

# Development Management Sub Committee

Wednesday 31 July 2019

## Application for Conservation Area Consent 19/01070/CON At Royal Botanic Garden, 20A Inverleith Row, Edinburgh Complete demolition in a Conservation Area.

Item number

Report number

Wards

B05 - Inverleith

### Summary

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The removal of the unlisted buildings on the site to make way for the redevelopment proposals is acceptable. The demolition will not have an adverse impact on the character or appearance of the conservation area as the buildings do not make a valuable contribution. Demolition is in accordance with Government guidance and policy Env 5 of the LDP.

### Links

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[Policies and guidance for this application](#)

LDPP, LEN02, LEN05, NSG, NSLBCA, CRPINV,

# Report

## **Application for Conservation Area Consent 19/01070/CON At Royal Botanic Garden, 20A Inverleith Row, Edinburgh Complete demolition in a Conservation Area.**

### **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 application site is approximately 5.143 hectares in area and is located on the north eastern side of the Royal Botanic Garden of Edinburgh. The Garden is an Inventory listed, Historic Garden and Designed Landscape. The site is further included in the Inverleith Special Landscape Area.

The site includes the Category A listed, Victorian Palm Houses to the north which are two adjoining tall glass houses composed of the octagonal palm house (also known as the Palm Stove) built in 1834 and a later rectangular addition to the west dating from 1859-60. These were Category A listed on 14 December 1970 (ref. 27914). These buildings are linked to the south by two ranges of modernist glasshouses, one running north-south (the Orchid House) and the other east-west (the Front Range). These glasshouses are also Category A listed (listed on 4 June 2003, ref. 49216). They are characterised by an external structure of steel cables suspended from a tetrahedral lattice framework, accommodating the associated glazing system.

The Linnaeus Monument, a memorial to Sir Charles Linnaeus and currently situated to the north of the east-west 1960s range, is an urn designed by Robert Adam in 1778. It was Category A listed on 14 December 1970 (ref. 27916).

The Category B listed lecture hall, classrooms and office buildings at 20A Inverleith Row (the Balfour Building) (listed 4 June 2003 LB ref: 49213) lies at the site entrance on Inverleith Row.

The horticultural service yard is located at the north east corner of the site, and contains a range of ancillary buildings. It has existing accesses onto Inverleith Place Lane. A range of research glasshouses are situated to the south of the service yard and face onto the rear gardens of properties on Inverleith Row. An existing building used for educational purposes, (known as the Fletcher Building) is located on this eastern boundary, immediately north of the Balfour Building.

The remainder of the site is landscaped and contains a number of trees and shrubs, which form part of the wider Royal Botanic Gardens landscape. Residential properties are located to the north and east of the site boundary. These include the Category B listed terraced dwellings on Inverleith Row to the east and the Category B and C listed dwelling houses on Inverleith Place Lane to the north.

The gardens are bordered by Category C listed boundary walls with cast iron railings and wrought iron gates (listed on 4 June 2003, ref. 49217). However, the listing description makes it clear this refers to the walls and railings in Arboretum Place, Inverleith Terrace, part of Inverleith Place and the back of Inverleith Row. The wall to Inverleith Place lane is not included in the listing.

The southern section of the site is included within a Local Nature Conservation Site, as designated in the Edinburgh Local Development Plan. This application site is located within the Inverleith Conservation Area.

## **2.2 Site History**

### **Applications within current application site**

13 January 2012 - Listed Building Consent granted for erection of new Alpine House (application number 11/03873/LBC).

16 January 2012- Planning permission granted for erection of new Alpine House granted (application number 11/03888/FUL).

4 March 2019 - Application for listed building consent submitted for alterations and restoration works to the Victorian Palm houses, the 1967 glasshouses, and relocation of the Linnaeus Monument. Works will also include the temporary removal of gates and railings at Inverleith Place to facilitate the proposed construction access (application number 19/01069/LBC).

4 March 2019 - Application for planning permission submitted for restoration, improvement and redevelopment of the North East corner of the Royal Botanic Garden. Development comprises works to listed buildings and structures; construction of a new glasshouse, research glasshouses, education building, horticultural support building and associated buildings; landscape works; erection of polytunnels and temporary decent facilities; temporary construction access road; and associated development and demolition (application number 19/01068/FUL).

### **Other Applications for Royal Botanic Garden**

4 November 2004 - Planning permission and listed building consent granted for new visitor facility with studios, exhibition space and biodiversity garden, shop and cafe (application numbers 04/02106/GDT and 04/2016/LBC).

3 February 2010 - Listed building consent granted for alterations to Botanic Cottage to form cafe, offices and reception and alterations to external landscaping, including formal seating area at East Gate (application number 09/02758/LBC).

24 August 2011- Planning permission granted for new glass house (application number 11/0225/FUL).

29 August 2013 - Planning permission granted for erection of new Botanic Cottage (application number 13/00645/FUL).

3 August 2017 - Planning permission granted for amendment to application number 13/00645/FUL for erection of new Botanic Cottage (application number 17/01129/FUL).

16 January 2019 - Application submitted for construction of Plant Health Suite, Sustainable Energy Centre, multi service trench, oil tanks, landscape works and related infrastructure at RBGE Nursery (application number 18/10304/FUL).

A number of planning applications have also been granted for a range of temporary installations and structures on site, including those relating to seasonal events.

## **Main report**

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### **3.1 Description Of The Proposal**

The proposals are for the demolition of the following unlisted buildings located within the north east corner of the Royal Botanic Garden of Edinburgh (RBGE):

- The North Block (Offices)
- Research Glasshouses
- Plant Quarantine Glasshouse
- Mouse House (Lab)
- Fletcher (Education) Building
- Glasshouse Stairs and Canopy
- Boiler House
- North Wall Stores and Garages
- Horticulture Support Building

These demolitions are proposed in order to facilitate the proposed development works, subject to planning application number 19/01068/FUL.

### **3.2 Determining Issues**

Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states - In considering whether to grant consent, special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. For the purposes of this issue, preserve, in relation to the building, means preserve it either in its existing state or subject only to such alterations or extensions as can be carried out without serious detriment to its character.

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 adversely affect the character or appearance of the conservation area;
- b) the proposed replacement buildings are acceptable;
- c) there are any impacts on equalities or human rights; and
- d) comments raised have been addressed.

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

The Historic Environment Policy for Scotland (HEPS) outlines how we should undertake our 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.

LDP Policy Env 5 Conservation Areas - Demolition of Buildings states that proposals for the demolition of an unlisted building within a conservation area but 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 2 also covers matters such as the condition, cost of repairing and maintaining, the adequacy of attempts to retain/adapt the building including its marketing and the merits of an alternative proposal.

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.*

Historic Environment Scotland (HES) produced interim guidance on the Designation of Conservation Areas and Conservation Area Consent (April 2019) which outlines criteria to assess the acceptability of the demolition of an unlisted building within a conservation area.

The guidance states that planning authorities should take into account the importance of the building to the character or appearance of any part of the conservation area and of proposals for the future of the cleared site. If the building is considered to be of any value, either in itself or as part of a group, a positive attempt should always be made to achieve its retention, restoration and sympathetic conversion to some other compatible use before properties to demolish are seriously investigated.

Demolition may be thought appropriate if the building is of little townscape value, if its structural condition rules out its retention at a reasonable cost, or if its form or location makes its re-use extremely difficult. Consent to demolish should in general be given only where there are acceptable proposals for the new building.

The unlisted buildings to be demolished are of no intrinsic architectural or historic value. Pre-1965 structures include the Boiler House and storage sheds along the north wall. The remaining buildings for removal generally date from the 1970s to the 1990s. These include the Fletcher Building, the research glasshouses, and other ancillary buildings and outhouses. In some cases, they inhibit the appreciation of the listed structures. The buildings do not make a valuable contribution to the character of Inverleith Conservation Area. The removal of these structures will preserve the character and appearance of the conservation area.

#### **b) Replacement Structures**

The buildings to be demolished will be replaced with new structures - new glasshouses, education building, horticultural support building. These are assessed under application 19/01068/FUL and will not have an adverse impact on the character and appearance of the conservation area.

#### **c) Equalities and Human Rights**

There would be no impacts on equalities or human rights as a result of the proposed demolitions. Any impacts arising as a result of the proposed replacement development scheme, subject to application number 19/01068/FUL, are summarised in section 3.3 of the relevant committee report.

#### **d) Public Comments**

Four objection comments have been received but these relate to the planning permission and listed building consent and no comments have been made on the demolition of the unlisted buildings.

#### **Conclusion**

The removal of the unlisted buildings on the site to make way for the redevelopment proposals is acceptable. The demolition will not have an adverse impact on the character or appearance of the conservation area as the buildings do not make a valuable contribution. Demolition is in accordance with Government guidance and policy Env 5 of the LDP.

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

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

#### **Conditions:-**

1. No development shall take place until the applicant has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Planning Authority, having first been agreed by the City Archaeologist.

#### **Reasons:-**

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

#### **Informatives**

It should be noted that:

1. The works hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. As this application involves the demolition of an unlisted building in a conservation area, if consent is granted there is a separate requirement through section 7 of the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997 (as amended) to allow us the opportunity to carry out recording of the building. To avoid any unnecessary delay in the case of consent being granted, applicants are strongly encouraged to complete and return the Consent Application Referral Form found at [www.historicenvironment.scot/about-us/what-we-do/survey-and-recording/threatened-buildings-survey-programme](http://www.historicenvironment.scot/about-us/what-we-do/survey-and-recording/threatened-buildings-survey-programme).

### **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:**

This application was assessed in terms of equalities and human rights. The impacts are identified in the Assessment section of the main report.

## **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**

Pre-application discussions took place on this application.

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

The application was advertised on the 15 March 2019.

Four objection comments were received, including one from the Stockbridge and Inverleith Community Council.

## **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**

The application site is designated within the Inverleith Conservation Area and Inverleith Special landscape Area, as designated in the Edinburgh local Development Plan. It is also a designated Historic Garden and Designated Landscape.

**Date registered**

4 March 2019

**Drawing numbers/Scheme**

01-03,

Scheme 1

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**Links - Policies**

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**Relevant Policies:**

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

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

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

## **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.

**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 Conservation Area Consent 19/01070/CON At Royal Botanic Garden, 20A Inverleith Row, Edinburgh Complete demolition in a Conservation Area.**

### **Consultations**

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#### **Historic Environment Scotland response - dated 16 April 2019**

*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.*

*As this application involves the demolition of an unlisted building in a conservation area, if consent is granted there is a separate requirement through section 7 of the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997 (as amended) to allow us the opportunity to carry out recording of the building. To avoid any unnecessary delay in the case of consent being granted, applicants are strongly encouraged to complete and return the Consent Application Referral Form found at [www.historicenvironment.scot/about-us/what-we-do/survey-and-recording/threatened-buildings-survey-programme](http://www.historicenvironment.scot/about-us/what-we-do/survey-and-recording/threatened-buildings-survey-programme).*

#### **Archaeology response - dated 3 April 2019**

*The Royal Botanic Gardens were related to Inverleith in the early 19th century and occupy grounds of Inverleith House. The origins of the house and estate date back to the at least the early 14th century and an early version of the house is depicted on the 1559-60 map of the Siege of Leith. The RBG has constantly developed since its inception with historic mapping in part mapping this change.*

*Accordingly, this application must be considered under terms Scottish Government's Our Place in Time (OPIT) and Scottish Planning Policy (SPP), Historic Environment Scotland's Policy Statement (HESPS)(2016) and Archaeology Strategy and also CEC's Edinburgh Local Development Plan (2016) Policy 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.*

*As outlined in the applications Design and Access Statement these proposals will see significant alterations to the listed glasshouses and structures.*

*Although significant in terms of the archaeological understanding of these buildings the proposed impacts have been concluded as having overall moderate impact though one which requires a programme of archaeological historic building survey prior to/during development to ensure a permanent record is made. In addition, the new scheme will necessitate significant ground-breaking activities associated with demolition and new construction. Such works could provide important information on the development and form and structure of the 19th century outhouses as well as potential evidence relating to the development of the earlier Inverleith Estate. Accordingly, it is recommended that a programme of archaeological excavation is undertaken prior to and during development to fully excavate and record any buried remains (both external and internal) that may be affected by construction.*

*In addition, given the historic significance of the site it is essential that the archaeological mitigation strategy contain provision for public/community engagement (e.g. site open days, viewing points, temporary interpretation boards), the scope of which will be agreed with CECAS.*

*It is recommended that the following condition is attached to ensure that undertaking of the above elements of archaeological work.*

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

*The work must 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.*

## Location Plan

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