

Development Management Sub Committee

Wednesday 31 July 2019

**Application for Planning Permission 18/10304/FUL
At Royal Botanic Nursery, Inverleith Avenue South,
Edinburgh
Construction of Plant Health Suite, Sustainable Energy
Centre, multi service trench, oil tanks, landscape works
and related infrastructure at RBGE Nursery (as amended).**

Item number

Report number

Wards

B05 - Inverleith

Summary

The proposal complies with the development plan. The proposal is acceptable in this location will preserve the character and appearance of the conservation area, is of an appropriate design, mass and scale and will have no detrimental impact on residential amenity, traffic and road safety, flooding, trees or wildlife. There are no other considerations which outweigh this conclusion.

Links

[Policies and guidance for this application](#)

LDPP, LDES01, LDES04, LDES05, LDES06, LEN06, LEN16, LEN18, LRS01, NSG, NSGD02, NSLBCA, OTH, CRPINV,

Report

Application for Planning Permission 18/10304/FUL At Royal Botanic Nursery, Inverleith Avenue South, Edinburgh Construction of Plant Health Suite, Sustainable Energy Centre, multi service trench, oil tanks, landscape works and related infrastructure at RBGE Nursery (as amended).

Recommendations

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

Background

2.1 Site description

The application relates to an area of open space that is an annexe the Royal Botanic Gardens of Edinburgh (RBGE), and is used as a nursery to the main botanical garden site which is located to the south. The application site, which includes Inverleith Avenue South and Inverleith Place, is 1.97 ha in area, but the nursery itself is 1.50 ha in area.

The site is private to the RBGE and therefore not open to the public. It supplies support functions to the main garden.

Currently, it accommodates:

- Several glasshouses, polytunnels and mesh tunnels
- Storage sheds and potting sheds
- Outdoor growing areas
- Staff facilities building (kitchen, WCs etc)
- Outdoor composting area
- Storage areas for materials
- Car parking

The nursery is bordered on north, east and west sides by large residential properties. To the west, it is bordered by Edinburgh Academy Junior School. It is accessed from the unadopted road to the south which is Inverleith Avenue South. There are a number of trees in the southern portion of the site. The site slopes gently down from north to south.

This application site is located within the Inverleith Conservation Area.

2.2 Site History

12 March 2008 - planning permission granted for the conversion of an existing building to accommodate meeting / office area, changing area, kitchen and upgraded WCs (planning reference 08/00348/FUL).

13 June 2008 - planning permission granted for the erection of one shade hall and one polytunnel (planning reference 08/01012/FUL).

12 June 2008 - planning permission was granted (in retrospect) for the provision of two areas of hardcore for car parking with lighting and screen planting (planning reference 07/01559/FUL).

11 December 2012 - withdrawn application to erect 6 polytunnels, 2 mesh tunnels and wind break and alter vehicle access paths (planning reference 12/03785/FUL).

25 January 2013 - withdrawn application to erect new vehicle storage building, glasshouse, quarantine building, welfare building and associated plant room, fuel store and diesel tanks. Alter vehicle access gates to site, vehicle access paths and associated hard and soft landscaping (planning reference 12/04134/FUL).

30 August 2013 - a mixed decision was issued for an application for new buildings in existing nursery of Royal Botanic Garden including polytunnels, glasshouses, vehicle storage shed, staff facilities building and ancillary buildings, alterations to entrance gates and associated external works. (planning reference 13/00723/FUL) The vehicle shed and external lighting were refused planning permission.

27 September 2013 - associated conservation area consent to 13/00723/FUL granted for the demolition of structures on site (planning reference 13/00724/CON).

7 September 2014 - Permission granted for the demolition of existing glasshouses, polytunnels and mesh tunnels, erection of new glasshouses, polytunnels and mesh tunnels, alterations to existing potting shed, alterations to existing site entrance and associated external works in the nursery. (Planning references 14/02916/FUL and 14/02916/CON).

Main report

3.1 Description Of The Proposal

The application is for the following two buildings to be constructed on this site:

a) Sustainable Energy Centre.

This will be a single storey, flat roofed, brick building with some grills in the external walls and boiler flues projecting above the roof height. It will be 19m by 28m or 532sqm in area. It would be set into a slight slope and from the lowest point at the entry on south elevation, it would be 8.67m the top of the parapet.

The building would be constructed mid-way up the western edge of the site, approximately 15m from the boundary with the playing fields.

The building will provide the heat and power for the glass houses on the main Botanical Gardens site. An underground route for the services to that site will be under the road at Inverleith Avenue South and Inverleith Place. It will use a combination of ground-source heat pumps (GSHP), combined heat and power (CHP) engines and gas boilers to produce both heat and electricity. The boreholes for the GSHP will be located in the nursery in the vicinity of the proposed buildings. In case of failure of the mains gas supply, a back-up fuel source is essential, which will be provided by oil tanks adjacent to the proposed Energy Centre.

b) Plant Health Suite.

This will be a two storey, flat roofed, brick building with three ranges of glass houses on the south side and a single range of glass houses to its west. The main structure, excluding its glass houses, will be approximately 25.5m by 21.7m and 8.1 m high. The glass houses will be aluminium framed with pitched roofs.

Also proposed is a green GRP structure for housing the gas meter that is to be 2.5m X 4m X 2.25m high.

As part of this application, three trees will be removed.

Scheme 1

The application as originally submitted proposed two flues instead of three on the Energy Centre.

Supporting Documentation

As part of this application the following documents have been submitted which are available to view on Planning and Building Standard's Online Services:

- Design-Access Statement
- Surface Water Management Plan
- Extended Phase 1 Ecological Survey
- Geo- environmental Interpretive Report
- Supporting Statement
- Tree Survey
- Noise Impact Assessment
- Air Quality Assessment

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 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.

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 principle of the development is acceptable in this location;
- b) the proposals will preserve or enhance the conservation area;
- c) the proposals are of an appropriate scale, form, and design;
- d) the proposals will result in an unreasonable level of neighbouring residential amenity;
- e) the proposals will have any traffic or road safety issues;
- f) the proposals will have detrimental impact on flooding issues;
- g) the proposals will have detrimental impact on trees;
- h) the proposals will have detrimental impact on wildlife and biodiversity; and
- i) any comments raised have been addressed.

a) The Acceptability of the Principle of the Development in this Location

The nursery site is in an area of 'open space' as defined by the LDP. As such Policy Env 18 applies. This states that:

Proposals involving the loss of open space will not be permitted unless it is demonstrated that:

- a) there will be no significant impact on the quality or character of the local environment and*
- b) the open space is a small part of a larger area or of limited amenity or leisure value and there is a significant over-provision of open space serving the immediate area and*
- c) the loss would not be detrimental to the wider network including its continuity or biodiversity value and either*
- d) there will be a local benefit in allowing the development in terms of either alternative equivalent provision being made or improvement to an existing public park or other open space or*
- e) the development is for a community purpose and the benefits to the local community outweigh the loss.*

There has been a previous mixed decision granted in 2013 that approved the principle of a new staff facility building and isolation house with extended glasshouse. The principle of new buildings in the open space was approved in this instance.

The building of the Energy Centre and the Plant Health Suite will necessitate some loss of the open space within the current nursery. However, the open garden character of the nursery will still predominate and therefore they will not significantly impact on the quality or character of the local environment. The proposals therefore meet test a).

In terms of its area, the proposed buildings represent a small part of an area that is not accessible to the general public although it provides visual amenity to the surrounding houses. However, the nursery itself is a small part of a much larger area that includes the publicly accessible RBGE main garden and Inverleith Park. The loss of approximately 1150 sqm of open space within what is a private nursery area will be an insignificant loss to the larger network. Therefore the proposal meets test b).

Subject to conditions as explored below, with respect to biodiversity, the loss of open space required to construct these buildings will not be detrimental to the wider open space network or biodiversity. The proposals therefore meet test c).

No alternative or equivalent provision will offset the loss of this space and no improvement will be made to any other open space. The proposals do not, therefore, comply with test d).

However, the proposed Health Suite and Energy Centre are a key component in supporting growth and vitality of the main RBGE site in its ongoing research and plant collection. The Plant Health Suite is essential as a quarantine location for the importing of live plants. The Sustainable Energy Centre will ensure that the glass houses in the main site have a reliable energy source and aims to reduce current CO2 emissions overall for the RBGE. In terms of how these facilities will support the world class work of the RBGE and its considerable contribution to the amenity of Edinburgh in terms of an invaluable community asset, the benefits of the proposed development will outweigh any loss of open space in the nursery site. The development therefore will comply with test e).

The proposals comply with Policy Env 18. The proposed development represents an exceptional circumstance where the loss of open space to the new buildings can be justified under the tests set out in Policy Env 18 and where the benefits derived from the proposed development in supporting the research and collection of the RBGE can justify the small dis-benefits to visual amenity of surrounding residential neighbours.

Subject to compliance with points below, the proposals are appropriate in this location.

b) The Impact on the Character and Appearance of the Conservation Area

The Inverleith Conservation Area Character Appraisal emphasises the predominance of Georgian, Victorian and Edwardian villas and terraces which form boundaries to extensive blocks of public and private open space. It notes that *landscaped spaces dominate the area, contrasting with surrounding, denser development* and that *the substantial amount of open space allows panoramic views across to the city skyline*.

Policy Env 6 relates to development within conservation areas. This states that development within a conservation area should preserve or enhance the character and appearance of the conservation area, be consistent with the character appraisal and demonstrate a high standard of design utilising materials appropriate to the historic environment.

The two new principal buildings will be a contemporary addition to the conservation area. As flat roofed structures they will be uncharacteristic forms compared to the traditional buildings in the area but will not be unlike the adjacent Edinburgh Academy buildings. The buildings will be brick but the design incorporates a pattern of projecting headers and perforated screens that will add interest to the design and will break down the mass of the buildings. The area surrounding the nursery site is characterised by traditional stone villas although the adjacent Edinburgh Academy buildings are brick. There are also brick boundary walls. In this instance, the design and materials reflect the more modern additions to the conservation area and are not inappropriate to the garden character of the site. The proposals comply with Env 6 and the character and appearance of the conservation area will be preserved.

The proposals comply with policy Env 6.

c) Scale, Form and Design

Policies Des 1 and Des 4 relate to design quality, context and setting.

The designs are utilitarian structures and their interest is primarily derived from the complexity of the brick design as well as a perforated metal panel used in the Plant Health Suite. The two storey Energy Centre will be partially set into the slope of the site to reduce its mass. The buildings will be lower than the surrounding villas and not of a dissimilar height to that at the Edinburgh Academy buildings. The buildings will not be characteristic of the setting but will sit quietly within the surrounding environment. Materials, massing, scale and design are acceptable.

The proposals comply with policies Des 1 and Des 4.

d) Neighbouring Amenity

Des 5 relates to the amenity of surrounding area. The buildings are sufficiently far away from the neighbouring residential properties to not have an impact in terms of privacy, daylighting or overshadowing.

Noise Impact and Air Quality Impact Assessments have been submitted. These indicate that the impact on neighbouring properties from noise or air quality will be negligible.

There will be no adverse impact on neighbouring amenity. The proposals comply with policy Des 5.

e) Traffic or Road Safety Issues

Policies Tra 2 and Tra 3 relate to the design of vehicular and cycle parking. The Edinburgh Design Guidance expands on this.

The existing access from Inverleith Avenue South will be retained. The number of vehicular on-site parking spaces will be reduced from 46 to 40 spaces. This complies with the standards set out in the Design Guidance.

Cycle parking is provided within the main site.

No significant additional traffic is expected to be generated as a result of this development.

The proposals will have no adverse impact in terms of traffic and road safety and comply with policies Tra 2 and Tra 3.

f) Flooding Issues

Policy Env 21 relates to flood protection.

Upon submission of a surface water management plan and self-certification certificate, Flood Planning is satisfied that there will be no additional risk of flooding as a result of this development.

g) Impact on Trees

Policy Env 12 relates to development that may impact trees.

The buildings proposed will result in the loss of some minor trees and vegetation. The trees noted for removal are not part of the greater collection of the Botanics. The proposed tree loss is acceptable. The proposals comply with policy Env 12.

h) Impact on Wildlife and Biodiversity

Policy Env 16 relates to species protection.

The applicant has submitted an Extended Phase 1 Ecological Survey. Due to the potential for impacts on badgers, a protected species, a licence from SNH for disturbance will be required. Conditions and informatives are added to ensure that pre-work surveys are conducted on any trees that have bat roosting potential.

Subject to compliance with these conditions there will be no adverse impact on wildlife and biodiversity and the proposals comply with policy Env 16.

i) Public Comments

Material objections

- Impact on the conservation area - Materials not appropriate to the stone built character of the area. This is addressed in section 3.3.b).
- Design - height and mass. This is addressed in section 3.3.c).
- Noise - this is addressed in section 3.3.d).
- Traffic - this is addressed in section 3.3.e).

- Increased reliance on oil and gas. The proposals will use a combination of ground-source heat pumps (GSHP), combined heat and power (CHP) which will reduce the RBGE's dependence on fossil fuels although these are required as a back-up.

Non-material objections

- Views from residential properties. This is not protected under the planning system.
- The maintenance and condition of the unadopted Inverleith Avenue South. This is a matter for the owners.

Conclusion

In conclusion, the proposal complies with the development plan. The proposal is acceptable in this location, will preserve the character and appearance of the conservation area, is of an appropriate design, mass and scale and will have no detrimental impact on residential amenity, traffic and road safety, flooding, trees or wildlife. There are no other considerations which outweigh this conclusion and approval is recommended.

The recommendation is subject to conditions on materials, noise, trees and protected species.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Planning Authority before work is commenced on site; Note: samples of the materials may be required.
2. Details of brickwork and metal screen shall be submitted to and approved in writing by the Planning Authority before work is commenced on site.
3. The development shall be built in accordance with the requirements and recommendations of the noise impact assessment (Arcadis, Royal Botanical Gardens Edinburgh, Nursery Development, Sustainable Energy Centre and Plant Health Suite, Fixed plant Noise Assessment, April 2019 Sections 1.3 and 3.3).
4. Prior to any construction taking place, a Badger Protection Plan, detailing any licence requirements, should be submitted to the Planning Authority for approval.
5. Pre-works surveys should be undertaken on trees identified as TN2, TN3 with low bat roost potential.

6. Any trees on or overhanging the site, should be protected in accordance with British Standards 5837:2012 " Trees in relation to design, development and construction". Protection should be installed on site prior to the commencement of works.
7. 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.

Reasons:-

1. In order to enable the planning authority to consider this/these matter/s in detail.
2. In order to enable the planning authority to consider this/these matter/s in detail.
3. In order to safeguard the amenity of neighbouring residents and other occupiers.
4. In order to safeguard protected species.
5. In order to safeguard protected species.
6. In order to safeguard protected trees.
7. In order to safeguard protected species.

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. The report makes recommendations for biodiversity improvements, through the provision of either integral or external bird and bat boxes. This is welcomed and would be in accordance with policy Des 3 and the Edinburgh Biodiversity Action Plan 2019-21.
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. 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.

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 is not subject to 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

The application was advertised on 25 January 2019.

There has been one petition lodging comments from residents of 16 addresses in Inverleith Avenue South and Inverleith Place, and two letters of objection from neighbouring residents.

A full assessment of the representations can be found in the main report in the Assessment section.

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

The application site is located within an area of Open Space and the Urban Area as defined by the Local Development Plan.

Date registered

16 January 2019

Drawing numbers/Scheme

1, 2a, 3a, 4a, 5a, 6a, 7, 8, 9a, 10a, 11-16, 17a, 18a, 19a, 20a, 21, 22,

Scheme 2

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PLACE

The City of Edinburgh Council

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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 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 Des 6 (Sustainable Buildings) sets criteria for assessing the sustainability of new development.

LDP Policy Env 6 (Conservation Areas - Development) sets out criteria for assessing development in a conservation area.

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

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

LDP Policy RS 1 (Sustainable Energy) sets criteria for assessing proposals for environmentally sustainable forms of energy systems.

Relevant Non-Statutory Guidelines

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.

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

Other Relevant policy guidance

The Inverleith Conservation Area Character Appraisal emphasises the predominance of Georgian, Victorian and Edwardian villas and terraces which form boundaries to extensive blocks of public and private open space. The villa streets are complemented by a profusion of mature trees, extensive garden settings, stone boundary walls and spacious roads. The villas are in a considerable variety of architectural styles, unified by the use of local building materials.

Appendix 1

Application for Planning Permission 18/10304/FUL At Royal Botanic Nursery, Inverleith Avenue South, Edinburgh Construction of Plant Health Suite, Sustainable Energy Centre, multi service trench, oil tanks, landscape works and related infrastructure at RBGE Nursery (as amended).

Consultations

Archaeology

Further to your consultation request I would like to make the following comments and recommendations concerning this application for the construction of Plant Health Suite, Sustainable Energy Centre, multi service trench, oil tanks, landscape works and related infrastructure at RBGE Nursery

The site has bene occupied by the RBG Nurseries since the 19th century and is regarded as an area of archaeological potential. However, evaluations by CFA archaeology in 2015 & 2016 across the northern half of the nurseries has indicated that such potential is limited due to recent activities by the RBG. Accordingly, given the scale and location of these proposed works it has been concluded that its impact would be low and that therefore there are no known archaeological implications regarding this application.

Transport

No objections to the application.

Flooding

This satisfactorily addresses all Flood Prevention's comments and we are happy for this to proceed to determination with no further comment from our department.

Environmental Services

Environmental Protection would offer no objection to this application subject to the following:

The development shall be built in accordance with the requirements and recommendations of the noise impact assessment (Arcadis, Royal Botanical Gardens Edinburgh, Nursery Development, Sustainable Energy Centre and Plant Health Suite, Fixed plant Noise Assessment, April 2019 Sections 1.3 and 3.3).

The construction phase of the development shall proceed employing the recommended control measures of the air quality impact assessment (Arcadis, Royal Botanic Gardens Edinburgh - Nursery Site, April 2019, Table 25).

The design of the elements of the energy centre including the ground source heat pump, combined heat and power plant and boiler plant shall be in accordance with the design in drawing numbers BIOM-HAH-ENC-GF-DR-ME-59100 and BIOM-HAH-SEC-01-DR-ME-59100/P02. The emission mitigation measures relating to the combined heat and power and boiler plant as indicated the Process Conditions section (p21) of the Air Quality Impact Assessment, Arcadis, Royal Botanic Gardens Edinburgh - Nursery Site, April 2019, shall be incorporated.

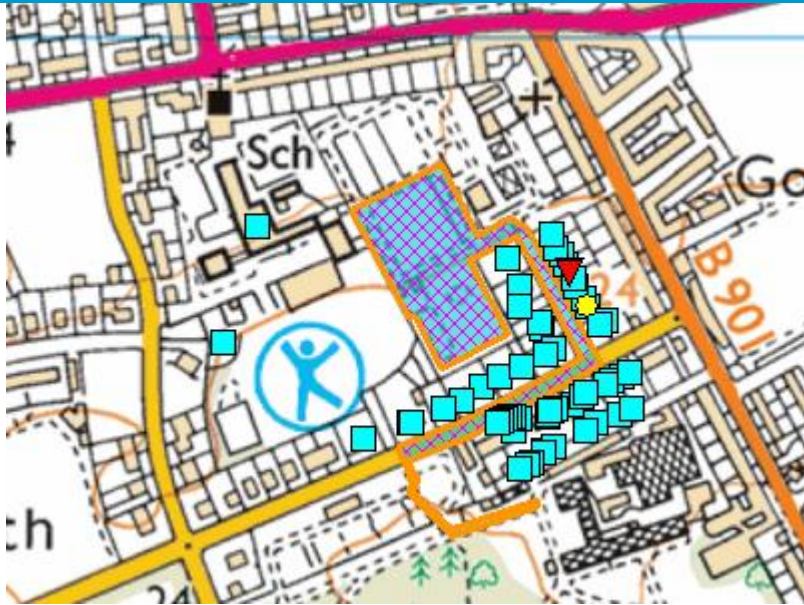
This application concerns the development of a plant health suite and sustainable energy centre at the Royal Botanic gardens nursery site on Inverleith Gardens South. The development site is bordered by residential properties to the south and east, the playing fields of Edinburgh Academy junior school to the west and the nursery of the Royal Botanic Gardens to the North. The Inverleith Air Quality Management Area, declared due to exceedances of the air quality objectives for nitrogen dioxide, is situated less than 100 metres from the development site.

Noise Impact and Air Quality Impact Assessments have been submitted in support of the proposed development.

The Noise Impact assessment considered the potential effects of the plant to be installed at the site and the design of the proposed Plant Health Suite and Energy Centre. It concluded that the noise generated would not be considered to be detrimental to the amenity of the residential properties closest to the development.

The energy centre will include a ground source heat pump, a combined heat and power plant and boilers to meet the heat and electrical requirements of the Botanic Gardens. The design intent of the system is to maximise the use of the ground source heat pump and the combined heat and power unit. The Air Quality Impact assessment considered the potential effects of construction of the development and the impact of emissions from the combined heat and power plant and boilers associated with the proposed energy centre on local air quality concentrations. Flue gas recirculation and a catalytic converter are to be included in the design of the boiler plant and combined heat and power plant respectively. The assessment concluded that employment of the relevant mitigation measures will result in a negligible dust impact. In relation to the energy centre, it is predicted that the plant as designed will have a negligible to slightly beneficial (compared to existing) effect on air quality.

Location Plan



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