

**Conservation Area Consent 05/01777/CON**  
**at**  
**6 New Street**  
**(New Street Bus Garage)**  
**Edinburgh**  
**EH8 8BH**

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**Development Quality Sub-Committee**  
**of the Planning Committee**

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**1 Purpose of report**

To consider application 05/01777/CON, submitted by Mountgrange (Caltongate) Ltd.. The application is for: **Demolition of entire building-former bus garage**

It is recommended that this application be **GRANTED** subject to the conditions in Appendix B.

**2 The Site and the Proposal**

**Site description**

The site is a former bus depot and garage, which was, the site of a gas works up until the 1920s. The bus depot buildings cover the entire site, which extends to 1.42 hectares, currently used for car parking and as a Sunday market. There is also an existing nightclub within the premises fronting onto New Street (Bongo Club). They are predominantly red brick buildings. The buildings fronting New Street are flat roof office buildings, and to the rear is the main garage with a series of pitched profile steel roofs, with ridges running north to south. The elevation to New Street varies in height from one storey (6 metres) to three storeys (16 metres) in height, and to Calton Road it is two high storeys (11 metres to eaves).

The site is bounded to the west by the Waverley Station car park; to the south by the buildings on the Canongate, including the Sailors Ark which is B listed; to the east by a former British Gas site currently being developed by Barratt (Scotland) for a housing development of 70 flats, offices and a restaurant; and to the north by the main east coast railway line and Calton Hill.

The site is within the Old Town Conservation Area and the World Heritage Site.

### **Site history**

02/12/93 - consent granted for change of use from garage to coach and car park.

16/11/94 - 5-year part change of use granted for office to hostel

28/03/95 - temporary consent for 1 year for Sunday Market

24/08/95 - consent granted to remove condition restricting opening for Sunday market

21/02/96 - consent granted for weekly vehicle auctions on Sunday afternoons

12/03/97 - consent granted for 1 year for Sunday market

08/12/97 - application for a change of use of the lower deck for 'go-karting' was withdrawn

04/11/98 - consent granted for 3 years for Sunday market

21/05/97 - consent granted for change of use, at first and second floor level, to licensed entertainment premises

4 May 2000 - Application for mixed-use development of the airspace above the proposed car park redevelopment. Withdrawn (99/00486/OUT)

3 May 2000 - consent refused for redevelopment of existing car park, increasing number of parking spaces (99/00485/FUL).

20 March 2002 - consent granted for demolition of the buildings and erection of mixed office, arts, leisure, open space, retail and residential development (as amended), 01/00949/FUL/CON

### **Description of the Proposal**

The proposal is for the demolition of the existing bus depot, car park and associated buildings.

The associated full planning application has not yet been submitted, but is due early 2006. It is now expected to be in the form of a Masterplan. The applicant has submitted a supporting document outlining the need for submitting the application in this way. The applicant has shown details for the erection of a temporary interim design solution, which will be in the form of a Land Art installation, and which would not require any further planning consent. The applicant has submitted some examples of how this may be done, examples being the contoured landscaping at the gallery of modern art (Jencks), white spirals used on Calton Hill in 1987 (Whiteford), and various other uses of natural materials and trees and landscaping. The representations could be abstract, graphical or figurative, and could represent the historical footprint of buildings on the site, or of the proposed buildings.

Principally this site is very complex and has a long history of contamination. Unless the site is cleared and a full examination carried out, the future development cannot be properly planned. The interim solution would mitigate the adverse effects of the demolition site appearance as much as possible through innovative landscaping and screening.

Further to this the existing structure is in a poor state of repair. A visual inspection report on the building has been provided. In summary this states that *"Although the main structure is generally in an adequate condition overall the building is in a poor condition and can be expected to suffer continuing deterioration due to water ingress. Remedial measures have already been put in place to stabilise the external walls of the building. Some of the steel columns are built into the external walls and it is possible that further intrusive investigations could reveal further defects. Corrosion of reinforcement in lintels is resulting in spalling of concrete on the external elevations of the building."*

The applicant has volunteered a financial contribution of £100 000 prior to any demolition works being carried out, and this would be used in the event that the interim design scheme or the development of the site had not commenced within three months of the demolition works.

Given the constraints of development process and the complex urban design solution which is being devised for this and adjoining sites, the applicant is keen to progress with an early application for demolition prior to the finalisation of the scheme for redevelopment of the site. The applicant is willing to commit to an agenda for development of the New Street Bus Garage site and accept conditions which will commit to a long term redevelopment programme for the site.

The proposed application for the overall redevelopment of the site and surrounding masterplan area will comprise the following key stages (approximate dates only):

- 1) Conservation area consent for the demolition of the New Street Bus Garage Building (present application).
- 2) Planning agreement and any permissions that may be required for a 'Land Art' installation and for temporary site buildings and hoardings (early 2006).

- 3) Submission of a masterplan for the cumulative sites (expected January 2006)
- 4) Submission of conservation area consents and listed building consents for further demolitions and alterations to listed buildings outwith bus depot site (May 2006).
- 5) Submission of remainder of detailed planning applications (July 2006).

**Note** Even though the buildings are demolished, and the car park use will cease to exist, the use will not be abandoned, and the existing use as a car park will not be changed until such time as a future application for redevelopment is approved. The temporary Land Art will probably not be considered to be development, but will merely be a treatment to the landscape, and the present authorised use will remain intact until superseded by a subsequent planning consent.

### **3 Officer's Assessment and Recommendations**

#### **DETERMINING ISSUES**

The determining issues are whether the loss of the building to be demolished is acceptable, and whether the redevelopment proposed will preserve or enhance the character or appearance of the conservation area; there being a strong presumption against the granting of planning permission if this is not the case.

#### **ASSESSMENT**

To address the determining issue, the Committee needs to take account of the effect of the demolition/alterations and subsequent redevelopment on the character and appearance of the conservation area.

The character of the Old Town Conservation Area is summarised in the local plan as follows; - *Centred on the Royal Mile, the city's main historic thoroughfare, the Old Town evolved from two separate burghs. Although few medieval buildings remain, the original plot widths and the 'fishbone' street pattern of narrow closes and wynds remain extensively visible, although overlain by major Victorian rebuilding and street improvements. The administrative, ceremonial, legal and religious functions of the modern city remain focused within the Old Town. The key elements of the area's character are therefore its density of building and mixture of uses with high tenements and important historic buildings arranged on a historic street pattern.*

There is already a conservation area consent valid on the site, however this is tied into a separate application with the usual caveat that "No demolition shall take place until the contract for the new development has been let..."

The demolition proposals are not typical in that there is at present no proposed development of the site. The applicant is well advanced in the preparation of these details, however they have found it necessary to obtain

permission to demolish the buildings on site prior to detailed consent being granted for the main scheme. There is a lot of investigative work required due to contamination, archaeology and the geology of the site, and it would not be advisable to obtain full detailed consent until this is known better. The applicant is clearly committed to the long term redevelopment of the area, and has acquired several sites in and around the vicinity of the bus depot as part of a comprehensive masterplan for the west end of the Waverley Valley, currently known as 'Caltongate'. The submission of this masterplan is expected in January 2006. Furthermore, as the applicant is willing to enter a legal agreement to make a contribution of £100 000 to the Council, in the event that the interim design scheme or the development of the site has not commenced within three months of the demolition works, it is considered that demolition prior to a contract for redevelopment being let is acceptable in this case..

The applicant has included details of a temporary design/landscape solution, which will be in the form of a landscaped artwork, and this will not require planning permission. The visual illustrations on the screening facing west onto New Street would to a degree provide an illusion to the effect that there is a building there. This effect will be predominantly from street level. It would not contain any commercial advertising. The screening would contain information relating to the site and its development displayed within the depicted windows in the image. Similar effects are more frequently being seen on scaffolding throughout the city, and these work well as a temporary screen, even within sensitive areas such as the World Heritage Site (with the difference that there would be no advertising to detract from the artistic image). The temporary surface parking, once implemented at a later stage, would be partly screened from higher views (eg. Calton Hill, Regent Road and North Bridge) by a framework of flags, arranged to respect the urban grain of this area. This would lessen the effect of the gap site and give it a more vibrant feel.

It is considered that the demolition of the red brick, steel roofed bus depot, will in the very short term have a negative impact on the appearance of the conservation area and World Heritage Site, but that in the medium term will have a zero effect once the interim solution is employed, and in the long term this will allow the redevelopment of the site to proceed to the benefit of both the character and appearance of the area.

There are a number of commercial and community uses operational within the buildings and whilst the applicant has demonstrated an intention to provide alternative accommodation in the master-planning of the site and surrounding area, there are no provisions made as part of this application. There are however no policies which directly protect such uses, but it would be to the benefit of the local community if these premises could be given time to find alternative premises. This will however be at the discretion of the owner of the site, and the existing tenancy/lease agreements.

The loss of public parking spaces will initially be total, and will result in zero public parking. This will then in future be replaced by any provision that is included within the comprehensive redevelopment. The development on the

Council Offices site will however provide public car parking, although this will not be available until late 2006 or early 2007. The temporary reduction of significant public car parking will be an unfortunate loss, but this is a loss that will be tolerated in the short term, due to the long term benefits of the redevelopment of the site and the wider masterplan area. It should be noted that the loss of parking does not result in the loss of the authorised use for the site. The use would only be lost if a subsequent change of use were granted and then activated. The use will remain, albeit dormant.

It is recommended that the Committee approves this application, subject to conditions on the timing of demolition until approval of the interim design solution, contamination, and archaeology.

*Alan Henderson*

**Alan Henderson**  
Head of Planning and Strategy

<b>Contact/tel</b>	Kingsley Drinkwater on 0131 529 3648 (FAX 529 3717)
<b>Ward affected</b>	34 - Holyrood
<b>Local Plan</b>	Central Edinburgh
<b>Statutory Development Plan Provision</b>	Mixed Activities
<b>Date registered</b>	26 May 2005
<b>Drawing numbers/ Scheme</b>	01-6 Scheme 1

### **Advice to Committee Members and Ward Councillors**

The full details of the application are available for viewing on the Planning and Building Control Portal : [www.edinburgh.gov.uk/planning](http://www.edinburgh.gov.uk/planning).

If you require further information about this application you should contact the following Principal Planner, Ian Dryden on 0131 529 3464. Email: [ian.dryden@edinburgh.gov.uk](mailto:ian.dryden@edinburgh.gov.uk).

If this application is not identified on the agenda for presentation, and you wish to request a presentation of this application at the Committee meeting, you must contact Committee Services by 9.00a.m. on the Tuesday preceding the meeting on extension 4229/4239. Alternatively, you may e-mail [blair.ritchie@edinburgh.gov.uk](mailto:blair.ritchie@edinburgh.gov.uk) or [sarah.bogunovic@edinburgh.gov.uk](mailto:sarah.bogunovic@edinburgh.gov.uk)

**Application Type** Conservation Area Consent  
**Application Address:** 6 New Street  
(New Street Bus Garage)  
Edinburgh  
EH8 8BH  
**Proposal:** Demolition of entire building- former bus garage  
**Reference No:** 05/01777/CON

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## Consultations, Representations and Planning Policy

### Consultations

#### City of Edinburgh Council Archaeological Service

The former Bus Garage was built in the 1920s within the historic limits of the medieval burgh of the Canongate, part of Edinburgh's World Heritage site. Accordingly this area is recognised as being of considerable archaeological and historic significance; a fact alluded to my earlier memos in response to planning applications 99/00468/OUT and 01/00949/FUL. Since then excavations in the immediate local (e.g. at the adjacent new Council HQ site) have confirmed that important archaeological deposits survive below ground despite modern truncation. In addition the recognition of the importance of our 19th and early 20th century Industrial heritage has grown.

Based upon this the former bus garage is regarded as being of local historic importance in context to the industrial heritage of the Old Town. Accordingly it is considered essential that it is recorded prior to its demolition. To this end a photographic and written survey, linked to an appropriate level of documentary research, be undertaken of the building by a professional archaeologist.

In addition the proposed demolition seeks to remove the existing ground slabs and geo-technical investigations. Given the as yet unknown significance and extent of buried archaeology across the site, this cannot happen until an overall mitigation strategy has been agreed with myself.

It is therefore recommended that the above programmes of work and conditions be secured using a condition based upon the model condition stated in PAN 42: Planning and Archaeology, para. 34, as follows,

*'No development shall take place on the site 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 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 programmes of archaeological work and for the archiving and appropriate level of publication of the results lies with the applicant.

## **Representations**

The application was advertised on 10/06/05. Thirteen letters of representation have been received, four from local residents, three from occupiers of the premises and one each from the Cockburn association and AHSS. The issues raised are;

1. Ground contamination
2. Loss of off-street parking
3. No redevelopment yet proposed
4. More information required
5. Will leave unsightly gap site
6. Detriment to conservation area and World Heritage Site
7. Noise from demolition
8. Loss of building which contains many social/community uses. These require to be re-housed.
9. Interim solution not appropriate for this area, and should be treated as a change of use.

***Full copies of the representations made in respect of this application are available in Group Rooms or can be requested for viewing at the Main Reception, City Chambers, High Street.***

## **Planning Policy**

### **Edinburgh and Lothians Structure Plan 2015**

Policy ENV1C requires that the character and appearance of Edinburgh's World Heritage Site area, and the city's listed buildings and ancient monuments should be protected, and where possible enhanced.

Policy ENV1D requires that the character and appearance of Edinburgh's Old Town conservation area, archaeological heritage, and the city's landscape and historical features should be protected, and where possible enhanced

Policy ENV1G promotes a high standard of design in all new development

## Waverley Valley Redevelopment Strategy - 27 March 2001

A development strategy for the area between the Canongate and Regent Road east of Waverley Bridge, to provide,

a - a co-ordinated view on how these individual sites should relate in terms of pedestrian and activity connections through open spaces;

b - the long standing civic objectives to respect the topography and valley form and the discipline this imposes on design elements;

c - the requirement that the architectural scale and making of the new built form sensitively harmonises with the structure and form of the Old Town's urban grain;

d - the transport framework agreed between the relevant parties for access and servicing.

### Local Plan

The site is identified by the **Central Edinburgh Local Plan** as being within the mixed activities zone. It is also within the Waverley Major Development Opportunity Site.

### Relevant Policies:

Policy CD4 (CONSERVATION AREAS) requires that developments in a conservation area retain all features which contribute to the area's character and appearance.

Policy CD5 (CONSERVATION AREAS - REDEVELOPMENT) sets out the criteria against which new development in conservation areas will be assessed, and seeks to preserve or enhance their character and appearance.

Policy CD10 (NEW DEVELOPMENT - OBJECTIVE) encourages new development of the highest possible architectural and urban quality.

Policy CD11 (NEW DEVELOPMENT - GENERAL) sets out general design requirements for new development, and requires particular attention to be paid to main approach roads to the city centre.

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## Conditions/Reasons associated with the Recommendation

### Recommendation

It is recommended that this application be **GRANTED**

### Conditions

1. The development hereby permitted shall be commenced no later than five years from the date of this consent.
2. The application shall be referred to the Scottish Ministers prior to determination.
3. 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 Head of Planning & Strategy, having first been agreed by the City Archaeologist.
4. No demolition work shall take place until:
  - a) a statement setting out a programme for site remediation works has been submitted to and approved by the Planning Authority; AND
  - b) the details of the 'land art installation' and boundary treatments and any necessary planning consent have been agreed with/approved by the Planning Authority; AND
  - c) the Planning Authority are satisfied that one of the following matters has taken place:
    - i. a contract has been placed for the redevelopment of the site in accordance with a planning permission; OR

- ii. a contract has been placed for the 'land art installation' and boundary treatments in accordance with section b) above.

### **Reasons**

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
2. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
3. In order to safeguard the interests of archaeological heritage.
4. In order to safeguard visual amenity.

### **INFORMATIVES**

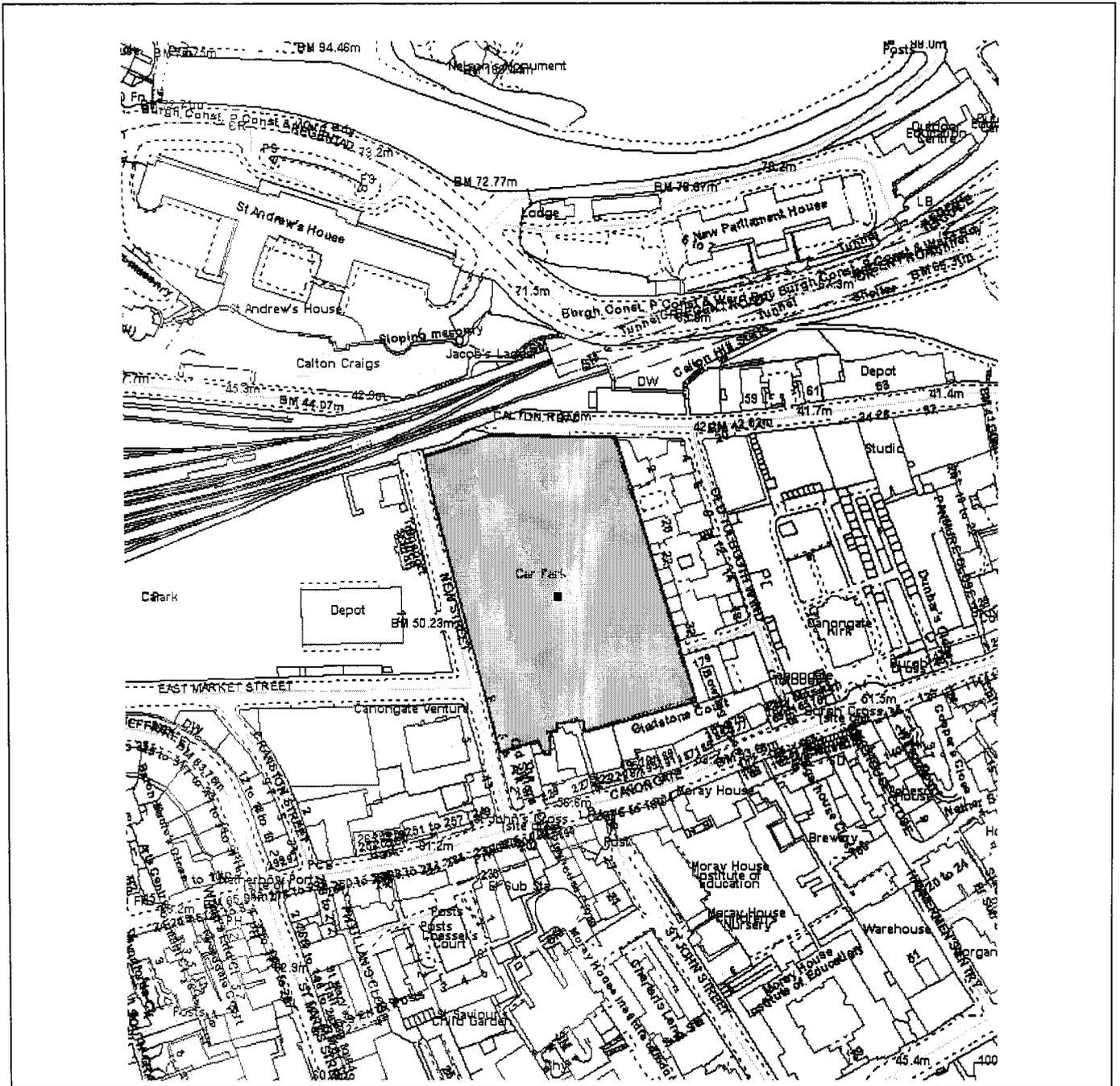
It should be noted that:

1. No demolition work shall take place until the applicant has entered into a suitable legal agreement to secure a financial bond of £100 000 for the Council to carry out the approved interim landscaping scheme, in the event that either the approved redevelopment of the site, or interim 'land art' scheme has not commenced within three months of the demolition and remediation work, as set out in condition 4 of the consent.

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**End**



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# **PLANNING APPLICATION**

<b>Address</b>	<b>6 New Street, (New Street Bus Garage), Edinburgh, EH8 8BH</b>		
<b>Proposal</b>	<b>Demolition of entire building- former bus garage</b>		
<b>Application number:</b>	<b>05/01777/CON</b>	<b>WARD</b>	<b>34- Holyrood</b>
<b>THE CITY OF EDINBURGH COUNCIL</b>			
<b>THE CITY DEVELOPMENT DEPARTMENT- PLANNING &amp; STRATEGY</b>			