## Location Plan

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