

# Development Management Sub Committee

Wednesday 14 January 2015

**Application for Planning Permission 14/04588/FUL  
At James Gillespie's Primary, 51 Whitehouse Loan,  
Edinburgh  
Erection of a two-storey educational building (4 classrooms)  
and ancillary accommodation within the grounds of James  
Gillespie's Primary School. Removal of existing shed.**

<b>Item number</b>	4.8
<b>Report number</b>	
<b>Wards</b>	A10 - Meadows/Morningside

## 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.

## Links

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<a href="#">Policies and guidance for this application</a>	LPC, CITD3, CITE3, CITE5, CITE6, CITE9, CITCO3, NSG, NSGD02, OTH, CRPMAR,
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# Report

## **Application for Planning Permission 14/04588/FUL At James Gillespie's Primary, 51 Whitehouse Loan, Edinburgh Erection of a two-storey educational building (4 classrooms) and ancillary accommodation within the grounds of James Gillespie's Primary School. Removal of existing shed.**

### **Recommendations**

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

### **Background**

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#### **2.1 Site description**

The application site is located in the north-east corner of the playground of James Gillespie's Primary School. The site is currently occupied by a single storey, render shed with a flat roof.

The wider Primary School site is surrounded along the north and west edges by a listed wall associated with Bruntsfield House, which sits in the centre of the Primary School site. The wall and Bruntsfield House are Category A, listed on 14 July 1966, LB number 30530. An area of landscaping and trees are located between the existing shed and the listed wall on the north boundary of the Primary School site. The main part of the existing primary school building was constructed in 1991, but has been added to and extended on numerous occasions since.

The site is bounded to the north by residential properties, to the west by Bruntsfield Links, and to the south and east by the James Gillespie's High School Campus which is currently under construction.

This application site is located within the Marchmont, Meadows and Bruntsfield Conservation Area.

#### **2.2 Site History**

##### Relevant History on Primary School Site

22 February 2012 - planning permission granted for the alteration and extension of existing James Gillespie's Primary School and associated works including erection of new school gym/assembly hall, nursery, internal addition of two classrooms, removal of temporary decant buildings, demolition of existing nursery and gymnasium building (Planning application: 11/02585/FUL).

28 March 2012 - listed building consent granted for the alteration and extension of existing James Gillespie's Primary School and associated works including erection of new school gym/assembly hall, nursery, internal addition of two classrooms, removal of temporary decant buildings, demolition of existing nursery and gymnasium building (Planning application: 11/02585/LBC).

21 November 2013 - planning permission granted for the construction of temporary decant buildings for the purpose of school dining (Planning application: 13/04129/FUL).

6 November 2014 - planning permission not required for demolition of a shed in a Conservation Area (Planning application: 14/04600/CON).

#### Other Relevant History

4 March 2014 - Report to Education, Children and Families Committee entitled Primary School Estates Rising Rolls: Item 7.4

20 May 2014 - Report to Education, Children and Families Committee entitled Primary School Estates Rising Rolls: Item 7.3

The proposed additional accommodation is required to be provided by August 2015.

#### Relevant Recent Site History on the Adjacent High School Campus

18 January 2012 - planning permission granted for the redevelopment of the existing James Gillespie's High School, associated works including demolition of existing buildings (except Bruntsfield House), erection of new school and associated buildings including temporary decant buildings, relocation of services, alterations to boundary walls, synthetic pitch and floodlighting. Associated non-material variation to revise the substation varied on 17 April 2013. (Planning applications: 11/02586/FUL and 11/02586/VARY).

18 January 2012 - listed building consent granted for alterations to Bruntsfield House in conjunction with redevelopment of existing James Gillespie's High School with associated works including demolition of existing buildings (except Bruntsfield House), erection of new school and associated buildings including temporary decant buildings, relocation of services, alterations to boundary walls, synthetic pitch and floodlighting (Planning application: 11/02586/LBC).

18 January 2012 - conservation area consent granted for the demolition of all existing high school buildings including ancillary building (except Bruntsfield House), demolition of primary school nursery and gymnasium building (Planning application: 11/02588/CON).

8 March 2012 - planning permission granted for the construction of temporary decant buildings and relocation of services. Associated non-material variations varied on 30 August 2012 and 29 April 2013 (Planning applications: 11/03002/FUL, 11/03002/VARY and 11/03002/VAR2).

## **Main report**

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

The application proposes to demolish an existing single-storey shed located in the north-east corner of the playground. A two storey building with a pitch roof would be constructed on the tarmac immediately south of the footprint of the existing shed. The proposal will accommodate two classrooms at first floor measuring 60 square metres each and two general purpose areas at ground floor measuring 60 square metres each.

The main access to the building would be located on the west elevation facing into the playground. Additional doorways would be located two on the north elevation and one of the south elevation.

The walls would be finished in zinc cladding and render and the roof would be finished in zinc. Windows would be double glazed with aluminium frames.

The application is supported by the following documents:

- Design and Access Statement;
- Desktop Habitat Survey;
- Building Assessment; and
- Travel Plan.

These are available to view on the Planning and Building Standards online services.

### **3.2 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 permission.

Do the proposals comply with the development plan?

If the proposals do comply with the development plan, are there any compelling reasons for not approving them?

If the proposals do not comply with the development plan, are there any compelling reasons for approving them?

### **3.3 Assessment**

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

- a) the principle of development is acceptable;
- b) the proposal preserves or enhances the character and appearance of the conservation area;

- c) the proposal will have an impact on the setting of the listed building;
- d) the proposal will be of a suitable quality in terms of design and form, choice of materials and positioning;
- e) the proposal will result in an unreasonable loss of privacy or natural light to neighbouring properties;
- f) the proposals would not harm archaeological remains on the site;
- g) the proposal will adversely impact upon the trees and protected species;
- h) the proposal affects road safety and car parking;
- i) the proposal will have any detrimental impact on equalities and human rights; and
- j) comments raised have been addressed.

a) The Principle of Development

Edinburgh City Local Plan Policy Com 3 states that permission will be granted for new school development on existing school sites which are compatible with other policies in the Local Plan. The proposal is acceptable in principle.

b) Impact on Character and Appearance of the Conservation Area

The Marchmont, Meadows and Bruntsfield Conservation Area Character Appraisal identifies the key characteristics of the area as being:

*Victorian and Georgian tenemental perimeter blocks that are of uniform height, massing and the use of stone and slated roofs. Many streets have retained their setts and are tree lined, particularly those streets leading off the Meadows to the south.*

Whilst the proposed building is not typical of the wider conservation area in terms of its materials or form, the existing primary school includes a number of modern extensions and the redevelopment of the adjacent high school site is currently under construction (References: 11/02586/FUL and 11/02586/VARY). The form and appearance of the proposal reflects the modern additions to the primary school and the proposals for the high school. The location of the proposal is set back from Warrender Park Road. A high coped rubble boundary wall and mature trees on the wider primary school site's north boundary will assist in reducing its impact when viewed from the street.

The proposal will have a neutral effect to the conservation area; it does not represent a detrimental impact on either the character or appearance of this part of the conservation area.

### c) The Impact on the Setting of the Listed Buildings

The Category A listed Bruntsfield House is located approximately 40 metres south of the proposal. The proposal replaces an existing single storey render shed. An area of landscaping and trees will be located between the existing shed and Bruntsfield House.

The proposal is located at a sufficient distance to ensure there will be no impact on the setting of the listed building.

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

The proposal is for a contemporary and functional two storey building occupying a small area of the school playground. It is of a style and scale that will not compete with the existing school buildings. As a result of the proposal, 222 square metres of land that is currently tarmac within the school grounds will be lost. The school buildings currently occupy 24% of the school grounds and this proposal will increase this by a further 2%.

The main part of the existing primary school building was constructed in 1991, but has been added to and extended on numerous occasions since. The materials proposed are compatible with the character of the modern extensions to the existing primary school buildings. The specific colour of the panels is to be finalised. Accordingly, it is proposed to make the submission of samples of those cladding details a condition to ensure a suitable finish.

The scale and style of the proposal is such that it will relate well to the existing school buildings and will not constitute an incongruous feature within this setting.

The proposal complies with policies Des 1 and Des 3 of Edinburgh City Local Plan.

### e) Privacy and Daylight

The windows on the north elevation are approximately 48 metres from the nearest residential properties on Warrender Park Road. A high coped rubble boundary wall and mature trees on the site's north boundary are also located between the proposal and the properties on Warrender Park Road. To the east, south and west are buildings associated with the Primary School and Secondary School.

The proposal will not generate any overlooking to neighbouring properties.

Any overshadowing will fall within the school grounds.

The proposal will not result in any unreasonable loss of privacy or natural light to neighbouring properties.

### f) Archaeological Assessment

The City Archaeologist has requested that a condition be imposed on the proposal requiring the applicant to 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 proximity to Bruntsfield House. The results of this work are to be fully integrated within the agreed mitigation strategy for the development of both the Primary School and Secondary School (References: 11/02586/FUL and 11/02586/VARY).

#### g) Trees and Protected Species

The existing shed is partially located beneath the canopy of the trees on the north boundary of the Primary School site. The proposal will be located approximately 4.5 metres south of the existing shed and will not infringe on the tree canopy, therefore reducing the impact on the trees.

A building assessment has been carried out which confirms there is no potential for roosting bats.

The proposal will not result in any adverse impact to the trees or protected species.

#### h) Road Safety and Car Parking

The school has a rising roll due to the new housing being built in the catchment; therefore there will be an increase in pupil numbers. The proposal will accommodate four additional classrooms.

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 accordance with the Council's transport policies.

The proposal has been assessed by Transport Planning and will not have a significant impact on traffic or parking pressures in the area.

#### i) Equalities and Human Rights Impacts

This application was assessed in terms of equalities and human rights. No impact was identified. An Equality and Rights Impact Assessment Summary is available to view on Planning and Building Standards online services.

#### j) Public Comments

##### **Material representations:**

- Traffic - this has been addressed in section 3.3g); and
- Materials - this has been addressed in section 3.3d).

##### **Non-material representations:**

- Rising school role - this has been addressed in section 2.2.

## Conclusion

In conclusion, the proposal complies with the development plan and the Council's non-statutory guidelines. The proposal is acceptable in principle, is of suitable quality in terms of design and form, choice of materials and positioning, preserves the character and appearance of the conservation area, respects the setting of the listed building, will not result in any unreasonable loss of privacy or natural light to neighbouring properties, and will not have any detrimental impact on amenity. No impact on equalities and human rights was identified.

As this application relates to development proposals affecting the school estate, a Committee decision is required.

It is recommended that the Committee approves this application, subject to the conditions concerning materials and archaeology.

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

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

#### **Conditions:-**

1. No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, analysis & reporting, publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority
2. A full schedule of all of the external cladding finishes and colours to be used, including suitable sample sections, shall be submitted to and approved in writing by the Council, as Planning Authority. Those details shall be submitted prior to commencement of construction on site and all works shall be carried out in accordance with that agreed schedule.

#### **Reasons:-**

1. In order to safeguard the interests of archaeological heritage.
2. In order to enable the Head of Planning to consider this/these matter/s in detail.

#### **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.
4. James Gillespie's Primary School has a Travel Plan dated 2006. The school should submit an updated Travel Plan for approval.

## **Financial impact**

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### **4.1 The financial impact has been assessed as follows:**

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

## **Risk, Policy, compliance and governance impact**

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5.1 Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

## **Equalities impact**

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### **6.1 The equalities impact has been assessed as follows:**

The application has been assessed and has no impact in terms of equalities or human rights.

## **Sustainability impact**

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### **7.1 The sustainability impact has been assessed as follows:**

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

## **Consultation and engagement**

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

Pre-application discussions took place on this application.

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

The application was advertised on 11 November 2014 and attracted two letters of representation from neighbours objecting to the proposal.

The letters of representation raised the following material issues:

- Traffic - increase in traffic, parking, safety; and
- Materials.

The letter of representation raised the following non-material issues:

- Rising school role - additional pupils should be accommodated at other schools within the catchment.

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

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

## **Statutory Development**

### **Plan Provision**

The area within which the site is located has been defined as Urban Area within the Edinburgh City Local Plan. The Local Plan also identifies the site within the Marchmont, Meadows and Bruntsfield Conservation Area.

### **Date registered**

4 November 2014

### **Drawing numbers/Scheme**

01 - 07,

Scheme 1

## **David R. Leslie**

Acting Head of Planning and Building Standards

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## **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 5 (Conservation Areas – Demolition of Buildings) sets out criteria for assessing proposals involving demolition of buildings in conservation areas.

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.

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

**Non-Statutory guidelines** Edinburgh Design Guidance supports development of the highest design quality and that integrates well with the existing city. It sets out the Council's expectations for the design of new development, including buildings and landscape, in Edinburgh.

### **Other Relevant policy guidance**

The Marchmont, Meadows and Bruntsfield Conservation Area is characterised by well proportioned Victorian tenemental perimeter blocks with Baronial detailing and the substantial area of the open parkland formed by the Meadows and Bruntsfield Links.

# Appendix 1

## **Application for Planning Permission 14/04588/FUL At James Gillespie's Primary, 51 Whitehouse Loan, Edinburgh Erection of a two-storey educational building (4 classrooms) and ancillary accommodation within the grounds of James Gillespie's Primary School. Removal of existing shed.**

### **Consultations**

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#### **Transport**

*I have no objections to the application subject to the following being included as conditions or informatives as appropriate:*

*1. James Gillespie's Primary School has a Travel Plan dated 2006. The school should submit an updated Travel Plan for approval.*

*Note:*

- The school has a rising roll due largely to the increase in birth rate in the catchment, therefore there will be an increase in pupil numbers. The new extension should take up to 50 more pupils.*
- The school's Travel Plan highlights driver behaviour as being an issue, with examples of parking close to junctions, double parking and failing to give way to crossing patrol and at Zebra crossing. The school has not applied to be in the School Streets Project.*
- A new crossing facility is being considered on Newbattle Terrace.*

#### **Archaeology**

*Further to your consultation request I would like to make the following comments and recommendations concerning the above application for the erection of a two-storey educational building and ancillary accommodation within the grounds of James Gillespie's Primary School.*

*James Gillespie's School is centred upon the historic 16th century Bruntsfield House and occupies much of its formal post-medieval historic gardens/landscape. Bruntsfield House has probably been the centre of an estate since the early 12th century with the earliest recorded owner being the 14th century King's Steward of the Burgh Muir Richard Broune. The Estates passed in 1381 to the Lauder family who owned the site until 1603 when it passed to John Fairlie of Braid. The estate passed through various owners with the last being the Warrender Family who passed to the Council in the 1935.*

Accordingly 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 ENV4 & 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.

Continuing archaeological work as part of the School's redevelopment has demonstrated that significant archaeological remains relating to the development of Bruntsfield House do survive in patches across school grounds. Based upon this work it is considered therefore that this proposal scheme is regarded as having a low-moderate archaeological impact. It is therefore considered essential that a programme works are undertaken during/ prior to construction in order to fully excavate record and analyse any significant archaeological remains that may be disturbed. The results of this work will be fully integrated within the agreed mitigation strategy for the main development of both the Primary and Secondary School (11/02585/FUL & 11/02586/FUL).

It is recommended that that the following condition is attached to this consent to ensure that a programme of archaeological works is undertaken prior to/during construction.

'No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, analysis & reporting, publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.'

The work would be carried out by a professional archaeological organisation, either working to a brief prepared by CECAS or through a written scheme of investigation submitted to and agreed by CECAS for the site. Responsibility for the execution and resourcing of the programme of archaeological works and for the archiving and appropriate level of publication of the results lies with the applicant.

## Location Plan

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