

# Development Management Sub Committee

Wednesday 13 April 2016

**Application for Planning Permission 16/00550/FUL  
At Duncan Place Resource Centre, 4 Duncan Place,  
Edinburgh**

**To construct a new extension to the existing Duncan Place Resource Centre containing nursery accommodation for 2- 3 year old's and 3 - 5 year old's; and gym facilities for use by the school.**

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

## Summary

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The proposal is considered to benefit the functioning of the existing school, and represents a building of high design quality. The proposal is appropriate to the character and appearance of the conservation area and has no adverse impact upon the setting of the adjacent listed building. The works comply with development plan policies and non-statutory guidelines. No other considerations outweigh this conclusion.

## Links

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<a href="#"><u>Policies and guidance for this application</u></a>	LPC, CITD3, CITD11, CITE4, CITE6, NSG, NSLBCA, NSGD02,
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# Report

## **Application for Planning Permission 16/00550/FUL At Duncan Place Resource Centre, 4 Duncan Place, Edinburgh**

**To construct a new extension to the existing Duncan Place Resource Centre containing nursery accommodation for 2- 3 year old's and 3 - 5 year old's; and gym facilities for use by the 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 forms the southern edge of the grounds of Leith Primary School, and is currently occupied by a substantial building laid out in two halves: an earlier, attractive brick and render structure from the 1920s on the eastern half; and a 1950s rendered extension on the western half. The building is generally known as the Duncan Place Resource Centre. It is currently vacant.

The main school block was listed category B on 5 March 1991 (reference no.27877). 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 of the site a formerly narrow lane has been widened to create car parking, which serves new flats to the west of the site. To the south of the car park stand tenements on Duke Street.

The buildings are visible from Leith Links to the rear of the existing school playground.

This application site is located within the Leith Conservation Area.

#### **2.2 Site History**

7 January 2015 - temporary accommodation in playground agreed as being Permitted Development (application reference:14/05212/FUL).

24 March 2015 - demolition of boiler house chimney granted (application reference: 15/00137/LBC).

22 May 2015 - expansion of playground onto the public street to north agreed (application reference: 15/00766/FUL).

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

9 March 2016 - listed building consent granted to demolish the 1950s extension and make good the gable of the remaining 1920s building (application reference 15/05710/LBC).

## **Main report**

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

The application proposes rebuilding of an existing vacant building on the school grounds, to create new facilities including both a pre-school nursery and a gym hall. The gym occupies the upper level and effectively creates a two storey high element, on top of the ground floor nursery element.

Aesthetically the building adopts the form of two interlocking L-shapes in elevation: a lightweight ceramic rain screen sitting on top of a red brick section with a glazed section sandwiched between the two elements. The building varies in depth from 10m to 12.5m and is 36m long. It has a ground floor footprint of 445 square metres, and first floor area of 403 square metres.

Land to the north is re-landscaped to create a garden serving the nursery, adjoining the main school playground.

### **3.2 Determining Issues**

Section 25 of the Town and Country Planning (Scotland) Act 1997 states - Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

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

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 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 proposed use is acceptable;
- b) the scale, form and design are appropriate to the character and appearance of the conservation area;
- c) works impact on the character of the listed building;
- d) the proposal will impact upon neighbouring amenity;
- e) the proposal will affect archaeological remains;
- f) comments made have been addressed; and,
- g) equality and human rights issues have been addressed.

a) The Proposed Use

The uses will remain ancillary to the main school building and are therefore seen as being the same as the previous uses in terms of Use Class. It is therefore acceptable in planning terms.

b) Impact Upon the Conservation Area

*The Leith Conservation Area Character Appraisal emphasises the area's unique and complex architectural character, the concentration of buildings of significant historic and architectural quality, the unifying effect of traditional materials, the multiplicity of land use activities, and the importance of the Water of Leith and Leith Links for their natural heritage, open space and recreational value.*

The area to be developed lies in a very concealed location in relation to public views within the conservation area.

As seen from the north (Leith Links) the new building is largely screened by the main school property but will be visible obliquely from the north-east, across the school playground.

From the south no view is possible from Duke Street due to existing buildings but a glimpse view is available on Duncan Place, when passing the end of the lane to the immediate south.

The chosen materials are more modern than the palette of the existing structure but, unlike the currently non-harmonious buildings, make use of red brick to link to the remaining structure to the east. The form and design are considered to be a great improvement upon the form and design of the existing building.

The form and position of the building echoes that of the existing building, but in a greatly improved design.

Despite very limited visibility, the design is considered to be of a good standard, and sits comfortably with all surrounding buildings.

### c) Impact on the Listed Building

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

The removal of the existing 1950s structure already has consent (see History). The works will retain the separate identity of the building on the south-east section of the wider site and comply with policies and guidelines on alterations to listed buildings.

The setting of the main building is unaffected.

### d) Impact Upon Neighbouring Amenity

The proposal is lower and largely sits on a reduced footprint in relation to the pre-existing building.

In general, neighbouring amenity will be improved by the proposal in relation to the pre-existing building.

It is noted that the proposal is positioned three metres from its western boundary to allow space for maintenance to the adjacent flats (which is not currently possible).

### e) Archaeological Impact

The site lies in an area of archaeological interest. The site is in Council ownership and will remain so. Investigation by the City Archaeologist has been requested and a planning condition is added to this effect.

### f) Public Comments

The Leith Primary Parents Council and other parties wrote in strong support of the proposal and its design. The Cockburn Association wrote in partial objection: their reasons for objection were:

#### **Material Representations**

- the design is ill-considered and does not harmonise with the existing building in design or materials - see section 3.3 b) of the Assessment.

#### **Non-material Representations**

- use of a triangular window is not appropriate - the scheme does not contain a triangular window.

#### **Community Council**

- no comments were received.

### g) 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.

### Conclusion

The proposal is considered to benefit the functioning of the existing school, and represents a building of good design quality. The proposal is appropriate to the character and appearance of the conservation area and has no adverse impact upon the setting of the adjacent listed building. The works comply with development plan policies and non-statutory guidelines. 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. No development shall take place until the applicant has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Planning Authority, having first been agreed by the City Archaeologist.
2. A detailed specification, including trade names where appropriate, of all the proposed external 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.

#### **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. 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.

3. 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.

## **Financial impact**

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

There are no financial implications to the Council.

## **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 19 February 2016. The application attracted comment from five persons/bodies letters: four in strong support and one (from the Cockburn Association) in criticism.

Letters of support deemed the proposal "very well designed", "attractive and in keeping" and were "very pleased".

Only the Cockburn Association had negative comments, criticising both the design and materials.

## **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 site lies within the Leith Conservation Area as shown in the Edinburgh City Local Plan.

**Date registered**

5 February 2016

**Drawing numbers/Scheme**

1-10,

Scheme 1

**John Bury**

Head of Planning & Transport  
PLACE  
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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 Des 11 (Alterations and Extensions) sets criteria for assessing alterations and extensions to existing buildings.

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.

**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.

# Appendix 1

## **Application for Planning Permission 16/00550/FUL At Duncan Place Resource Centre, 4 Duncan Place, Edinburgh**

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### **Consultations**

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#### **City Archaeologist**

The Duncan Place Resource Centre was originally constructed around 1917 on the site of early 19th century tenements as a technical college and is considered to be of local archaeological/historic interest. Recent excavations in 2013 have uncovered the remains of 15th century burials which had been disturbed and reburied in a pit underneath the Victorian Mission Hall (now a boxing club) occupying the corner of St Andrew's Place and Academy Street. Further discoveries of human remains have also been discovered adjacent to the site on the West Links and Wellington Place during separate works in 2015. Although no direct evidence is known from the construction of the college/school for burials the close proximity to the 2013 & 2015 discoveries and evidence from 19th century discoveries close by for further medieval burials associated with epidemics/plagues in the Links suggests that further such remains could survive on this site.

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.

The proposals will see demolition of the western half of the current historic former college. Such an impact although considered to be significantly adverse in terms of physical loss is regarded however as having on the hole a moderate impact in terms of archaeological significance. It is recommended therefore that a programme archaeological historic building survey (level 2 annotated plans/elevations, photographic and written survey) of the existing building is undertaken prior to and during demolition in order to provide a permanent record.

Furthermore given the possibility of unrecorded human remains on the site it is essential that a programme of archaeological works are undertaken during ground breaking works in order to record, excavate and analyse any significant remains affected.

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 construction.

'No demolition shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (historic building survey, 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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