

# Development Management Sub Committee

**Wednesday 30 January 2013**

**Application for Planning Permission 12/04490/FUL  
At Victoria Primary School, 4 - 6 Newhaven Main Street,  
Edinburgh  
3 Classroom standalone extension to existing primary  
school.**

**Item number**

**Report number**

**Wards**

A13 - Leith

## Links

[Policies and guidance for this application](#)

LPC, CITD3, CITE3, CITE6, CITE9, CITCO3, CITT7, NSG, NSGD01, OTH, CRPNEH,

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# Executive summary

## **Application for Planning Permission 12/04490/FUL At Victoria Primary School, 4 - 6 Newhaven Main Street, Edinburgh 3 Classroom standalone extension to existing primary school.**

### Summary

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The proposal is for the siting of a free-standing structure to provide additional classroom facilities within the grounds of the existing school. By reason of the size, form, design and position of the proposal it complies with the relevant provisions of the development plan and associated guidelines with regard to its impact on the setting of listed building and the character and appearance of the conservation area. With the imposition of appropriate conditions, regarding the implementation of a programme of archaeological work and submission of details of materials, it represents an acceptable form of development.

### Recommendations

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It is recommended that this application be granted (in section 3 of the main report).

### Financial impact

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All financial implications of this Council project are matters for consideration by Education, Children and Families Committee.

### Equalities impact

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This application has no impact in terms of equalities or human rights.

### Sustainability impact

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This application is not subject to the Edinburgh Standards for Sustainable Building

### Consultation and engagement

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#### **Pre-Application Process**

Pre-application discussions took place on this application

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

The application was advertised on 21 December 2012 and 18 letters of objection were received from neighbours raising the following material issues:

- Contrary to Scottish Government policy on future school extensions;
- Conservation - special importance of conservation area;
- Setting/relationship to listed building;
- Design, materials and appearance;
- Overdevelopment - reduction in playground space/loss of green space;
- Unsustainable nature of the proposal; and
- Road safety concerns.

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

One neutral comment was also received from a neighbour.

Other raised issues concerning the recent closure of nearby schools, the listed status of the buildings and operational matters within this school are not material to this determination.

The Cockburn Association has indicated that it intends to raise a representation to this application, but this has not been received at this time.

There has been no response to the application from the Leith Harbour and Newhaven Community Council.

### **Background reading / external references**

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- **To view details of the application go to**
- [Planning and Building Standards online services](#)

[http://www.edinburgh.gov.uk/meetings/meeting/2804/education\\_children\\_and\\_for\\_committee](http://www.edinburgh.gov.uk/meetings/meeting/2804/education_children_and_for_committee)

## **Application for Planning Permission 12/04490/FUL At Victoria Primary School, 4 - 6 Newhaven Main Street, Edinburgh 3 Classroom standalone extension to existing primary school.**

### **1. Background**

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#### **1.1 Site description**

The application site comprises the Victoria Primary School located on the northern side of the junction of Whale Brae, Newhaven Road with Newhaven Main Street. Lindsay Road passes along the northern side of the site and its junction with Annfield forms the eastern end of the playground.

To the west of the site there are one and two-storey dwellings at Peacock Court, forming part of the original village of Newhaven. Opposite, and to the south, is a terrace of three-storey, red sandstone built tenement properties. To the south east the buildings are three-storey, 1960s flatted blocks. To the north of the site, on the opposite side of Lindsay Road, stand modern, five-storey flatted properties. To the north east is the recently constructed Sandpiper Drive serving the large single-storey superstore building and five and six-storey flatted block, presently under construction.

The site includes an imposing, three-storey, stone built school building which is located at the western end of the site. The main central section is comprised of a tarmac covered, open playground with a grassed and planted area situated at the eastern end of the site.

The school building stands immediately abutting Newhaven Main Street with 1.6 metre high metal railings forming the eastern boundary with the playground. This is supplemented at the eastern end of the site by hedgerow planting. The northern boundary is comprised of rendered walls topped with metal railings with a line of conifer trees planted behind the central section of the wall. The wall is some 1.2 metres high and with the railings is some 2.4 metres adjacent to the playground; but opposite the school buildings this reduces to a dwarf wall with railings to a height of some 1.8 metres.

The building is a 'B' category listed building (Ref: 43704 and listed on 17 October 1996). Originating from 1861, it is a three-storey, nine-bay Gothic-style school building built on a rectangular-plan with a-symmetrical projections and nineteenth century additions to rear.

This property is located within the Newhaven Conservation Area; the northern boundary of the site forming the northern boundary of the conservation area. This property is located within the Newhaven Conservation Area.

#### **1.2 Site History**

The relevant site history is:

19 May 1999 - Listed Building Consent was granted for the sub-division of a classroom, formation of a glazed hatch and new access doors (Ref 99/00408/CEC).

26 September 2003 - Listed Building Consent was granted to insert a lift access and a toilet and shower facility for disabled persons together with a glazed canopy (Ref 03/02164/LBC).

18 December 2012 - Minded to grant Listed Building Consent to replace/upgrade doors and glazing subject to confirmation by Scottish Ministers (Ref 12/03822/LBC).

The development proposal results from a report to Education, Children and Families Committee on 9 October 2012, entitled: 'Primary School Estate Rising Rolls: Implications for 2013/14 Session', item No 8.

## **2. Main report**

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### **2.1 Description Of The Proposal**

The application is made by City of Edinburgh Council for the erection of a free-standing, modular structure set to the north east of the existing building, within the playground of the school in order to provide additional accommodation for the increasing school roll.

The proposal has overall dimensions of 24.4 metres in length by 13.3 metres in depth, providing a footprint of 298 square metres. It comprises three classrooms plus ancillary storage and toilet facilities.

It comprises two elements. The main section is a mono-pitched structure with an eaves height of 3.8 metres and a maximum overall ridge height of 6.1 metres. The secondary section is a flat roofed structure measuring 4.2 metres in height. The flat roofed section is located on the northern side of the main section.

As a modular building, the materials are Trespa 'rainscreen' cladding with a metal clad roof. These are to be matt black in colour with a feature colour to the window surrounds in the main structure and to the whole of the exterior of the flat roofed module.

'Rainscreen' cladding is a generic form of cladding that can support any number of different finishes. However, the application provides no details regarding the type or form of the cladding proposed or the feature colour for this school.

It is proposed that sample boards will be provided for approval in consultation with the school at the time of the works.

### **2.2 Determining Issues**

Do the proposals harm the character or appearance of the conservation area? If they do, there is a strong presumption against granting of consent.

Do the proposals preserve the building or its setting or any features of special architectural or historic interest which it possesses? If not, there is a presumption against the granting of consent. 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.

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?

### **2.3 Assessment**

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

- (a) the principle of development is acceptable;
- (b) the proposals preserve or enhance the character and appearance of the conservation area;
- (c) the setting of the listed building;
- (d) the proposed scale, form, design and materials are acceptable;
- (e) the proposals would not harm archaeological remains on the site;
- (f) the proposals affects road safety;
- (g) the proposals will result in an unreasonable loss of neighbouring amenity;
- (h) the proposals have any equalities or human rights impacts;
- (i) the representations raise issues to be addressed.

#### **a) Principle of Development**

The site lies within the defined urban area and will continue to provide accommodation for the school within the existing site. The proposal complies with Policy Com 3 of the Edinburgh City Local Plan subject to compliance with the other policies within the plan.

The Scottish Government policy referred to relates to "*Building Better Schools: Investing in Scotland's Future*" released in September 2009. This document sets out the Scottish Government and CoSLA's vision and aspiration for the development of the school estate across Scotland. Whilst its aims and objectives represent best practice in developing a proposal for a new or extended school building, in planning terms it has little material weight; the policies of the local development plan take precedence.

#### **b) Character and Appearance of the Conservation Area**

*Newhaven Conservation Area Character Appraised concentrates on the fact that Newhaven's original village plan survives, some parts dating from the 1500s. It is centred on the Newhaven Main Street, with remnants of the fishing cottages and the 'Old Town'. The School is located within the defined historic core, separated from the residential zone on the rising ground to the south, and is identified as one of the landmark buildings.*

The wider context of the area is characterised by a range of modern developments which have fundamentally altered the character and appearance of this part of the conservation area.

The form and appearance of the proposal provides a contrast to the traditional stone and slated pitched roofs of the main school building. Its detached position and low profile helps to reduce its impact on the appearance of the site. This is further assisted by the mature planting at the eastern end of the site and along the northern boundary, especially when viewed from Lindsay Road to the north but also from parts of Newhaven Main Street/Annfield to the south.

The proposals will have a neutral effect and in terms of Section 64 of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997, it does not represent a detrimental impact on either the character or appearance of this part of the conservation area.

#### c) Setting of a listed building

The proposal involves development within the grounds of a property which is a category 'B' listed building.

It has been the subject of a number of alterations over the years in order to accommodate the changing requirements of its function as a school. There are existing single storey additions to the rear, north, elevation of the building, which over time have become more visible given the wider changes to the area.

The listed building is robust in its character. Its scale and the detached position and low profile of the original structure ensure a suitably limited impact on the character and setting of the listed building. This together with the existing boundary treatments and mature planting assist in reducing the number of vantage points where both the school and the proposed extension can be seen.

As such it does not affect the setting of the listed building and will preserve the appearance of this part of the conservation area.

#### d) Scale, Form, Design and Materials

The stand alone nature of the structure, with a simple modern design, has been designed to meet the internal specifications necessary for modern classroom facilities. It has also been kept to a minimum in terms of its size and mass to respect the importance of the main school building within the site.

The proposed modular structure represents a significant improvement on previous temporary forms of school classroom space extensions. However, there are no details provided of the intended cladding finish to the structure other than an indication of a matt black colour and the use of coloured panels to help enliven the proposal.

Accordingly, it is proposed to make the submission of samples of the cladding material a condition to ensure a suitable finish to the proposal.

The school playground covers some 2,700 square metres (69% of the overall site). The structure is located solely on an existing area of tarmac surface and will not reduce the existing grassed area of the playground. Its footprint is 298 square metres

representing 11% of the overall playground area. Accordingly, this would retain an acceptable area of playground space for future requirements of the school in this instance.

Given the size and scale of the proposal there is no requirement for the development to comply with the guidance contained in policy Des 6, 'Sustainable Design and Construction' or the Edinburgh Standards for Sustainable Building.

#### e) Archaeological Assessment

The City Archaeologist has requested a that a condition be imposed on the proposal requiring that the applicant secure the implementation of a programme of archaeological work in accordance with a pre-approved and written scheme of investigation.

This is required to ensure that any archaeological evidence identified during the development can be adequately recorded and preserved, given its location within the historic core of Newhaven.

#### f) Road Safety

Concerns have been raised regarding the additional traffic generated as a result of the additional increase in the school roll.

The Council has a statutory requirement to accommodate children of school age within the relevant school catchment area. Consequently, the Council's options are limited in how to accommodate those children within the relevant school premises.

The application has been accompanied by a school travel plan that sets out the course of action being taken by the school to reduce car use and increase other more sustainable modes of how children travel to school. This is in accord with the Council's transport policies.

In planning terms, therefore, any resultant increase in traffic generation would be minimal and would not have a detrimental impact on road safety in the vicinity of the school premises.

Immediately to the north east of the application site Lindsay Road is protected for part of Tram Line 1b and a tram stop in the development plan. Policy Tra 7 seeks to protect the route and potential tram stops from development that would prejudice the construction of the necessary infrastructure for that network.

The application site stands outwith the lines of deviation of the route at this location.

#### g) Neighbouring Amenity

All overshadowing resulting from the proposal would be wholly contained with the application site.

The proposal is located on the northern side of the school grounds adjacent to the boundary with Lindsay Road. The nearest residential properties at 115 Lindsay Road are located some 35 metres from the proposed modular structure.

Accordingly, there would be no detrimental levels of overlooking resulting from the proposal.

#### h) Equalities and Human Rights Impacts

This application has no impact in terms of equalities or human rights.

#### i) Public Comments

The public comments regarding the need to take account of:

- Scottish Government policy on future school extensions are addressed in paragraph (a);
- the special importance of conservation area are addressed in paragraph (b);
- the setting and relationship to the listed building are addressed in paragraph (c);
- those matters of design and appearance, overdevelopment of the site, loss of playground space and green space, and sustainability are addressed in paragraph (d)
- and road safety concerns are addressed in paragraph (f).

Other points raised, regarding matters of the listed status of the buildings, operational matters such as the internal circulation space within the school and recent programme of school closures, are not material.

There has been no response to the application from the Leith Harbour and Newhaven Community Council.

### CONCLUSIONS

In conclusion, the proposals comply with the development plan and the relevant non-statutory guidance, preserve the character and appearance of the conservation area and respect the setting of the listed building and would not prejudice road safety or residential amenity. There are no material considerations which outweigh this conclusion.

## **3. Recommendations**

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

### **3.2 Conditions/reasons**

#### **Conditions:-**

1. A full schedule of all of the external cladding finishes to be used, including suitable sample sections, shall be submitted to and approved in writing by the Head of

Planning and Building Standards. Those details shall be submitted within six weeks of the date of this consent and all works shall be carried out in accordance with that agreed schedule.

2. No development shall take place within 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 to and approved in writing by the Head of Planning and Building Standards, having first been agreed by the City Archaeologist.

**Reasons:-**

1. In order to safeguard the character and appearance of the statutorily listed building and this part of the Newhaven Conservation Area.
2. In order to safeguard the interests of archaeological heritage.

**Informatives**

It should be noted that:

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

**Statutory Development**

**Plan Provision**

**Edinburgh City Local Plan** - Urban Area and designated Conservation Area.

**Date registered**

18 December 2012

**Drawing numbers/Scheme**

01-03 + 06-09

Scheme 1

**David R. Leslie**

Acting Head of Planning and Building Standards

## Links - Policies

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### **Relevant Policies:**

#### **Relevant policies of the Edinburgh City Local Plan.**

Policy Des 3 (Development Design) sets criteria for assessing development design.

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

Policy Env 6 (Conservation Areas Development) sets out criteria for assessing development in conservation areas.

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

Policy Com 3 (School Development) sets criteria for assessing sites for new school development.

Policy Tra 7 (Tram) prevents development which would prejudice tram safeguards or identified tram routes.

#### **Relevant Non-Statutory Guidelines**

**Non-Statutory guidelines** Draft 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 and landscape, in Edinburgh.

#### **Other Relevant policy guidance**

The Newhaven Conservation Area Character Appraisal emphasises the importance of the harbour area, the historic alignment and traditional character of the buildings, the prominent views to Fife across the Firth of Forth, and the predominant use of traditional materials.

# Appendix 1

## Consultations

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### Archaeology Officer

*The historically important B-listed Victoria primary School was constructed in the 1840s across the eastern limits of the historic harbour and fishing village (Newhaven Fisherman's Guild est. 1572) of Newhaven. Forming part of the lands associated with the adjacent medieval burgh of North Leith the area was chosen by James IV in 1504 to build a royal dockyard to construct naval vessels including his flagship the (Great) Michael constructed between 1507 & 1511. The Royal Charter of 1510-11 giving the settlement to Edinburgh describes the harbour and settlement as including both a harbour and separate shipyard with the adjacent foreshore being used for tying up vessels. Although the site of the main harbour and shipyards are historically centred on the current site of the harbour the full extent of the shipbuilding works have not been archaeologically determined. It is interesting to note therefore what appears to be a man made inlet on Kirkwood's 1817 map of the site underlying the school and extending across this development site which may be the remains of an earlier slipway.*

*Accordingly this site has been identified as occurring within an area of archaeological significance in particular relating to medieval and later maritime archaeology of Newhaven & Edinburgh. This application must be considered therefore under terms the Scottish Government Historic Environment Policy (SHEP), Scottish Planning Policy (SPP), PAN 02/2011 and also Edinburgh City Local Plan (2010) policy 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.*

*It is considered that this proposal would be regarded as having a potential significant impact as ground-breaking works associated with the construction of the new school extension have the potential to disturb important remains associated with the development of the post-medieval settlement, along with perhaps evidence relating to its origins as a Royal Naval Dockyard in the early 16th century.*

*Accordingly, it is essential that phased programme of archaeological work is undertaken. In essence this will see a phased archaeological programme of works, the initial phase being an archaeological evaluation (minimum 10% of the site) undertaken prior to construction. The results of which would allow for the production of appropriate more detailed mitigation strategies to be drawn up to ensure the appropriate protection and/or excavation, recording and analysis of any surviving archaeological remains during landscaping works.*

*Accordingly it is recommended that the following condition be attached consent, if granted, to ensure that a programme of archaeological works is undertaken prior to construction in order to excavate, record and analysis any significant archaeological deposits that may be uncovered.*

*'No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, analysis &*

