

# Development Management Sub Committee

Wednesday 9 March 2016

**Application for Listed Building Consent 15/05710/LBC  
At Duncan Place Resource Centre, 4 Duncan Place,  
Edinburgh  
Part demolition of Duncan Place Resource Centre, Leith  
Primary School.**

<b>Item number</b>	4.3
<b>Report number</b>	
<b>Wards</b>	A13 - Leith

## Summary

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The works comply with development plan policies and non-statutory guidelines. They retain the character of the listed building. No other considerations outweigh this conclusion.

## Links

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[Policies and guidance for this application](#)    LPC, CITE4, CITE6, NSG, NSLBCA,

# Report

## **Application for Listed Building Consent 15/05710/LBC At Duncan Place Resource Centre, 4 Duncan Place, Edinburgh Part demolition of Duncan Place Resource Centre, Leith Primary School.**

### **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 site contains Leith Primary School, a substantial late Victorian, sandstone building, standing on the north side of the site, together with later free-standing ancillary buildings on its south edge. The application relates to the newest of these structures, an extension (dating from around 1950) to the 1920 block on the south-east corner of the site. The main school block was listed category B on 5 March 1991. The listing description mentions the 1920s gym block to the south-east but does not mention its western extension.

The extension stands immediately behind the main school block, but separated by an area of playground. On the south side a formerly narrow lane has been widened to create car parking, which serves new flats to the west of the site.

This application site is located within the Leith Conservation Area.

#### **2.2 Site History**

17 November 2015 - previous application to demolition all southern buildings (including the 1920s gym block) withdrawn (application reference:15/00522/LBC).

5 February 2016 - application received and validated for a new-build structure containing a nursery and gym facilities (application reference:16/00550/FUL).

### **Main report**

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

The application proposes demolition of the western extension to the southern annexe building to Leith Primary School (known as Duncan Place Resource Centre).

The works represent the first phase of a two phase programme aiming to redevelop the site for additional school facilities.

### 3.2 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.

### 3.3 Assessment

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

- a) the works impact on the character of the listed building;
- b) the works impact on the character or appearance of the conservation area;
- c) the proposals will affect archaeology;
- d) the proposal will have any detrimental impact on equalities and human rights;
- e) comments made have been addressed; and
- f) equality and human rights issues have been addressed.

#### a) Impact on the Listed Building

The main listed building (the primary school) is untouched by the works.

Listed building consent is required as it involves an alteration to an ancillary building, pre-dating 1947, and mentioned in the description of the listed building (i.e. an alteration to the 1920's gym block). The alteration removes a later extension from this ancillary block. This extension is of no intrinsic architectural or historic merit, and its removal has a positive effect upon the remaining building. The works comply with policies and guidelines on alterations to listed buildings.

Remedial works to the western gable of the 1920s building to the south-east retain the character of that building, and effectively restore it to its original condition. The character of the listed building is retained.

As an alteration, the SHEP test does not need to be met, but it is noted that the works would nevertheless meet the requirements of this test, on the basis that the existing structure does not contribute in any positive way to the character of the conservation area.

#### b) Impact On the Conservation Area

Where a building requires listed building consent for demolition it does not also require conservation consent. Whilst guidance on Conservation Area Consent makes it clear that consent should be partially dependent upon a scheme for new-build, the guidance on Listed Building Consent does not contain this provision.

Despite the wording of policy Env 5 - Demolition in Conservation Areas, there is no legal requirement for a planning application (for replacement new-build) to accompany a listed building consent application at this stage. These provisions also allow later extensions (such as this) to be removed simply to restore the listed building to an earlier condition.

Regardless of any plans for new construction (which have now been submitted), the removal of the 1950s extension has no material impact upon the character or appearance of the conservation area. Its location renders it largely screened in most public views, and in the few limited views in which it does appear, it generally detracts from the setting surrounding buildings. Removal of the building is welcomed and will improve the character and appearance of the conservation area.

This decision is made in isolation from the proposal for new-build, which will be a matter for future consideration by the Committee.

#### c) Archaeological Interest

Whilst the site lies in an area of archaeological interest this is pertinent to any future planning permission and is not a consideration within determination of a listed building consent.

The site is in Council ownership and will remain so. Investigation by the City Archaeologist at any time may be requested.

#### d) Equalities and Human Rights

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.

#### e) Public Comments

The Leith Primary Parents Council wrote in support of the application seeing it as a critical stepping-stone to a future redevelopment. AHSS wrote in objection to the absence of a new-build scheme to replace the demolished building.

### **Material Representations**

None

## **Non-material Representations**

- No new build scheme is included - this is not a requirement of Listed Building Consent legislation - addressed in section 3.3 b) of the Assessment.

## **Community Council**

No comments were received.

### f) Equalities and Human Rights

The works raise no equalities or human rights concerns.

## Conclusion

The works comply with development plan policies and non-statutory guidelines. They retain the character of the listed building. No other considerations outweigh this conclusion.

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

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

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

### **Conditions:-**

1. Remedial works to the west gable of the 1920s block (including any temporary works) shall be in place within 3 months of the demolition being complete.

### **Reasons:-**

1. To ensure the fabric of the remaining block is wind and watertight.

### **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.

## **Financial impact**

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

The property is a Council-owned structure. Costs of demolition will be borne by the Council but have no long-term financial implications.

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## **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 8 January 2016.

Two letters were received. AHSS wrote in objection to the principle of demolition without a new-build scheme in place. Leith Primary Parents Council wrote in support of the application.

## **Background reading/external references**

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- To view details of the application go to
- [Planning and Building Standards online services](#)
- [Edinburgh City Local Plan and Rural West Edinburgh Local Plan](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)
- [Scottish Planning Policy](#)

**Statutory Development  
Plan Provision**

The property lies with the Leith Conservation Area as shown in the Edinburgh City Local Plan.

**Date registered**

14 December 2015

**Drawing numbers/Scheme**

1-11 only,

Scheme 1

**John Bury**

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**Links - Policies**

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**Relevant Policies:**

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

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.

**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.

# Appendix 1

**Application for Listed Building Consent 15/05710/LBC  
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## Consultations

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### Historic Environment Scotland

No objections.

## Location Plan

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