

Development Management Sub Committee

Wednesday 29 January 2014

**Application for Listed Building Consent 13/03399/LBC
At 5 New Street, Edinburgh, EH8 8BH
Alterations to building, boundary walls and gatepiers
including removal of existing plinth and new additions to
building.**

Item number	6.3
Report number	
Wards	A11 - City Centre

Links

Policies and guidance for this application	LPC, CITE1, CITE3, CITE4, CITE6, CITE8, CITE9, CITCA1, NSG, NSLBCA, CRPOLD,
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Executive summary

Application for Listed Building Consent 13/03399/LBC At 5 New Street, Edinburgh, EH8 8BH Alterations to building, boundary walls and gatepiers including removal of existing plinth and new additions to building.

Summary

The proposal is in accordance with the Edinburgh City Local Plan, the non-statutory guidance and the Caltongate Masterplan. The proposed extensions and alterations are of an appropriate scale and design and will not detrimentally impact upon the listed building, conservation area, setting of listed buildings or the Outstanding Universal Value of the World Heritage Site. No other considerations outweigh this conclusion.

Recommendations

It is recommended that this application be Granted subject to the details below (in section 3 of the main report).

Financial impact

There are no financial implications to the Council.

Equalities impact

The proposals were assessed in terms of equalities and human rights. The impacts are identified in the Assessment section of the main report.

Sustainability impact

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

Consultation and engagement

Pre-Application Process

Pre- application discussions took place on this application.

Publicity summary of representations and Community Council comments

The application was advertised on 30 August 2013. Eleven letters of representation have been received including the Edinburgh Old Town Development Trust and the Cockburn Association. Comments were also received from the Old Town Community Council. Revised plans were submitted on 26 November 2013. The revised proposals did not introduce any material changes and no further public consultation was undertaken.

Material Representations

Support

- Improvement over the proposal submitted by Mountgrange; and
- Welcome retention of Canongate Venture

Objections

- Will result in loss of World Heritage Status/disastrous effect on World Heritage Site;
- Contrary to ECLP policies ENV 1,2,3,4,5 and 6 and DES 1,3 and 6;
- Adverse impact on Canongate Venture including its setting;
- Out of character with the Old Town, does not preserve spatial; characteristic; and
- Poor choice of materials

Non Material Representations

The non materials representations do not relate to this site or this application but relate to the concurrent application for full planning permission (ref: 13/03407/FUL).

The Old Town Community Council objected to the application. The community councils' detailed comments can be viewed in detail in the consultation section. In summary the comments relate to process, demolitions, design and public realm.

A full assessment of the matters raised by the Community Council can be found in section 2.3 of the main report.

Background reading / external references

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

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1. Background

1.1 Site description

This application relates to a two-storey former school building which was designed by Robert Wilson in 1900-1. It is constructed of grey ashlar with contrasting red ashlar margins. It has a grey slate pitched roof with stone skews and Queen Anne detailing on shaped gables. On top of the roof was the bell tower that had a gilded cockerel weathervane. The building is surrounded by a high stone boundary walls with plain iron railings and gatepiers to the New Street entrance.

Internally the building has rooms off a central galleried hall with a continuous glazed rooflight which is supported with timber arched brace and tie beams. The atrium and rooflight are interesting features with the roof being rather utilitarian

The building is category C listed building (listed on 13 August 1987 ref: 29393) and is located within the World Heritage Site.

Built by Robert Wilson, architect for Edinburgh School Board, as the North Canongate Infant School. The building became a school building in 1943, offices in 1968 and the Canongate Venture, housing a variety of small businesses and workshops, in 1981. The building is now vacant.

This property is located within the Old Town Conservation Area.

1.2 Site History

October 2006 - Caltongate Masterplan for the wider Caltongate site was approved.

10 July 2008 - listed building consent granted for the demolition of building, boundary walls and gatepiers at 5 New Street (application number 07/01208/LBC).

30 October 2008 - planning permission was granted for the redevelopment and erection of buildings (including bridge link over New Street), with part retained facades, for use as hotel and conference centre, retail (class 1), car parking, access, servicing area, open space and landscaping including public square, work to south end of New Street, and associated works (as amended) (application number 07/01237/FUL).

10 July 2008 - listed building consent granted for the demolition of building with part retained Canongate and New Street facade at 231 Canongate (application number 07/01231/FUL).

10 July 2008 - conservation area consent granted for demolition of buildings with part retained facade at 227-229 Canongate (application number 07/01206/CON).

30 October 2008 - planning permission was granted for "redevelopment and erection of buildings for residential flats, offices, alternative office and/or community facility and retail (class 1) use, access and servicing area. Realignment and alterations of Cranston Street (as amended) " (application number 07/01288/FUL).

10 July 2008 - conservation area consent granted for demolition of building and boundary wall (as amended) at East Market Street/Cranston Street (application number 07/01290/CON).

18 April 2013 – listed building consent was granted under section 17 of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997 for variation of condition 1 of listed building consent 07/01208/LBC to allow additional time for works to commence at 5 New Street (application number 13/00100/LBC).

15 April 2013 - planning permission was granted to vary condition 1 of planning permission 07/01290/CON East Market Street/Cranston Street (application number 13/00103/CON).

15 April 2013 - planning permission was granted to vary condition 1 of planning permission 07/01206/CON 227-229 Canongate (application number 13/00106/CON).

22 May 2013 - planning permission was granted for a Section 42 Application to vary condition 1 of planning permission 07/01237/FUL (PA5) (application number 13/00091/FUL).

22 May 2013 - planning permission was granted for a Section 42 application to vary condition 1 of planning permission 07/01288/FUL (PA6)(application number 13/00092/FUL).

Related applications

23 August 2013 - application submitted redevelopment/demolition/erection of buildings for mixed use development comprising class 7 hotels, class 1, 2, 3 commercial, class 4 business, community uses (class 8 & 10), leisure (class 11), other associated uses, landscaping/public realm and other associated works (application number 13/03407/FUL).

23 August 2013 - application submitted for listed building consent for part demolition/part retention of building with part retained Canongate and New Street facade at 2,4 New Street/221,223,227,229,231 Canongate (application number 13/03400/LBC).

23 August 2013 - application submitted for conservation area consent for demolition of building and boundary wall at CEC Depot , East Market Street (application number 13/03402/CON).

23 August 2013 - application submitted for conservation area consent for part demolition of buildings with part retained facade at 221, 223, 227, 229 Canongate (application number 13/03403/CON).

2. Main report

2.1 Description Of The Proposal

The consented scheme allows for the demolition of this building. Under the proposed development, the building would be retained with repairs and refurbishment of the structure and fencing.

An extension is proposed on the southern side comprising a glazed box structure. The existing six windows upon the southern elevation of the building will be accommodated within the proposed extension and are proposed for conversion into door openings.

The existing plinth to the north of the building facing onto East Market Street would be replaced by a new plinth comprising a lightweight metal framed flat roofed structure with terrace above. The terrace will be directly linked to the main building through the conversion of two windows upon the northern elevation into a metal framed double door. The new plinth will extend across a narrower section of the building than the existing plinth to allow for the formation of a new entrance level and adjoining external stairs allowing direct access from East Market Street into the new entrance and onto the level of the existing main entrance facing New Street on the east side of the building. A further access stair onto the new northern plinth and terrace is proposed to the west of the new plinth.

The finish and materials proposed for new street level entrance level have been amended to coursed bull-faced sandstone with red sandstone dressings to match the existing building. The external stair access will be finished in matching materials to the boundary walls from the removed northern plinth.

Internally, a new lift will be positioned within the north east corner of the building and a kitchen and bar will be positioned at the western end of the ground floor room on the southern side of the building. Minor works to seal/remove door openings and reconfigure secondary spaces are also proposed. The main central galleried hall and atrium will remain unaltered.

The applicant has submitted a Planning Statement, Report of Consultation, Design and Access Statement and Heritage Statement. A Supplementary Design Statement was submitted on 26 November 2013 with revised drawings.

These documents are available to view on the Planning and Building Standards Online Services.

2.2 Determining Issues

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.

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

2.3 Assessment

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

- a) the proposals will preserve the architectural or historic interest of the listed building including its setting;
- b) the proposals have any impact upon the Outstanding Universal Value of the World Heritage Site;
- c) the proposals will preserve or enhance the special character and appearance of the Old Town Conservation Area, and setting of neighbouring listed buildings;
- d) the proposals have any equalities or human rights impacts; and
- e) the representations raise issues to be addressed.

a) Impact upon the architectural and historic interest of the listed building including its setting

The proposed retention of the Canongate Venture building is welcomed given the building's recognised architectural and historic interest and the previously consented scheme approving its demolition. The proposals will assure the retention and reuse of the building allowing its adaptation and extension through the removal of the northern plinth and the erection of two single storey glazed structures, two external access staircases and a new entrance onto East Market Street.

The proposed alterations are largely confined to the portion of the building and site beneath the level of the plinth with the exception of the southern extension and the window to door conversion allowing access onto the terrace upon the northern extension thus, allowing the principal elevations of the building to remain largely unaltered. Repair and restoration work is also proposed for the building and includes specific repair and restoration of the existing bellcote and cockerel weathervane.

The alterations to remove the northern section of the plinth will remove the existing boundary wall to East Market Street. Whilst this will change this element of the listed building, its replacement with a smaller glazed lightweight structure, new entrance level and external stairs will link the building with its surroundings improving the setting of the listed building and create a much more positive animation along East Market Street and New Street.

The proposed glazed entrance foyer upon the south elevation is of a simplistic lightweight design utilising a limited palette of high quality materials allowing clear views through it onto the southern elevation – a secondary elevation of the original building where only the building fabric from beneath the ground floor level windows has been detailed for removal. The extension will have neutral impact upon the building and will not prejudice the architectural or historic interest of the listed building.

Internally, the buildings architectural interest is principally derived from the central atrium with the greater part of the proposed internal alterations being confined to areas

of lesser architectural importance. The positioning of the lift and kitchen within the less formal areas of the building will not prejudice any architectural features of merit allowing the central space and atrium to be retained as existing safeguarding the listed buildings architectural and historic interest as a former school building.

Historic Scotland welcome the retention and reuse of the building and support the proposals which seek to remove the raised playground plinth to East Market Street and reconfigure the building. However, they have expressed concerns regarding the phasing of the Caltongate redevelopment scheme as a whole and the continued deterioration of the building if it is intended to address the reuse of the listed building towards the end of the long programme of works. The implementation of the concurrent planning application, specifically the hotel to the west, overlaps the plinth, requiring partial demolition. It is therefore considered appropriate to condition the implementation of the consent to ensure a programme of works for downtakings is in place prior to the implementation of the consent.

The proposals will not prejudice the architectural or historic interest of the listed building including its setting.

b) Impact upon the Outstanding Universal Value of the World Heritage Site

The Outstanding Universal Value of the World Heritage Site is expressed in the Statement of Significance adopted by the World Heritage Committee of UNESCO.

The application site is a sensitive location within the World Heritage Site, being set a short distance from the Royal Mile. However, the building and its site are not considered to be typical of the organic medieval form that underpins much of the Old Town given its positioning upon an elevated plinth at odds with the levels of the natural contours that characterise the land running down each side of the Royal Mile. Nonetheless, the proposal will retain and reuse the C listed Canongate Venture building ensuring its protection, an acknowledged heritage asset of local importance that contributes to the Outstanding Universal Value of the World Heritage Site.

It is concluded that the current proposal offers an improvement over the previously approved scheme, offering heritage gains, and meets the requirements set down by UNESCO following their visit to Edinburgh in November 2008. The proposal meets the objectives of The World Heritage Site Management Plan 2011-2016(5.1) "The Vision" which supports a confident and thriving capital city centre, its communities and its cultural and economic life.

It is concluded that the proposal would not harm the qualities which justified the inscription of the Old and New Towns as a World Heritage Site and complies with policy ENV1 of the Edinburgh City Local Plan.

c) Whether the proposals will preserve or enhance the Old Town Conservation Area, and setting of neighbouring listed buildings

The Old Town Conservation Area Character Appraisal identifies the following distinctive elements of the Old Town Conservation Area:

The plan of the Old Town has retained much of its ancient pattern and distinctive character. It is an environment of enclosed streets and dramatic changes of level with numerous framed distant views. The skilful use of land contours, the careful siting and

design of individual buildings and groups of buildings, and the use of local stone, combine to create an intricate and varied spatial structure. The compactness and fine grained pattern also allows many forms of activity to function in close proximity.

The spatial structure of the Old Town is a microcosm of urban development, reflecting the multiple layering of built heritage and responding to the drama of the site's topography and setting.

Building lines and heights respond to natural features and contours to create a sculptural appearance as streets wind up and down hill, reinforcing the organic character of the Old Town.

The hard edged nature of the main streets and spaces within the area formed by the continuous frontages of tall buildings built directly up to the back pavements.

The importance in providing consistent and high quality natural materials, street furniture and lighting in the public realm to unite and set off the built heritage.

The consistent and harmonious height and mass of buildings: usually four or five storeys high on street frontages.

The quality and robustness and durability of the materials of construction. The importance of stone as a construction material for both buildings and the public realm. The limited palette of materials, mainly stone and slate, provide a unity of character. The importance of archaeological record.

The numerous important institutional and public service uses that contribute to its character and the nation's capital. The strong and continuing presence of a residential community. Mixed uses at ground floor level are important in securing active streets and street life.

The Old Town Conservation Area has evolved over time and experienced periods of growth and renewal and subsequently showcasing a variety of building styles and materials.

The alterations to the northern section of the plinth will remove the existing boundary wall to East Market Street. However, the activation of the East Market Street by the removal of the northern part of the plinth and the elevational treatment of the new northern extension to the Canongate Venture building will assist the integration of the development into this part of the Old Town Conservation Area. The finish of the proposed extensions and adjoining structures will be of high quality, using a limited palette of materials, predominantly stone and glass reflective and neutral in respect of the character and appearance of neighbouring listed buildings and that of the Old Town Conservation Area.

The site has been identified as occurring within an area of potentially high archaeological significance and some excavation works have taken place on the wider Caltongate site. Archaeology has no objections subject to a programme of archaeological work to fully excavate, record and analysis any archaeological remains, a condition to this effect is therefore recommended. One of the objectives of the World Heritage Management Plan is to increase awareness through interpretation, guidance and promotional activities, this will be achieved with the assistance of the City Archaeologist.

The proposed alterations and extensions are of an appropriate scale and design and will not detrimentally impact upon the setting of neighbouring listed buildings or adversely affect the special character and appearance of the Old Town Conservation Area. The proposal satisfies policy ENV 6 of the Edinburgh City Local Plan.

d) Equalities and Human Rights Impact

The proposed redeveloped building including additions will be accessible to the public. Access for people with physical disabilities will be required to meet with current building standards. Issues with respect to protecting neighbouring amenity has been addressed in section 2.3 e) of the concurrent planning application for the southern site (ref: 13/03407/FUL). An Equalities and Rights Impact Assessment has been completed.

e) Other material points raised in the representations

Material comments

- Will result in loss of World Heritage Status/disastrous effect on World Heritage Site - this is addressed in section 2.3 b).
- Contrary to ECLP policies ENV 1,2,3,4,5 and 6 and DES 1,3 and 6 - this is addressed in sections 2.3 a-c).
- Loss of playground of Canongate Venture will affect the setting of the listed building - this is addressed in section 2.3 a).
- Unsympathetic alterations to the Canongate Venture - this is addressed in sections 2.3 a-c).
- Poor choice of materials - this is addressed in sections 2.3 a – c).

Non-material comments

The non material comments do not relate to this site or this application but relate to the concurrent applications for planning permission, listed building consent and conservation area consent.

Old Town Community Council Comments

The Community council raised a number of issues in their consultation response which relates to the parallel applications for planning permission, listed building consent and conservation area consent which have been addressed in the related reports. Of relevance to this application for listed building consent are the following points:

- Partial demolition of plinth – assessed in sections 2.3 a – c).
- Design of alterations and additions - assessed in section 2.3 a – c).

CONCLUSION

In conclusion, the retention and reuse of the Canongate Venture building is welcomed given its recognised architectural and historic interest and the previously consented scheme approving its demolition. The proposed alterations will not prejudice the building's architectural or historic interest improving its setting and integration with its wider context. The proposals will not adversely affect the setting of neighbouring listed buildings or the special character and appearance of the Old Town Conservation Area or harm the qualities which justified the inscription of the Old and New Towns as a World Heritage Site.

It is recommended that the Committee approves this application subject to conditions in relation to archaeology, materials, restoration and further design details.

3. Recommendations

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

3.2 Conditions/reasons

1. No development shall take place on the site until the applicant has secured and implemented a programme of archaeological work (excavation, conservation, historic building recording, 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.

2. A detailed specification, including trade names where appropriate, of all the proposed external and internal 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.

3. No work shall commence on the listed building or structures within its curtilage until a detailed programme of works for all downtakings, and any remedial works

associated with these, is submitted to and approved by the Planning Authority. All works shall be implemented and completed in accordance with the approved programme.

Reasons:-

1. In order to safeguard the interests of archaeological heritage.
2. In order to enable the Head of Planning Authority to consider this/these matter/s in detail.
3. In the interests of preventing the gradual deterioration of the Canongate Venture building safeguarding the buildings architectural and historic interest.

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.

Statutory Development Plan Provision

The Edinburgh Local Development Plan Proposed Plan March 2013 was out to public consultation from 1 May 2013 - 14 June 2013. That Plan includes Proposal CC2 which sets out development principles for the site as approved in the Caltongate Masterplan of 2006 to create a mixed use redevelopment to create sustainable and integrated city quarter in the heart of Edinburgh's Old Town. A Masterplan was approved in 2006.

Development Principles of reference CC2

Proposals will be expected to provide for

- a mix of uses including housing, offices, small business units, a hotel, shops (including a small supermarket), food and drink premises and community facilities.
- a close-grained layout which reflects the distinctive spatial pattern of the Old Town provides a new strategic route between East Market Street and Canongate and includes a new public square within the site.
- new buildings, including landmark buildings, which respect the form and contours of the Waverley Valley and which preserve or enhance important existing views and the potential to create new views into and across the site.

Edinburgh City Local Plan (ECLP)

The application site is identified within the ECLP as being within the central area. The site also forms part of Proposal CA 2 - Caltongate.

Caltongate Masterplan

The Planning Committee on 5 October 2006 approved the Caltongate Masterplan as supplementary planning guidance, subject to amendments requiring improvements to the area around Calton Road Railway Bridge and the principle of including green space.

The Masterplan addresses a series of sites within the Old Town which extend over 3.46 hectares. The Masterplan comprises two sites on Calton Road; the former New Street bus depot (now demolished);

Sailor's Ark, properties on 221 - 229 Canongate; and properties on East Market Street (Canongate Venture, former Council garage, two parking lots and the Jeffrey Street Arches).

The Masterplan structure comprises; Site and Context, Vision, Development Objectives, Site Specific Development Principles, Transport and Parking, Infrastructure, Development Contributions, Implementation and Phasing and Appendices.

In addition the document contains guidance on Site Specific Development Principles, Transport and Parking, Infrastructure, Developer Contributions and Implementation and Phasing.

The Management Plan 2011-2016 for The Old and New Towns of Edinburgh World Heritage Site provides a framework for the effective management of the World Heritage Site. The Management Plan endorses the recommendations of the November 2008 joint UNESCO/ICOMOS reactive monitoring mission to Edinburgh.

Date registered

23 August 2013

Drawing numbers/Scheme

01, 02A, 03 - 20, 21A, 22, 23A,

Scheme 2

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Links - Policies

Relevant Policies:

Relevant policies of the Edinburgh City Local Plan.

Policy Env 1 (World Heritage Site) protects the quality of the World Heritage Site and its settings.

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 4 (Listed Buildings – Alterations & Extensions) identifies the circumstances in which alterations and extensions to listed buildings will be permitted.

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

Policy Env 8 (Protection of Important Remains) establishes a presumption against development that would adversely affect the site or setting of a Scheduled Ancient Monument or archaeological remains of national importance.

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 Ca 1 (Central Area) sets criteria for assessing development in the Central 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 Old Town Conservation Area Character Appraisal emphasises the survival of the original medieval street pattern; the wealth of important landmark buildings; the survival of an outstanding collection of archaeological remains, medieval buildings, and 17th-century town houses; the consistent and harmonious height and mass of buildings; the importance of stone as a construction material for both buildings and the public realm; the vitality and variety of different uses; and the continuing presence of a residential community

Appendix 1

Consultations

Archaeology - response dated 04/09/2013

Further to your consultation request I would like to make the following comments and recommendations in respect to this application for alterations to building, boundary walls and gate-piers.

I refer you to my earlier comments in response to the 2007 & 2013 applications and current associated full application 13/03407/FUL, which discuss in detail the fuller archaeological significance and required archaeological mitigation for the site. As such 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 Policies 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.

It is to be welcomed that these proposals seek to retain and reuse this important, in terms of the history of the Canongate burgh, former Victorian Primary School. The proposals will have impacts upon the fabric of this historic building and any associated buried remains which may date back to the early medieval period. However such impacts area considered to be moderate-low in terms of archaeological significance. That said as discussed in my response to the associated full application (13/03407/FUL) and earlier 2007/2013 applications for Canongate Southern Site / Caltongate, this application will require the undertaking of a comprehensive programme of archaeological mitigation (excavation, conservation, historic building recording, reporting and analysis and publication) both in advance of demolition/development and also during construction works.

In terms of historic building work this will entail a mix of tailored building recording (min level 2) and associated excavations and watching briefs (both internal and external) along with any subsequent reporting and analysis.

Accordingly is it is essential that the following condition is attached to this consent to ensure that completion of the programme of archaeological works on this site.

'No development shall take place on the site until the applicant has secured and implemented a programme of archaeological work (excavation, conservation, historic building recording, 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.

Historic Scotland - response dated 26/09/2013

Thank you for your consultation dated 30 August which we received on 30 August. We have considered your consultation and comment as follows:

We warmly welcome the plans to retain and reuse the Canongate Venture, a Category C listed building. It was originally built as the North Canongate Infant School in 1900-1, and was likely designed by John A Carfrae, assistant to the Edinburgh School Board Architect Robert Wilson.

As a C listed building the details of the listed building consent will be dealt with by your Council alone, but in the context of the wider Masterplan we support the proposals which seek to remove the raised playground plinth to East Market Street and reconfigure the building.

Also in the context of the wider site, from discussion in recent meetings we note that within the phasing of the scheme it is intended to address the reuse of the listed building towards the end of the long programme of works. We would strongly recommend that the Venture building is addressed at an early stage in the proposals, to prevent its continued deterioration and to leave it less vulnerable to future redevelopment. With this in mind, it would be advantageous to keep the building in use during the works, especially if the internal preparation works proposed in this application (new lift, rewiring etc) were undertaken first.

Improving links between the Venture and remainder of the site to the west would also be useful, in safeguarding its future reuse.

Old Town Community Council - response dated 15/10/2013

The Old Town Community Council wish to strongly OBJECT to the following applications

Ref. 13/03407/FUL and all the associated Listed Building and Conservation Area applications for the redevelopment of 'The Southern Site' and, Ref. 13/03406/FUL for the development of offices and mixed use buildings on the Gap site

We wish to raise objection to both the proposals submitted and the processing of applications.

With regard to the Process.

- The consultation period for these major applications has failed to follow the advice and commitments laid out in the new Planning Concordant. The plans were submitted with little support offered to community or public to access these enormous documents or provide summarised interpretation of the proposed buildings and their uses.*
- There is no processing agreement in place (previous timetables presented during pre-application events have all been subject to slippage).*

- *No development viability statement has been provided and the economic benefits presented are speculative in the extreme and are not supported by independent analysis.*
- *The information submitted does not include sufficient detailed assessments of the traffic and environmental impacts of this development. The traffic statement provides little detail of traffic generation and makes no reference to agreed and planned changes to traffic services and emerging patterns (eg. Royal Mile pedestrianisation and traffic calming measures).*
- *The proposed buildings are described as having a mix of uses but uses are not defined in their layout either geographically or by breakdown of floorspace.*
- *The applications should not have been validated until all the necessary information needed to assess the development had been submitted.*
- *The plans are Major and comprise multiple buildings making it very difficult for the public to access and comment. The lack of publicity and difficulty many have experienced accessing the Council's on-line planning portal have created further barriers for the public to comment on these plans.*
- *It should be noted that the plans generated some 250 comments to just one posting on social media after details were published in the press (the article describing the proposals having been published only one day AFTER the public consultation closed).*
- *The planning process has failed to allow fair opportunity for the public to comment. Many have expressed their objections to this proposal but have had no opportunity to comment through lack of information and access. The planning portal has limited access as public need to log on and limit comments to 2000 characters with the portal 'timing out' repeatedly. In light of these issues, the confusion caused and the limited time afforded for public comment for such a major development comments submitted through social media platforms have been listed at the end of this letter.*

With regard to the plans submitted we object to the design, mix of uses and speculative nature of the proposals which, although scaled back slightly from the previous scheme, still fail to meet the economic, social and environmental needs of the area and the City.

The proposed demolitions and partial demolitions do not comply with current Local and National environmental, heritage and sustainability policies, including Edinburgh Local Plan Environment Policies Env 1, Env 2, Env 3, Env 4, Env 5, Env 6, and Env 12.

The proposals do not comply with Edinburgh Local Plan Design Policies Des1, Des 3 and Des

6. The development lies within an Outstanding Conservation Area and should reflect and protect the characteristics, authenticity and quality of design of the area. The proposals are bland 'anywhere' architecture not appropriate in the Old Town.

In particular

The Mix of Uses

- *There is an over provision of accommodation for transient residents in the area which has led to a worrying decline in the %age of permanent residents. More housing is needed in the city centre and in this locality in particular. The need to adapt the Local Plan and local supplementary planning guidance (eg. Masterplans and development briefs) has been the subject of responses to the Local Plan and other local Action Plans.*
- *The number of hotels is excessive for the site. The previous consent permitted a 210 bed hotel. The proposals now include an additional two more hotels taking the proposed bed space to 403. The previous scheme included some affordable housing on East Market St and within the McRae tenements on the Canongate, these have now been deleted from the plans.*
- *Recent Business Bulletin on Hotel provision stated provision was now at 188% of that required. The developments at Cowgate and Advocates Close have seen hotel development expand, at Advocates Close this was accomplished through the deletion of over 80 new flats.*
- *There is a potentially excessive level of bad neighbour developments planned (hot food takeaways, bars, nightclubs, restaurants etc). It is not possible to assess the cumulative impact of these uses on neighbouring residential streets and properties as the plans do not detail the size or location of each use.*
- *Retail uses are included as one of a number of uses for each block.*
- *The range of uses 'planned' for each unit covers Classes 1(retail), 2 (professional services/office), 3(food and drink), 4 (office), 7(hotels and hostels), 8 (residential institutions), 10 (non residential institutions) and 11 (assembly and leisure) as well as other unclassified uses. As these uses have differing servicing and transport requirements it is impossible to ensure an appropriate mix is delivered for each part of the site or control the impact of such uses.*

The Design of the buildings

- *The overall design is bland and oversized. There is a monotony about the design which could be better handled by using a wider range of architectural styles and finer grain to the blocks of new build. The existing listed and unlisted buildings are capable of being restored and reused without the large scale demolitions proposed on the Royal Mile and the unnecessary demolitions and additions of glass extensions to the Listed Buildings on East Market Street.*
- *The two hotel blocks proposed on East Market St are too high and over dominant, they impact negatively on the Listed Canongate Venture and its setting as well as on key views through the Waverley Valley obscuring the spine of the Royal Mile, Canongate Venture and other Listed Buildings and landmarks. The Blocks will overshadow neighbouring properties and the Canongate Venture.*

- *The excessive pend to be created on the Canongate is completely unnecessary for a pedestrian only route and will have a hugely negative impact on the appearance of the Royal Mile.*
- *The design of each block is architecturally more in keeping with the form and scale of the New Town.*
- *The finishings and building materials are not sympathetic to the Old Town and will create further damage to the integrity of the World Heritage Site.*
- *The inappropriateness of the design has been described most accurately in letters of objection from both the Cockburn Association and AHSS.*

The public realm

- *The proposal claims to improve public realm but the planned public square and Parliament Way will be privately owned and managed. The management team will have control over access, traffic and servicing of buildings around the square negotiated by private arrangement/fees and it is unclear which other roads (eg. Residential Street) will also be 'managed' by a private company or be adopted by the Roads Authority.*
- *We still believe the public square is one of the key failures of the proposals as the layout will create an unpleasant windy uniform space which is mostly in shadow, the purpose as an alternative pedestrian route remains questionable particularly as the Royal Mile Action plan is now focussed on improving the pedestrian route along the Royal Mile. Whilst the inclusion of new routes and connections through the area is to be encouraged the creation of public realm in this location should support the traditional pattern of small courtyards linked through closes and wynds connecting streets and spaces at different levels.*
- *There is a need for human scale, well designed green public spaces but the proposed public realm works fail to achieve this and the plans not only fail to improve the pedestrian environment on North New St but the traffic and servicing planned and office uses proposed will result in a further deterioration of the environment and safety around the New St Calton Road junction.*
- *The public square and repaving of streets offers little improvement to existing traffic routes and do little to support the planned pedestrianisation and other works proposed in the Royal Mile Action Plan.*
- *The proposals also describe the internal ground floor space of Canongate Venture as public realm whilst the proposed redevelopment of the playground will significantly reduce existing public realm.*
- *The development of the land in front of the Arches (west Cranston St) will also reduce public realm. This area was identified by many stakeholders throughout the pre-application consultation as a sheltered sunny space which is more suited for creating a successful landscaped area of public space.*

In conclusion we respectfully request that further amendments and consultation is carried out to ensure the finalised plans fulfil the needs and aspirations of the

community for a truly sustainable example of mixed use city centre development that meets the urgent needs of the local community and supports the City's wider aims.

This is a World Heritage Site and the development should provide an exemplar of resilient redevelopment which accords with the most recent guidance and policies on placemaking, heritage, conservation and sustainability.

This ill fated protracted speculative development has worn down the local community and through the process of attrition there are those within the community who have given up while others are of the opinion that anything would be better than the blighted gap site. However, in spite of the delay in development it is only proper for such a development that thorough public consultation is carried out.

The Council have shown much favour to private development interests throughout the process, neglecting their primary duty to serve the public, that the credibility of both the Council and this master plan is fundamentally in question.

Given the outstanding World Heritage location, the controversial sale of public listed assets through confidential closed transactions is a glaring example of Council failure when these sales cannot show themselves to represent Best Value for what is a magnificent opportunity for sensitive, world class redevelopment.

Consideration should be given to the comments received through social media in response to the Scotsman article published after the consultation closed (see appendix 1 below)

The OTCC request further full consultation on any amendments and the additional information required (eg. Transport assessment, break down and distribution of uses, and development viability statements).

Edinburgh Urban Design Panel

Edinburgh Urban Design Panel Report Caltongate 23 January 2013

Executive Summary

The Panel welcomes the revised proposals for this important site in the Old Town. The quality of thought that has gone into developing these proposals is commended. The intentions to retain more of the structure of the historic environment (ie the retention of the Canongate Venture and the alignment of Cranston Street) as well as potentially breaking up originally proposed mass of the buildings are likely to better integrate the development into the Old Town.

In relation to uses, while the Panel fully agrees with the aspiration to create a diverse and vibrant development, it is keen that this overarching aim is supported by both design decisions (size of units, orientation etc) and an appropriate amount of flexibility.

Main Report

1 Introduction

1.1 This report relates to new proposals for the southern sites along East Market Street of the Caltongate scheme. The Caltongate proposals have planning permission but have not been built yet.

1.2 The brief for the current project envisages that the sites, (shown as sites 5, 6 and 7 in the pre meeting papers) will be re-evaluated with a view to improving the proposal

from a commercial point of view and in terms of better integrating it with the Old Town. Potential changes to the planning permission proposal include:

- The retention of the alignment of Cranston Street and potential reduction in height of the building proposed immediately to the west of the foot of Cranston Street;*
- The potential retention of the Canongate Venture*
- The omission of the high and low level link buildings at New Street*

1.3 This is the first time that the proposals have been reviewed.

1.4 No declarations of interest were made by any panel members in relation to this scheme.

1.5 This report should be read in conjunction with the pre meeting papers which provide an overview, context, concept, plans, sections and 3D visualisations of the scheme.

1.6 This report is the view of the Panel and is not attributable to any one individual. The report does not prejudice any of the organisations who are represented at the panel forming a differing view about the proposals at a later stage.

2 The changes proposed

2.1 The Panel supports the proposed changes to the existing planning permission. The intended mix of uses, the retention of views down Jeffrey Street, and the potential omission of the high and low level link buildings across New Street are all likely to help better integrate the proposal into the surrounding Old Town.

3 Mix of uses

3.1 The aspiration for further diversity and the intention to create a vibrant mixed use development that builds on and integrates with the Old Town is fully supported.

3.2 In assessing the proposals, the Panel is mindful of the economic realities of development at the moment: particularly in relation to town centres. The recession has amplified problems with the viability of many town centres across Scotland. Many have the critical mass of accommodation for uses and facilities that if occupied could create vibrant and interesting places but because they remain under-occupied do not achieve this.

3.3 This means that it is essential that the design fully supports the overall place making aims. In this regard, it will be important that there is appropriate flexibility both in what is consented and in terms of what the accommodation is designed for as over prescription through design or consent would frustrate the ability of the proposal to adapt to changing circumstances.

3.4 Counter to this, over flexibility can also be a problem. For example units that are suitable for larger businesses may be too large or unaffordable for smaller enterprises. A mixture of unit sizes may therefore be appropriate.

3.5 It can be difficult to get occupation of development until a critical mass of space is occupied. Temporary uses are one way of helping to overcome this Catch 22 situation. Intermediate uses such as workshops, artist studios for example would create interest and activity that may stimulate the market and encourage more permanent uses such as shops or restaurants to establish.

3.6 The inclusion of social housing within the site will be of benefit to the proposals as a whole as this will help the social sustainability of the development. It is important to be mindful of the needs of these occupants at all times of the year. Integration of facilities like a convenience shop would help in this regard.

4 Massing and architecture

4.1 While the proposals for south of East Market Street were not discussed in detail, the breaking up of the proposed office building into 2 or 3 buildings would be more likely to help this part of the development integrate into the wider urban design of the

area since it is characterised by buildings that tend to be smaller in footprint than the office as originally proposed.

4.2 Related to this, the potential for a number of different practices to design the individual buildings is something that should be explored. This would be likely to help the ability of the proposal to build upon the strong sense of place that exists in the Old Town which is in part a result of the varied character of the architecture.

5 Retention of Canongate Venture

5.1 Broadly, the retention of the Canongate Venture is welcomed. This is a building of architectural and historic interest so it has intrinsic value in these respects. It could help anchor the scheme as a whole into its wider surroundings. Additionally, its retention would complement the suggestion above for a variety of architectural designs.

5.2 Because it is raised above the street level of East Market Street, it does present a design challenge, so as well as exploring how the detail of the design can help integrate it into the development as a whole, it is also suggested that it may be worth examining the potential benefits of a new building.

6 Permeability

6.1 The proposal to create permeability East / West and North / South through the site are supported as this will help promote pedestrian movement and supporting increased cycling. The potential sequence of spaces created by the North / South routes will be interesting and will help integrate the proposal into its surroundings. Note: in relation to the opening up of closes, care needs to be taken with community safety (see below).

6.2 The removal of motorised vehicles through top end of New Street would have a significant positive effect on the quality of the proposed square. By reducing potential traffic through this important connection to the square, it is much more likely that it will be an attractive environment for pedestrians and in turn this will help support uses like cafes and restaurants etc.

6.3 It is important that this approach does not undermine the intention to make East Market Street a similarly attractive environment via the consequence of increasing the traffic upon it. Care needs to be taken with the Cranston St in particular. It is likely that limiting traffic to one way (most likely South to North) - both via regulation and through the design of the foot of the Street would help ensure that this does not become an attractive rat run for motor vehicle users.

6.4 The design of routes through the site should enable people to cycle as well as being suitable for pedestrians.

6.5 The Panel advocates an approach that provides barrier free design for the site.

7 Quality of Square / Orientation

7.1 The square is a positive way of terminating East Market Street.

7.2 The quality of the square and its ability to support the mix of uses suggested will be influenced by its detail design and the scale and positioning of the buildings surrounding it. The south facing and north facing sides of streets have different characteristics of use in Edinburgh. The north facing side of the High Street, for example, tends to have a lesser proportion of activity than the south facing side.

7.3 Trees currently proposed on the northern edge of the square will have an impact on sunlight. It may be better that they are positioned elsewhere within the site in order that sunlight can better penetrate the space at times of day when it will be most beneficial to supporting the proposed uses. E.g. to the east of the square as this could also act as a green termination to East Market Street.

7.4 Sun-path analysis which shows how sunlight will penetrate the space throughout the day and at different times of year will be key to informing decisions about how best to take advantage of sunlight within the design.

7.5 The area near the bottom of Cranston Street is likely to benefit from sunshine due to its size in relation to the size and height of the buildings surrounding it. The potential for this site should be investigated during the design process.

8 Community safety

8.1 Crime and anti-social behaviour is an issue in the streets, closes and squares of the Old Town. The urban design of the proposal will have an influence on this. The Panel supports the approach of the design reflecting the pattern of buildings and spaces that exist in the Old Town as this will help ensure the proposal integrates well with the urban design of the are. In doing this, it is essential to take account of community safety however. This issue is particularly important in relation to the re-opening of closes. Passive surveillance and lighting will be key to ensuring the as safe an environment as possible.

9 Consultation

9.1 The Panel supports the consultation strategy and the questions that have been asked of the community.

10 Recommendations

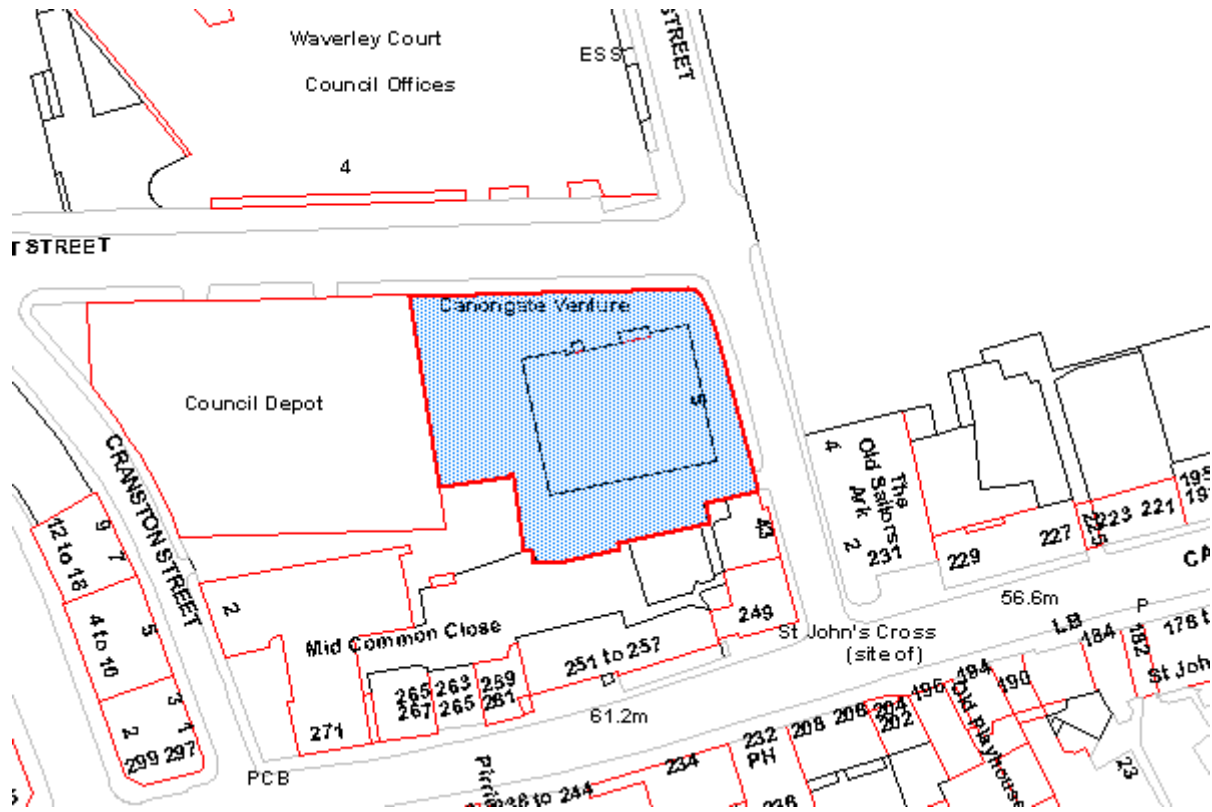
10.1 In developing the design, the Panel supports the following aspects of it and therefore advocates that these should remain in the proposals:

- The mix of uses and the intention to create a vibrant development that integrates with the Old Town.*
- The intention to improve connectivity and permeability for pedestrians and cyclists through the site and to further break up the site through an increase in the number of buildings.*
- The retention of the Canongate Venture - unless an alternative proposal can be demonstrated to have significant advantages.*

10.2 In developing the proposals the Panel suggests the following matters should be addressed:

- Consideration of how the aim of creating a vibrant mixed use development can be supported through the design and via enabling adaptability.*
- Community safety and in particular, the incorporation of passive measures such as good lighting and natural surveillance to help ensure that proposed new closes do not become problematic in respect of this issue.*
- Consideration of the issue of how sunlight can be used to support the wider design objective of creating a successful and vibrant place. In this regard, consideration of detailed aspects such as the size and form of buildings and the positioning of trees may have some influence. The potential for a range of design teams to design the individual buildings.*

Location Plan



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