

# Development Management Sub Committee

Wednesday 17 August 2016

**Application for Planning Permission 15/05662/FUL  
At New Parliament House, 5 - 7 Regent Road, Edinburgh  
Project proposes conservation of Thomas Hamilton  
designed former Royal High School building to form new  
premises for St Mary's Music School. Combined with  
demolition of later ancillary buildings, space to the East is  
created for new residential, teaching/practice facility.  
Proposed new landscaped public garden to West. New  
basement created under Main Hall to provide new foyer  
giving access to public performance spaces above.**

<b>Item number</b>	7.1(a)
<b>Report number</b>	
<b>Wards</b>	A11 - City Centre

## Summary

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The proposal would bring the principal building, known as the Hamilton Building, at the former Royal High School, which is on the Buildings at Risk Register, back into a sustainable long term use. The demolition of other buildings at the site is justifiable under the provisions of ECLP policy Env 2 owing to the merits of the proposed development scheme, which includes the retention and restoration of the principal listed building.

The proposed performance space would make a potentially valuable contribution to the city's cultural infrastructure and provide opportunities for its use by the wider community. The location of the leisure, or entertainment venue at this accessible central area, accords with the provisions of relevant development plan policy. This proposed use also complies with the relevant principles of the Princes Street Block 10 Development Brief.

The proposals to create an improved school campus for this school support the principles of Scottish Planning Policy for sustainable development, in terms of its contribution towards educational infrastructure. The proposed school use further supports SPP principles through its beneficial impact on the city's economy, whilst the use as performance space offers similar potential benefits to the economy.

The design, scale and layout of this generally low profile, sensitively designed extension safeguards the overall character and setting of the listed Hamilton building, the setting of surrounding listed buildings and monuments and the site's conservation area setting. The use of a condition requiring the re-design of the proposed cupolas will help safeguard views of the Old Town Conservation Area. The proposals comply with policy Des 1, Des 3, Env 3 and Env 6 of the ECLP and the Edinburgh Design Guidance in these respects.

Subject to recommended conditions, the proposed alterations to the listed building are considered acceptable and the proposal will comply with ECLP policy Env 4.

The proposed extension design, together with its co-ordinated landscape scheme is compatible with the site's landscaped setting and enhances views thereof, in accordance with ECLP and LDP policies Env 11. The proposals have no significant adverse effects on the qualities of the SSSI at Calton Hill, in accordance with the provisions of ECLP policy Env 14, subject to the use of a conditions relating to tree protection and external lighting. The character and views of the New Town Gardens Inventory Site are also safeguarded, in compliance with ECLP policy Env 7. There would be no significant adverse impacts on the Outstanding Universal Value of the World Heritage Site, in compliance with ECLP policy Env 1.

In terms of the impact on neighbouring amenity, transport, archaeology, geology, surface water management and ecology, the development is acceptable or its impacts can be successfully mitigated with the use of relevant planning conditions.

An informative is included requiring the conclusion of a section 75 legal agreement, which provides for the relevant footway improvements to be designed and undertaken by the applicant and for the payment of the promotion of the relevant traffic orders, allowing these works to commence.

## Links

### [Policies and guidance for this application](#)

LPC, CITCA1, CITCO3, CITD1, CITD3, CITD5, CITD6, CITD7, CITD10, CITD11, CITE1, CITE2, CITE3, CITE5, CITE6, CITE7, CITE8, CITE9, CITE11, CITE12, CITE14, CITE15, CITE16, CITE17, CITE18, CITH8, CITH10, CITOS3, CITR6, CITR12, CITT1, CITT2, CITT3, CITT5, CITT6, LDPP, PLDP01, PLDP02, PLDP03, PLDP06, PLDP07, PLDP08, PLDP12, PLDP19, PLDP20, PLDP21, PLDP22, PLDP24, PLDP25, PLDP26, PLDP27, PLDP29, PLDP30, PLDP32, PLDP33, PLDP34, PLDP38, PLDP39, PLDP40, PLDP57, PLDP66, PLDP72,

PLDP73, PLDP74, PLDP78, NSG, NSDCAH,  
NSGD02, NSGSTR, NSESBA, NSLBCA, NSP,  
CRPNEW, CRPOLD,

# Report

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## 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 the former Royal High School with its grounds and ancillary buildings. The site is located at a prominent, elevated position on the north side of Regent Road on Calton Hill. It is 1.13 hectares in area.

The former school and the buildings are category 'A' listed (LB ref LB27987, 19 April 1966). The principal building was designed in the Greek revival style by Thomas Hamilton in 1825 - 1829. It is widely regarded as an exemplar of this type of architecture. It is composed of a powerful symmetrical grouping of the principal Doric temple-pavilion, with flanking colonnades and subsidiary temples. This is known as the Hamilton building.

The listed building group also includes the Lodge on the north west side of the site (built in 1885) and a classical style, classroom block (built in 1894) to the north east of the main building, known as the Gymnasium Building. The northern boundary of the former school grounds is bounded by a deep retaining wall which is also part of this listing. This wall runs alongside the public walkway on Calton Hill. At the eastern end of this wall is a tower which is currently hidden from view by vegetation and the classroom block. There are also other buildings within the site that are listed because they were built before 1948 and are within the curtilage of a listed building. These include a block known as the Classroom Building on the northern boundary to the north west of the Hamilton Building and a block to the south of the 1894 Classroom Block, known as the Luncheon Hall.

The Hamilton Building, its Pavilions, the Gymnasium Building and the Lodge are on the Buildings at Risk Register.

An area of informal landscaping, including small trees and shrubs, is located at the western end of the site next to the entrance to the old school and the walkway to Calton Hill. This area contains a car park which is largely screened from public view by the planting. There is former playground space to the rear of the building and between the buildings at the eastern end. To the front, there are terraces and lawns which slope down towards the boundary wall on Regent Road.

The public park on Calton Hill, lies to the north of the site. The park is a Site of Special Scientific Interest, being part of the Arthur's Seat Volcano, and is included in the Historic Scotland Inventory of Gardens and Designed Landscapes. It is identified as a Candidate Special Landscape Area, in the Second Proposed Edinburgh Local Development Plan It contains a collection of category 'A' listed buildings, including:

- National Monument (LB ref 27820, 19 April 1966);
- Nelson's Monument (LB ref 27823, 19 April 1966);
- Dugald Stewart Monument (LB ref 27835, 19 April 1966);
- Playfair's Monument (LB ref 27826, 19 April 1966); and
- The City Observatory (LB ref 27603, 19 April 1966).

The Robert Burns monument, designed by Hamilton is category 'A' listed (LB ref 27801, 19 April 1966) and is located on the opposite side of Regent Road to the east of the Royal High School. The category A listed 1 Regent Terrace (LB ref 29618, 16 December 1965) is situated immediately to the east of the site. With the other buildings in Regent Terrace, it is part of the 'Calton A' group of listed buildings. The category A listed, St Andrew House (LB ref 27756, 14 December 1970) is located to the south east, on the opposite side of Regent Road. There is a category B listed 'K6' telephone box (LB ref 49151, 19 March 2003) on the northern footway of Regent Road, just to the west of the site.

The site is within 800m of Holyrood Park, which is a royal park and a scheduled monument, (SM13032, 7 February 2013). It is also within 800 metres of the Palace of Holyroodhouse, which is a Royal Palace and category A listed building (LB Ref 28022, 14 December 1970). The associated Holyrood Abbey, precinct and remains is a scheduled monument (SM ref 13031, 7 February 2013).

The site is located in the Old and New Towns of Edinburgh World Heritage Site.

This application site is located within the New Town Conservation Area.

## **2.2 Site History**

17 November 1971 - Planning permission granted for change of use to an arts and cultural centre for the city (planning application number 1389).

22 September 1976 - planning permission granted for alterations to existing buildings to form accommodation for the Scottish Assembly (planning application number GD68/76).

7 March 2000 - Planning permission granted for alterations to form temporary district courts including the erection of a porta-cabin (planning application number 99/3131/CEC).

7 March 2000 - Listed Building Consent approved for alterations to form temporary district courts including the erection of a port-a-cabin (listed building consent application number 99/3131/CEL).

25 July 2002 & 19 March 2004 - Planning permission granted for the erection of a temporary port-a-cabin (planning application numbers 02/00072/CEC & 04/00135/FUL).

21 January 2015 - Proposal of application notice (PAN) submitted for planning permission for the change of use, alterations to and restoration of principal former High School building and pavilions, demolition of ancillary buildings, including former gymnasium and gatehouse, new build development, new /improved pedestrian and vehicle access, landscaping, parking and public realm works to create a world class hotel of international standing. The PAN was approved on 3 February 2015. It was reported to the Development Management Sub Committee on 25 February 2015 (PAN number 15/00223/PAN).

21 May 2015 - PAN submitted for the conservation and adaption of former Royal High School building, to form new premises for St Mary's Music School and adaption and demolition of later ancillary buildings essential to form new residential and practice facilities for the school. It was approved on 5 June 2015; subject to the condition that one further community consultation event is held. The submission of the PAN was reported to Development Management Sub Committee on 24 June 2015 (PAN number 15/02381/PAN).

10 December 2015 - Application submitted for listed building consent for conservation of Thomas Hamilton designed former Royal High School building to form new premises for St Mary's Music School. Combined with demolition of later ancillary buildings, space to the east is created for new residential, teaching and practice facility. To the west, a new landscaped public garden is proposed. A new basement created located under the Main Hall to provide new foyer giving access to the public performance spaces above (application number 15/05665/LBC). This application accompanies the planning application that is subject of this report.

17 December 2015 - Application for listed building consent refused for refurbishment (external and internal), alteration and extension of principal former Royal High School building and pavilions, demolition of former Lodge, Gymnasium Block, demolition of 2 curtilage buildings (former Classroom Block and Luncheon Hall), demolition of existing gates, wall (in part) and formation of new service access (application number 15/03990/LBC).

17 December 2015 - Planning Permission refused for change of use, alterations to and restoration of principal former Royal High School building and pavilions (original Thomas Hamilton-designed school buildings), demolition of ancillary buildings including the former Gymnasium Block and Lodge, new build development, new/improved vehicular, service and pedestrian accesses, landscaping, parking, public realm and other works to create a world class hotel of international standing with associated uses

(including publicly accessible bars (public house) and restaurants (Class 3) (planning application number 15/03989/FUL).

16 January 2016 - Application for pre-application screening opinion was determined in respect of a proposal for the conversion and adaption of the former Royal High School, to form new public performance space/concert venue in conjunction with new premises for St Mary's Music School and demolition of later ancillary buildings essential to form new residential, teaching and practice facilities for the school (use classes 8, 10 and 11). It was determined that statutory pre-application consultation procedures were not required in respect of the relevant application, as the application would constitute a 'Local Application'.

17 March 2016 - planning appeal lodged in respect of the refusal of planning application number 15/03989/FUL on 17 December 2015. This appeal is currently pending determination by the Department of Planning and Environmental Appeals (DPEA) (reference PPA-230-2178).

17 March 2016 - appeal lodged in respect of the refusal of application for listed building consent number 15/03990/LBC on 17 December 2015. This appeal is currently pending determination by the DPEA (reference LBA-230-2076).

### Other Relevant Site History

1968 - The building was vacated when Edinburgh Royal High School was relocated to its current Barnton site.

1 June 2009 - The Council launched a business competition to attract expressions of interest from experienced leisure and entertainment providers to develop proposals for the use, design, funding and commercial potential for the redevelopment of the Old Royal High School. Proposals had to demonstrate that there was no public funding requirements for capital development or ongoing day-to-day operations.

2 February 2010, the selection panel confirmed Duddingston House Properties LLP as the City's preferred partner to 'deliver a sustainable development and business solution for the former Royal High School'. Duddingston's proposal centred on providing a luxury hotel of international standing that will provide exceptional culture, arts and performance programmes and work closely with stakeholders to improve the local amenities of Calton Hill and the surrounding area.

## **Main report**

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### **3.1 Description of the Proposal**

It is proposed to conserve, adapt and extend the former Royal High school principal building (known as the Hamilton Building) including its pavilions, to form a new school and public performance space. This would form new premises for St Mary's Music School. It would contain new residential accommodation, teaching and practice, facilities for the school. The total floor area of the school with ancillary residential accommodation is 6,210 square metres.

The existing entrance lodge is to be converted to form ancillary accommodation for teaching staff.

The principal school building (the Hamilton Building) would be retained, along with the pavilions on its frontage, the gate lodge and the retaining wall and belvedere, to the north and north east of the applications site.

### **Alterations to Listed Building**

The proposed alterations to the principal former Royal High School building and pavilions include:

- the formation of a glazed slot within the portico floor of the Hamilton building;
- the formation of a wide glazed entrance, below the portico, on the south facing elevation; and
- the formation of a glass balustrade on the terrace to the portico.

The proposed performance space is located in the main hall of the Hamilton building and two ancillary rooms, with an overall floorspace of 556 square metres. The west pavilion is proposed for use as service space at lower ground floor level, with potential use as a function room or exhibition space above. The east pavilion is proposed for use as ancillary staff residential accommodation at upper ground floor level and service space below.

### **New build**

An extension is proposed to the east and north of the Hamilton Building. It covers the majority of the eastern side of the site. It is linked to the Hamilton Building at low level. It is split over 2 storeys with the building stepping down to follow the topography.

The northern element of the extension sits parallel to the rear elevation of the Hamilton Building. It is largely single storey, but includes two octagonal shaped features which are two storey. These have octagon shaped cupolas on top of them.

The following new accommodation is proposed:

- Pupil residential accommodation for boarders at lower ground level, to the east of the site;
- Teaching space at upper ground floor level, to the north and east of the Hamilton Building;
- Single storey accommodation, housing one-to-one tuition space, along the site's northern boundary; and
- Provision of school playground space on roof of new building.

The proposed external materials comprise natural sandstone, zinc cladding and glazing.

### **Demolition**

The proposed development results in the demolition of ancillary listed buildings, including:

- The existing Classroom Block to the north west of the Hamilton Building;
- The Gymnasium Building to the north east of the Hamilton Building; and

- The luncheon hall to the east of the Hamilton Building

## **Parking and access arrangements**

Pedestrian and vehicular access is proposed from the existing entrance to the school to the west of the site on Regent Road. The existing entrance gates and railings would be altered to incorporate a new pedestrian entrance to the proposed garden area. A security gateway is proposed to the north of the Hamilton Building to provide additional secure access for pupils using the residential accommodation.

A total of 23 parking spaces are proposed, including two spaces for use by disabled drivers and 5 cycle racks.

Access to the performance venue is proposed from a newly created entrance below the portico on the Regent Road façade of the Hamilton Building.

Service access is proposed from Regent Road, with entrances to service space in the east and west pavilions.

## **Landscape**

The landscape design proposals include the following features:-

- The creation of a publically accessible garden in place of the existing car park, to the west the Hamilton Building;
- The formation of south facing terraces at the front of the building, accessible to those using the performance venue;
- The provision of courtyard gardens situated within proposed school accommodation; and
- A proposed planting scheme, including wildflower meadows and lawns, low shrubs and hedging, and a total of 21 trees of semi-mature size, positioned in the western side of the site and the courtyard gardens.

The roof top accommodating the proposed school playground is to be surfaced in artificial turf. All other roofs are to be planted with natural turf.

The proposed hard surfacing materials include a range of the following materials, as included in the Landscape Design and Access Statement. These materials, which are not indicated on the formal plans include:

- resin bonded gravel on pathways;
- natural stone paving on Regent Road;
- timber decking in western garden;
- coloured asphalt on pedestrian school access road and footpath;
- reconstituted and natural stone paving to school building exterior;
- natural stone sets on main paths and plaza in western garden; and
- granite cubes on parking areas.

## **Boundary Treatment**

The majority of the original walls and railing on the boundary of the site are to be retained. The exceptions are the existing railings at ground level on the eastern boundary, which are to be re-positioned to form the boundary of the roof-top playground and the proposed replacement of the remains of railing below the portico on the Regent Road frontage.

## **Scheme 1**

The proposals constitute an amended scheme (scheme 2). The originally submitted proposals (scheme 1) included the following:

- the glazed glass floor to proposed for the portico was larger;
- the paving design of the rear courtyard was not clearly defined and the school gate at the rear of the building was in a different position;
- Slightly different design of the practice rooms and the octagonal building facades, to the north of the Hamilton Building, including those relating to the glazing and roof edge detailing;
- the design of the facade of the octagonal practice room to the east of the Hamilton Building was slightly different;
- the railings on the boundary of the Western gardens were proposed for removal (while now these are to be retained);
- fewer details relating to landscaping, site levels and materials. (These have now been added to the sectional drawings and plans.)

## **Supporting Information**

The following supporting documents have been submitted with this application and are available to view on the Planning and Building Standards Online Services:

- Planning Policy Statement;
- Design and Access Statement (updated 29/3/2016);
- Landscape Design and Access Statement;
- Conservation Plan;
- Transport Assessment;
- Sustainability Statement - form S1;
- Environmental Statement, with reference to following issues: air quality, noise and vibration, cultural heritage, townscape, landscape and visual Impacts;
- Addendum to Environmental Statement, including revised chapter 5 and other supplementary information (April 2016);
- Pre-application Consultation Report;
- letter from the Dunard Fund (which currently provides complete financial support to the Royal High School Preservation Trust) confirming that it has sufficient resources to enable the Royal High School Preservation Trust to proceed with proposed development, as well as allowing for the long term sustainability of the development; and
- Impact Report, with reference to social, cultural, economic and place-making impacts (June 2016).

### 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.'*

Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states: *'In considering whether to grant planning permission for development which affects a listed building or its setting, a planning authority or the Secretary of State, as the case may be, shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'*

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states: *'In the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.'*

Therefore:

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?

And:

Do the proposals preserve the listed buildings or their setting? If they do not there is a strong presumption against granting planning permission.

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

### 3.3 Assessment

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

- a) the principle of development is acceptable;
- b) the impacts on the listed buildings are acceptable;
- c) the impact on the conservation area is acceptable;
- d) the impact on the landscape is acceptable;
- e) the impact on views is acceptable;
- f) the impact on the Edinburgh World Heritage Site is acceptable;
- g) the design is acceptable;
- h) the impact on trees is acceptable;
- i) the impact on neighbouring amenities is acceptable;

- j) the impact on transport and road safety is acceptable;
- k) the impact of archaeology is acceptable;
- l) the impact on geology is acceptable;
- m) the economic impacts are acceptable;
- n) the cultural impacts are acceptable;
- o) the impacts on surface water run off are acceptable;
- p) Infrastructure requirements have been addressed;
- q) the environmental statement has been considered;
- r) the proposals are sustainable;
- s) Impacts on equalities and rights are acceptable; and
- t) representations have been considered.

a) Principle

The principle of the proposed development scheme requires to be assessed under relevant development plan and national planning policy.

**Scottish Planning Policy**

The Edinburgh City Local Plan (ECLP) was adopted more than five years ago, in January 2010. Paragraph 33 of Scottish Planning Policy (SPP), states that if a development plan is more than five years old, the presumption in favour of development that contributes to sustainable development will be a significant material consideration. SPP lists a number of sustainable development principles which should be used to guide decisions including:

- giving due weight to net economic benefit;
- responding to economic issues, challenges and opportunities, as outlined in local economic strategies;
- supporting good design and qualities of successful places;
- making efficient use of existing capacities of land, buildings and infrastructure including, supporting town centre and regeneration priorities;
- supporting delivery of infrastructure, for example transport, education, energy, digital and water;
- supporting climate change mitigation and adaptation including taking account of flood risk;
- improving health and well-being by offering opportunities for social interaction and physical activity, including sport and recreation;
- having regard to the principles for sustainable land use set out in the Land Use Strategy;
- protecting, enhancing and promoting access to cultural heritage, including the historic environment; and
- protecting, enhancing and promoting access to natural heritage, including green infrastructure, landscape and the wider environment;

The use of the site for educational purposes and cultural activities is consistent with the principles relating to the delivery of infrastructure and promoting access to the cultural environment.

The proposed provision of the school, with public performance space, complies, in general terms, with sustainable development principles relating to accessibility, owing to the site's city centre location, where public transport facilities are readily available. The re-use of the existing building also contributes to the sustainable nature of the development.

The proposals will introduce a high quality development, on an underused site, which will promote place making. The proposed use of the performance space for cultural events during out of term times, such as during the festival period, would contribute to the economic growth of the City. The proposals are considered to be consistent with these principles. The extent to which these proposals meet other SPP principles, notably those relating to the protection of the cultural and natural heritage, quality of place, as well as economic impacts, are taken into account in the relevant sections of this assessment.

## **Local Plan**

While the ECLP is more than five years old, its policies remain relevant as many of these have been taken forward in the proposed Second Edinburgh Local Development Plan (LDP).

The site is located in the Central Area as designated under ECLP policy Ca 1, and policy Del 3 of the LDP, which support proposals for comprehensive development schemes that accord with the provisions of the relevant site development brief or guidance. These policies also provide that the use should be suitable for the site, its characteristics, and level of accessibility. The mix of uses which includes performance space as well as educational facilities, accords with the general provisions of this policy.

The site is at a highly accessible location within the city centre, where it has good public transport connections, as well as pedestrian links available to serve pupils travelling from all over the city and the wider regional catchment area, serving this specialised educational facility.

The placing of the proposed performance venue at this city centre location accords with the provisions of ECLP policy Ret 6, which provides for the location of such arts and leisure facilities within the Central Area, subject to compliance with other development plan policies.

## **Princes Street Block 10 Development Brief**

The Princes Street Block 10 Development Brief - Approved by Planning Committee 15 May 2008 sets out development principles for the Royal High School and its immediate surroundings. The three principles are:

- 1) to promote the viable re-use of the former Royal High School and campus buildings as a visitor facility and civic/cultural destination;
- 2) to enhance movement and access to and from the former Royal High School campus and the Old Town; and

- 3) to respect and enhance key views to and from the area and protect the setting of the former Royal High School.

Although seven years old, these principles remain relevant.

The proposed provision of a performance space suitable for holding cultural events would enhance facilities for visitors to the city, as well as for local residents, in accordance with the first principle of this brief.

The impact of the proposed development on access and views of the area is assessed in the sections 3.3 e) and j) of this report.

In conclusion, in respect of SPP generally, local plan policy and the Princes Street Block 10 Development Brief, the proposed school and performance space uses are acceptable in principle, subject to other policy considerations.

#### b) Impact on Character and Setting of Listed Buildings

There are four main aspects to the consideration of the impact on listed buildings which are assessed in turn:

Impact on character of listed Hamilton Building;  
Impact on setting of Hamilton Building;  
Impact on setting of other listed buildings; and,  
Impact of demolitions.

#### **Impact on character of listed buildings**

A full assessment of the impact of the proposed alterations on the special interests of the listed Hamilton Building, as required under the provisions of Historic Environment Scotland Policy Statement - June 2016, is included in the report on the relevant Listed Building application.

ECLP policy Env 4 provides that proposals to alter or extend listed buildings will be permitted where such works are justified, will not cause any unnecessary damage to historic structures, or diminish its interest, and where any additions are in keeping with other parts of the building.

The former Royal High School is a nationally, as well as internationally, important building. The building is the finest example of Greek Revival architecture in Scotland with no other building matching it in terms of ambition, site, function or form. It stands not only as an architectural masterpiece but also as one of the most culturally important buildings of its time. It is one of the most significant buildings in Scotland. A number of significant interventions are proposed as part of the redevelopment proposals.

Historic Environment Scotland (HES) does not object to this application or the corresponding listed building application. It considers that the proposals represent a measured re-use of a nationally and internationally important site and building. Furthermore, it welcomes not only the proposed restoration and repairs to the listed buildings on the site, but also the design of the new school accommodation blocks which, by their scale and positioning, firmly retain the primacy of the Hamilton Building

on the site. However, HES does raise a number of concerns relating to specific elements of the proposals affecting the listed building, such as the opening to the front elevation, the excavation to form the subterranean reception hall and the glass strip proposed at portico level.

Edinburgh World Heritage also supports the proposals stating:

*The result is a set of proposals that we have no hesitation in endorsing as an exemplary and thoughtful marriage of ancient and modern in the highly sensitive setting of Calton Hill, managing the relationship between Hamilton's building, its immediate and wider setting in a way to both conserve and enhance Hamilton's building.*

For the most part, a conservation based approach of repair, maintenance and improvement is proposed for the Hamilton Building. The principal alteration to the main Hamilton Building is the new extension to the east of the site. The manner in which this new building connects to the main Hamilton Building is discreet and sensitively handled. A low level link from the basement of the Hamilton Building to the new extension would not be visible from outwith the site and, given its limited scale, would have no adverse impact on the character of the listed building, connecting old to new in a sensitive manner.

The proposed contemporary style extension represents a significant increase in the footprint of the building footprint to the east. Through its design, it ensures it appears subservient in character, in relation to the Hamilton Building. This is considered in more detail in section 3.3 (g) of this report.

The other significant alteration to the building is on the southern, principal elevation, where the formation of a new opening is proposed below the portico, to allow for an entrance into the foyer of the new concert hall. The concert hall is seen by the applicants as being an essential element of the long term viability of the project. Although a significant intervention to this listed building, the new entrance and terrace would be masked by the retaining wall and would not be visible from Regent Road. The discreet location and sensitive handling of the opening ensure that this alteration does not have an adverse impact on the character of the listed building.

As the portico would be accessible to the public from the main assembly hall, a glass balustrade is proposed for safety purposes, to be located on the inside of the columns. Given that glass is a reflective material, a different approach to the design of these railings would be required to safeguard the character of the listed building. A condition is recommended to ensure an appropriate material and detailing is attached to the consent.

It is also proposed to remove a section of the floor of the portico and replace it with a fritted glass slot. The design rationale for this is to allow daylight into the subterranean entrance space and add interest, allowing a view upwards to the coffered pediment ceiling. The character of the portico is of something solid, robust and self-contained, and the removal of a section of the Craighleith stone flooring has an unacceptable impact on the architectural integrity and composition of this important feature, to the detriment of the character of the listed building. This element of the proposal is unacceptable. It is recommended that the omission of this aspect of the proposal is secured through the use of a condition.

In general, the proposed alterations to the retained listed buildings would have no significant adverse impacts on the character of these buildings. The use of appropriate planning conditions would allow for those aspects of the proposals which have been identified as detracting from the building's character to be removed from the proposals, ensuring compliance with relevant development plan policy.

### **Impact on setting of Hamilton Building**

Historic Environment Scotland's document 'Managing change in the Historic Environment - Setting' states;

*"Setting' is the way the surroundings of a historic asset or place contribute to how it is understood, appreciated and experienced.*

*Monuments, buildings, gardens and settlements were almost always placed and orientated deliberately, normally with reference to the surrounding topography, resources, landscape and other structures. Over time, these relationships change, although aspects of earlier settings can be retained.*

*Setting can therefore not simply be defined by a line on a map, and is likely to be unrelated to modern landownership or to curtilage, often extending beyond immediate property boundaries into the wider area.*

ECLP policy Env3 provides that development within the curtilage or affecting the setting of a listed building will only be permitted if not detrimental to the appearance or character of the building or its setting.

The design of the Royal High School was conceived integrally with the National Monument above. It was placed on the side of the hill, mimicking the relationship of the Propylea or Lesser Temple (Gateway) to the Parthenon (National Monument) on the Acropolis (Calton Hill). It therefore strongly helps give Edinburgh the name: *the Athens of the North*. As well as commanding a prominent position on Calton Hill, it terminates Regent Terrace and provides the foreground for the arrangement of buildings on Calton Hill. The ancillary buildings, the Burns Monument and the landscaped setting of the historic gardens frame this classical centrepiece.

The proposed new teaching and accommodation block on the eastern portion of the site sits lower than the existing Gymnasium Building occupying this part of the site. Its stepped massing and form follow the natural topography of the hill. There is simplicity to the layered style of the design, which allows the Hamilton Building to retain primacy when viewed from its most prominent aspects.

The inclusion of planting and green roofs anchors the building into its wider landscape context, making it visually recessive in contrast with the powerful classical language of the Hamilton Building. The planned relationship between buildings and landscape, which is of exceptional significance to the setting of Hamilton's building, would be enhanced as a result of the low profile form of the proposed built form. In this respect the setting of the existing listed building is enhanced.

The new practice rooms proposed at the rear interrupt views of the building on approach from the west of the site and from the path to Calton Hill. This prevents the north façade from being read coherently. Although this elevation is a rear elevation, it is highly significant, as historically it formed the main entrance to the school. It is a carefully detailed and proportioned elevation. The proposed two storey, octagonal shaped buildings on this aspect, would result in an uncharacteristic series of interlocking spaces close to the building façade and would obscure views of this part of the building from within the site. However, as indicated in the submitted Design and Access statement the series of spaces created would also provide new visual interest in this area of the site.

The adverse impact on the rear elevation is however outweighed by the significant benefit to the setting of the building and other buildings on Calton Hill which results from the terraced eastern part of the extension.

### **Impact on setting of other listed buildings**

The low profile form of the proposed new building and its careful siting within the site's topography ensures that there is no significant adverse impact on the setting of the listed buildings or monuments within the vicinity of the application site, including those on Calton Hill.

On the whole, the proposals have no significant adverse impact on the setting of the listed Hamilton Building, or other listed buildings and monuments in this area. The low profile form of the proposed new building and their careful siting within the site's topography ensures that there is no significant adverse impact on the setting of the listed buildings, or monuments within the vicinity of the application site, including those on Calton Hill. The proposals therefore accord with the provisions Env 3 of ECLP.

### **Impact of proposed demolitions**

ECLP policy Env 2 provides that:

*Proposals for the total or substantial demolition of a listed building will only be supported in exceptional circumstances, taking into account:*

- a) *the condition of the building and cost of repairing and maintaining it in relation to its importance and to the value to be derived from its continued use.*
- b) *the adequacy of efforts to retain the building in, or adapt it to, a use that will safeguard its future, including its marketing at a price reflecting its location and condition to potential restoring purchasers for a reasonable period.*
- c) *the merits of alternative proposals for the site and whether the public benefits to be derived from allowing demolition outweigh the loss.*

Criteria (a), (b), and (c) need to be considered together.

A significant material consideration in relation to demolition is the overall approach to conservation within the site. This therefore needs to be considered alongside the policy in respect of demolition.

The value of returning the main Hamilton Building to a long term future use cannot be underestimated. To successfully deliver the requirements of the music school it is acknowledged that the demolition of the buildings to the east of the site would be required. A conservation based approach to the main building would be adopted and no new buildings are proposed to the west of the site.

The listed buildings proposed for demolition include the category 'A' listed Gymnasium Building, the Luncheon Hall and the Classroom Block. The Luncheon and Classroom buildings are listed by virtue of their pre-1948 age and location within the curtilage of the Hamilton Buildings. Demolition of these buildings would be necessary to allow for the accommodation required for the proposed school use.

Demolition of the Luncheon Building and the Classroom Block is accepted on the basis that these buildings are not of special interest in their own right.

The justification for the demolition of these buildings, in accordance with the provisions of Historic Environment Scotland Policy Statement - June 2016 (HESPS) is included in detail in the assessment of the relevant listed building application. HESPS replaces the Scottish Historic Environmental Policy, known as SHEP. HESPS sets out the same considerations as SHEP in respect of demolition of listed buildings.

The conclusions are that the significant historic and cultural benefits to be gained by bringing the principle, category A listed building into use as a school, with a concert hall, provide a strong justification for the demolition of the Gymnasium block (the other two buildings being of no significant architectural or historic value).

The proposed development would allow for the active use of this prominent, noteworthy, category 'A' listed, vacant building, providing for its long term future. The overall proposals adopt a conservation based approach, as referred to in detail in the report on the listed building consent application.

Given that the proposals have been justified and a conservation based approach has been adopted in the restoration of the Hamilton Building, there is no requirement to address one of the tests set out in SHEP. The proposed demolitions meet the requirements of ECLP policy Env 2 and are acceptable.

### **Listed building summary**

The majority of the proposed alterations to the remaining listed buildings have no adverse impacts on the character of these buildings. The use of appropriate conditions will allow for the details of the proposals which detract from the building's character to be removed from the approved plans, ensuring full compliance with policy Env 4 of ECLP.

The overall benefits of bringing the building back to its original and appropriate long term use; as well as the benefits to the wider landscape context of the site and setting of the building and the conservation based approach to the Hamilton Building adopted, represent significant conservation gain.

### c) Impact on Conservation Areas

ECLP policy Env 6 provides that development within a conservation area or affecting its setting will be permitted which:

- a) preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant conservation area character appraisal;
- b) preserves trees, hedges boundary walls railings, paving and other features which contribute positively to the character of the area; and
- c) demonstrates high standards of design and utilises materials appropriate to the historic environment.

### **Impact on setting of New Town Conservation Area**

The site is in the New Town Conservation Area. The essential characteristics of the New Town Conservation Area Character appraisal include:

- *the overwhelming retention of buildings in their original design form, allied to the standard format of residential buildings strongly contributes to the character of the area;*
- *the important contribution that the cohesive, historic skyline makes to the conservation area, means that it is particularly crucial to control incremental creep in building height, especially along skyline ridges;*
- *a richly varied topography of ancient landform shaped by volcanism and later by glacial scouring;*
- *internationally important private and public open spaces lying within, and on the edge of a neoclassical grid pattern and reflecting the picturesque tradition of landscape improvement;*
- *gardens that create open and framed long distant picturesque views of exceptional quality; and*
- *presence of high quality boundary elements, including random rubble' walls and black railings in stone copings, often curved.*

The Royal High School and Calton Hill are key elements of the New Town Conservation Area. The Royal High School was purposefully designed and sited on a prominent location within the landscape setting of Calton Hill. The other monuments of the Hill are designed to be seen alongside one another within this urban landscape.

The proposed retention of the Hamilton Building, with minimal interventions to the exterior, will ensure that this iconic building continues to make a significant contribution towards the character and appearance of the New Town Conservation Area. The proposals to retain most of the original railings on the boundary of this site will also ensure that the contribution these features make to the area's character is not lost.

Although the listed Gymnasium Building makes some contribution towards the character of the conservation area, its demolition is justifiable, within the context of the conservation area policy which requires new development to "preserve or enhance".

The massing and design of the proposed new buildings, including the low profile form, allows the Hamilton Building to retain its dramatic presence at this highly prominent and

sensitive site and has beneficial impact on this key landmark building and its setting on Calton Hill.

The appreciation of this landscape characteristic, in particular its 'crag and tail formation' and views of this historic skyline would be retained by this proposal. This picturesque landscape is not damaged as explained in section 3.3e) of this report.

The provision of green roofing on the new buildings and formation of a landscaped garden, on the west side of the site, enhances the site's landscaped setting and provides a visual connection with the green space on Calton Hill and at Regent Terrace Gardens.

### **Impact on Setting of Old Town Conservation Area**

The essential character of the Old Town Conservation Area, which is located to the south of the application site include:

- *a landscape and topography formed by vigorous geological activity; and*
- *the quality of long distance views both open and framed in out and through the spaces, and views from different levels and idiosyncratic angles.*

There would be a partial obstruction of the view of the Old Town Conservation Area, including views of the Castle, from the path to Calton Hill at the rear of the site. This is as a result of the glass cupolas to the rear part of the extension. This impact would be reduced through the removal of the cupolas from the proposed octagonal shaped buildings on this part of the site. The use of a suitable planning condition is included to secure their removal and redesign.

The proposed creation of a new publically accessible garden in the western part of the site would allow enhanced opportunities to access views of the Old Town Conservation Area.

The proposals safeguard the essential characteristics of the Old and New Town Conservation Areas, in accordance with policies Env 6 of the ECLP and the Proposed Development Plan, subject to the use of a condition requiring the removal of the cupolas on the two octagonal shaped buildings proposed, to the rear of the Hamilton Building.

#### **d) Impact on Landscape**

The application site is located on the lower slopes of Calton Hill, which as well as being a public park, is an important and prominent land form and iconic landmark. The hill is an urban, picturesque landscape, containing an arrangement of unique monuments, which use their relationships to evoke a strong sense of place, connecting to places beyond Scotland, particularly Greece. This composition results in a series of scenes which has given Edinburgh the 'Athens of the North' name. It is visible from many locations in the city and is highly sensitive to change.

Calton Hill has a number of important landscape related designations, including as part of the Arthur's Seat Site of Special Scientific Interest. The application site is within the New Town Gardens which is included in the Inventory of Gardens and Designed Landscapes. The designation is a result of the Gardens being outstanding in relation to its historical, architectural and scenic values and in being a work of art. Proposals affecting this sensitive area require careful consideration under the provisions of relevant development plan policies. The landscape at Calton Hill is also proposed as a 'Special Landscape Area' in the LDP.

### **Impact on Landscape feature at Calton Hill and Arthurs Seat Site of Special Scientific Interest**

Under the provisions of ECLP Env 11, planning permission will not be granted for development which damages or detracts from the overall character and appearance of areas of landscape quality, including such important topographical or landscape features.

The protection of the character and appearance of the proposed 'Special Landscape Area' at Calton Hill is provided for under LDP policy Env 11, which is also a material consideration.

Furthermore, any development which has the potential to impact on the Arthur's Seat Volcano, Site of Special Scientific Interest, requires assessment in terms ECLP policy Env 14 which states that:

*Development which would affect a site of Special Scientific Interest will only be permitted where an appraisal has demonstrated that:*

*a) the objectives of the designation and the overall integrity of the area will not be compromised or;*

*b) any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social or economic benefits of national importance.*

The landscape of Calton Hill is part of the geological formation of the Arthur's Seat Volcano, along with Salisbury Crags and the Castle Rock. It is a 'crag and tail' landform that is a result of geological processes including glaciations. Its designation as an SSSI is largely as a result of its geological characteristics, the physical protection of which are considered in section 3.3 (i). The appreciation of the visual aspects of this geological landform also requires protection under this policy.

The Landscape and Visual Impact Assessment, which form part of the Environmental Statement, shows that the visual impacts of the development would be most noticeable during the construction phase. Such impacts would be temporary.

The low profile form of the proposed new building, its green roofing and location partially behind the Hamilton Building would ensure that any potential adverse impacts on the existing landscape character of Calton Hill and the views of this landform are minimised. Scottish Natural Heritage (SNH) has recommended that methods of securing tree protection and new planting, as landscape mitigation within the site are

secured, and that detailed consideration is given to matters put forward in the night time lighting strategy. The use of appropriate planning conditions is recommended, requiring further details regarding both of these matters.

### **Impact on New Town Gardens Inventory Site**

In accordance with ECLP policy Env 7, with the site being in the New Town Gardens Inventory Garden and Designed Landscape, development is not permitted which would have a detrimental impact on the character of the Inventory site, or upon important views to and from and within the site, or of features which contribute to its value.

The public park at Calton Hill is a carefully laid out semi-rural landscape in the middle of the city. The site was envisaged as part of a picturesque rural scene that connected with, and brought in, the rural landscape to the town. Each monument within this landscape was placed for dramatic effect in relation to views and paths. There is sufficient landscape space around each element to allow them to be appreciated individually and sequentially. The way this comes together creates a unique urban picturesque landscape. The proposals do not damage the special qualities of this landscape.

The Hamilton Building harmonises with the scale and character of the surrounding designed landscape. Although it is perceived as an impressive building of some height, in reality it is relatively small. This is a result of the long horizontal walls, the elevated position of the Hamilton Building and the position of the pavilions. An illusion of scale was therefore created, as can be seen in EIA view 4 from Radical Road. This visual illusion further emphasises the sensitivity of the site. The visual illusion remains unharmed in this proposal.

The proposed development, with its generally sensitively handled, low profile form and terraced gardens, does not damage the character or appearance of this unique landscape, or views thereof, in accordance with ELCP policy Env 11(Landscape Quality) and the provisions of LDP policy Env 11(Candidate Special Landscape Area).

The proposals do not have any significant adverse effects on the visual appreciation of the landscape qualities of the topographical formation of the SSSI, in accordance with ECLP policy Env 14. Furthermore, the proposals safeguard the character and views of the New Town Gardens Inventory Site, in compliance with ECLP policy Env 7 (Historic Gardens and Designed Landscapes).

#### **e) The impact on views;**

The Landscape and Visual Impact Assessment (LVIA), which forms part of the Environmental Assessment, includes a visual representation and analysis of the impact of the proposed development on a range of views to and from this site.

There is no impact in views across the site from the top of Calton Hill as the development cannot be seen. In EIA View 8 - Nelson's Monument, the eye would be drawn to the landscape beyond the town with the foreground views are improved due to the replacement of the car park with soft landscape. The proposed creation of terraced gardens at the site, part of which would be open to the public, would allow a new viewing platform for the appreciation of views from this aspect.

The proposals do not damage the city wide views of the site from the south, due to the low elevations of the proposals. These can be seen in EIA Views 2, 3,4,10 and 13. The low elevations also mean that views from the west are not affected detrimentally, for example EIA view 1, 11 and 14. The historic view from the Canongate Kirk cemetery (view EIA 5), is also not damaged. View 6 from Regent Road indicates that the setting of Nelson's monument is also undamaged.

The development is more prominent in the local views and there is a significant alteration to EIA View 15 - Calton Hill. The building and octagonal practice rooms will be visible and form new elements of this view. In certain places the projecting, octagonal shaped cupolas block the views from the site of the Castle in the Old Town as referred to in detail in section 3.3(g) (Design). This would be ameliorated through the removal of the proposed cupolas. As set out in section 3.3 c), a condition is recommended to secure this.

### **Night Time Views**

The proposed night time lighting strategy included in the Design and Access Statement includes:

- The provision of back lighting behind the columns to create a silhouette effect on the southern façade of the Hamilton Building, as well as discretely located LED lighting, illuminating the wall behind; and
- Low level lighting in the proposed gardens, in order to maintain the connection with the dark background, which forms the site's night time setting, on Calton Hill.

As the proposed lighting strategy is not incorporated in the proposed drawings, there is no means of assessing its full impacts. A condition is therefore included, to ensure that full details of the proposed lighting scheme are submitted for approval. This will enable these matters to be considered in detail and their impacts fully assessed. In respect of this, it should be noted that listed building consent would also be required for the fitting of light fixings to the listed building.

In summary, the LVIA has demonstrated that the proposed low profile form and terraced layout of the development would safeguard and enhance views of this iconic building, set within its picturesque and highly visible landscaped setting, in compliance with ECLP policy Des 3 (a) and the Edinburgh Design Guidance. The proposals also accord with the principles of the Princes Street Block 10 Development Brief in this respect.

#### **f) the impact on the Edinburgh World Heritage Site**

ECLP policy Env 1 states that development will not be permitted which would have a harmful impact on the qualities which justified the inscription of the Old and New Towns of Edinburgh World Heritage Site, or would have a detrimental impact on the Site's setting.

The key paragraphs from the Old and New Towns of Edinburgh Statement of Outstanding Universal Value relating to the application site include the following:

- *The remarkable juxtaposition of two clearly articulated urban planning phenomena, each of exceptional historic and architectural interest, which are linked across the great landscape divide, the 'great arena' of Sir Walter Scott's Waverley Valley, by the urban viaduct, North Bridge, creates the outstanding urban landscape;*
- *The New Town, constructed between 1767 and 1890 as a collection of seven new towns on the glacial plain to the north of the Old Town - Contained and integrated with the townscape are gardens, designed to take full advantage of the topography, while forming an extensive system of private and public open spaces. The New town is integrated with large green spaces. It covers a very large area, is consistent to an unrivalled degree, and survives virtually intact;*
- *Some of the finest public and commercial monuments of the neo-classical revival in Europe survive in the city;*
- *The successive planned extensions from the first New town, and the high quality of the architecture, set standards for Scotland and beyond, and exerted a major influence on the urban architecture and town planning throughout Europe;*
- *The dramatic topography of the Old Town combined with the planned alignments of key buildings in both the Old and the New Town, results in spectacular views and panoramas and an iconic skyline; and*
- *Edinburgh retains most of its significant buildings and spaces in better condition than most other historic cities of comparable value.*

The proposals would have a slight adverse impact on views to the Castle and Old Town from the rear of the site. The recommended condition on the octagon cupolas overcomes this however. Subject to this being secured, the overall the relationship between the main building and the Old Town remains intact. The relationship between the main building and the landscape setting is protected and enhanced through the creation of a landscaped garden in place of the existing car park, and as a result of the low rise nature of the extension to the east.

The proposals support the ambitions of the World Heritage Site Management Plan, in terms of conservation and re-use of existing buildings, as well as in relation to supporting the culture and sustainability of the City.

As a whole, the proposals support the Outstanding Universal Value of the World Heritage Site, in compliance with ECLP policy Env 1.

#### g) Design

ECLP policy Des 1 provides that the design of a development should be based on an overall concept which draws upon the positive characteristics of the surrounding area, to create or reinforce a sense of place, security and vitality. It further provides that planning permission will not be granted for poor quality or inappropriate design, or for proposals which would be damaging to the area's character or appearance, particularly where this has a special importance (such as at the application site).

The Design and Access Statement sets out how the design solution seeks to address the operational requirements for the proposed school, whilst paying due regard to the site's prominent landscaped setting and heritage value. The statement indicates that the low level, horizontal alignment of the proposed building follows the alignment of the plinth of the Hamilton Building and takes advantage of the site's topography.

The eastward part of the extension replaces the taller Gymnasium Building. This new built element is stepped in a low linear form, following the contours of the hill, over the full extent of this part of the site. The resultant deep plan form is punctuated with courtyards, with the stepped building sections designed to allow daylight to enter the school accommodation. This low profile approach and absence of new development on the west side of the site, reduces the impact of the new development on the setting of the listed Hamilton Building. The proposed design also reveals Hamilton's belvedere to the north east of the site. The design and layout safeguards views of the landscaped backdrop on Calton Hill.

The proposed teaching accommodation to the rear of the site changes the character of the rear entrance to Hamilton's buildings and alters its setting as addressed in paragraphs 3.3 (b) and (c). However, the series of connecting spaces created by the juxtaposition of the original and new buildings in this area would provide visual interest on the approach to the main entrance to the school. The proposed pattern of decorative paving would enhance this effect. The overall impact of this part of the building is considered acceptable, with the exception of the proposed octagonal shaped cupola features which are subject of the condition recommended in section 3.3 c) above.

The proposed materials, which include natural sandstone, zinc cladding and glazing, are appropriate for the site's historic context. To ensure a suitable quality, a condition is recommended requiring full details of all external materials, including sample panels of the proposed facing materials

The proposed contemporary designed landscape with garden terraces and green roofs compliments the building design and allows the development to harmonise with the site's landscaped setting on Calton Hill. The proposals for the design of the soft landscaping and plant choice are acceptable subject to a condition requiring the submission and approval of a proposed landscape maintenance schedule.

The vehicle parking area is relatively discreetly located at the rear of the site, where it would be screened from view by the existing entrance lodge and proposed tree planting

The historic boundary elements are mostly being retained, thus safeguarding this part of the listed building which is important to its character and to the streetscape of the conservation area. Where alterations are proposed to boundary features, such as the re-positioning of the railings, these are handled in a sensitive manner.

The supporting Landscape Design and Access statement identifies the use of high quality surfacing materials, including natural stone paving within the site. Full details of these materials will be required through the use of an appropriate planning condition.

A scheme to upgrade the public footway on the site frontage, as part proposed development scheme, has been agreed in principle with the applicant. Such works would improve the streetscape on Regent Road. The detailed design of this and the implementation of the works would be required secured via a suitable legal agreement.

The Edinburgh Urban Design Panel reviewed the proposals at pre application stage. These were similar to the application proposals. In summary, the Panel noted

*"The Panel unanimously supported the general design strategy and approach, particularly that relating to the proposed use and adaptation of the original Hamilton building."*

While there has been some design development since the pre application stage when the Panel reviewed the proposals, the scheme remains more or less the same and therefore it is reasonable to state that the Panel's comment still applies.

The design of the overall development scheme respects the site's sensitive location and draws upon the positive characteristics of the area, in terms of its landscape and heritage value, in accordance with the provisions of policy Des 1 and Des 3 (Development Design) of ECLP and the associated policies of the LDP, as well as the Edinburgh Design Guidance.

#### h) Impact on trees and biodiversity

The existing trees on site and on its perimeter contribute to the designed semi-rural character of the hill and help provide a visual link between the upper and lower sections of the hill in city views, which adds to the understanding of the hill form.

A total of 13 trees worthy of retention are to be removed from within the application site. An additional tree on the boundary of the site may require removal, subject to further consideration of its condition. Some canopy works are also required to a further 5 trees. Whilst this proposal is contrary ECLP policy ENV 12 (Protection of Trees) of the Proposed Development Plan, mitigation planting is proposed, in the form of 21 trees, planted at a semi-mature size. This replacement planting scheme will help to offset the temporary damage to the site's landscaped setting caused by the proposed tree removal.

The use of a condition requiring the submission and implementation of tree protection measures, in relation to the existing trees on the southern boundary of the site is recommended, in order to ensure that any damage resulting from construction works and associated impacts on the site's landscaped setting are minimised.

The application site also lies within close proximity of the Calton Hill Local Nature Conservation Site. The impact of the proposed development on the plant species or wildlife at this site must be taken into consideration, as required under the provisions of Env 15 ECLP (Sites of Local Importance). Policy Env 16 further provides that relevant surveys are carried out and suitable mitigation measures proposed in relation to any species found at the site which are protected under European law.

Ecological matters are comprehensively dealt with in the Environmental Statement. The results of a survey carried out on the periphery of the site at pre-application stage indicated that bat activity was low. The Outline Construction and Demolition Environmental Management Plan include provisions for further protected species surveys to be carried out at pre-construction stage. The results of these surveys would inform any mitigation measures considered necessary for the construction and demolition stage. An informative is included referring to this requirement.

In summary, the proposals comply with policy Env 12 (Trees) subject to the provision and implementation of the relevant tree protection plan. The use of an informative advising the agent of the requirement to carry out of relevant wildlife survey and mitigation measures, in accordance with the provisions of their Construction and Demolition Management Plan, is also included, to allow for compliance with ECLP policies Env 15 and Env 16.

#### i) Residential Amenity

The proposed development is bounded to the east by residential premises on Regent Terrace, the gardens of which are located at a lower level than the existing ground levels on this side of the application site. There are also residential premises and student halls situated to the south of the development, on Calton Road. The proposals therefore require assessment in terms of their potential impact on neighbouring residential amenity, as a result of local air quality, noise and daylight and privacy considerations.

#### **Air Quality**

The site is located adjacent to the City Centre Air Quality Management Area, which has been declared for exceeding Nitrogen Dioxide levels, caused mainly by traffic emissions. The potential impact on local air quality is therefore a material planning consideration. The installation of a relatively small gas powered energy plant is proposed. However, the applicant has demonstrated compliance with the Clean Air Act with supporting chimney height calculation ensuring an appropriate sized chimney is proposed.

The City of Edinburgh Council's Parking Standards are used to determine the appropriate level of car parking for new developments. The proposals do not exceed the maximum number of parking spaces recommended in the relevant guidance for this parking zone. Environmental Assessment has advised that the applicant must consider the provision of rapid electric vehicle charging points for staff and visitors, in order to encourage the use of low carbon transport modes. The use of a suitable informative is recommended, to encourage the provision of this facility.

#### **Noise**

A noise impact assessment has been submitted to address potential concerns regarding potential noise disturbance. The areas requiring attention relevant to the noise and vibration are demolition, construction and operational noise:

##### *Operational Noise*

Sound insulation performance of the building envelope (including glazing and ventilation) for performance space and music class rooms, are the most likely areas where noise breakout may occur. The applicant's noise impact assessment provides details on how the development will be designed to ensure that break-out noise levels have no material impact on neighbouring amenity. An acoustic glazing plan has been submitted indicating all windows to be fitted with acoustic glazing including the use of secondary glazing, where such measures are required in relation to the listed building.

Environmental Assessment is satisfied that the measures proposed in the assessment which includes the use of acoustic glazing on rooms to be used for either performance space, or the practising of musical instruments.

A condition is recommended which secures the noise reduction measures set out in the applicant's noise report. Works to the windows on the listed building would require listed building consent. An informative is recommended which highlights this. In the event that listed building consent is not granted for these works, the applicant would be able to submit a Section 42 planning application to amend the condition to take account of any alternative proposals it may wish to put forward.

The risk of noise breakout from the proposed performance space may also be controlled under the licensing regulations. It is further noted that over 100 metres from the nearest residential properties.

The use of an appropriate condition will ensure that relevant sound attenuation measures are implemented, to protect residential amenity.

#### *Noise from Construction*

The applicant has identified a range of measures to control site specific demolition and construction noise and vibration, including restricted working hours and measures to reduce noise and vibration at source. Such controls are not regulated under planning legislation. These are regulated under the Control of Pollution Act 1974, which gives environmental health officers the powers to control noise and vibration pollution from construction sites.

With regards to rock excavation, the range of methods identified for use, can be regulated under the Control of Pollution Act 1974, to ensure disturbance is minimised. Environmental Assessment is satisfied that the techniques proposed, are unlikely to breach the relevant British Standards.

### **Daylight and Sunlight**

The only neighbouring residential property which would potentially be affected by a loss of daylight, as a result of the development is the existing dwelling house at 1, Regent Terrace. However, the only windows affected at this property are situated on the gable end and as such, would not be afforded protection under the provisions of the Edinburgh Design Guidance. The property at no. 1 Regent Terrace would be subject to a slight loss of sunlight during the early evening hours as a result of the development. However, the overall impacts on sunlight levels to this property would generally be improved as a result of the proposed development, which is mostly at a lower level than the existing building on this part of the site.

### **Privacy**

The proposed building contains high level windows which will prevent overlooking of neighbouring residential properties. However, the proposed roof top playground areas would have the potential to result in some loss of privacy to neighbouring residents. The proposals provide for the repositioning of the existing railings on this boundary to form the enclosure to the roof top playground on this aspect. The railings would be located above a 1.5 metre parapet wall on this part of the roof. The open slatted form of

the railings would not provide full privacy screening above eye level. However, the proposed form of screening on this boundary is an appropriate response, which addresses the need to protect neighbouring amenity on this boundary while ensuring that the built form does not appear overly dominant. The solution also takes account of the fact that a significant number of children using this playground will not reach the height of adult eye level.

The impacts on daylight, sunlight and privacy are acceptable.

### **Light Pollution**

The relevant Design and Access Statement includes a lighting strategy for the site. However, full details are not available as part of the formal plans. A condition is therefore recommended to require the submission of this information for approval in order to safeguard residential amenity as well as heritage interests. Any nuisance caused by lighting intensity is further controlled under the Environmental Protection Act.

### **Public Security**

The occupation of the buildings, including the use of the entrance lodge as ancillary residential accommodation, would have the potential to improve security on Calton Hill through increased passive surveillance.

The proposals will safeguard residential amenity, subject to the use of the above mentioned planning conditions, in accordance with the provisions of ECLP policy Des 3 and the Edinburgh Design Guidance.

### **j) Transport and Road Safety**

The application site is located at a highly accessible site within the city centre, which is well served by public transport and the local road network. No significant impacts on the local road network or related road safety concerns are identified in the relevant traffic impact assessment.

The proposed parking provision, which includes 23 spaces (two of which are for disabled drivers), accords with relevant parking standards for this area. Cycle parking provision is proposed within an enclosure to the rear of the existing entrance lodge, in accordance with relevant standards. However, a condition is recommended to allow the full details of this facility to be agreed, in accordance with relevant standards.

The proposals originally included an aspirational scheme for the public realm, which included pavement widening and the removal of the central island and railings on the existing road carriageway. Whilst such proposals would contribute to an improved public realm, there is no current Council programme currently in place for the delivery of this type of scheme. Instead, the applicant has confirmed their commitment to undertake public realm works, including pavement widening and resurfacing, on the immediate frontage of the application site on Regent Road. Such works would help accommodate the increased footfall in this area, as a result of the proposed development and provide a safe, more attractive pedestrian environment. These works would be secured through the provisions of an appropriate legal agreement.

There are no new footpath links outwith the application site proposed.

Contributions would be required, as referred to in section 3.3 (p), towards the promotion of relevant roads traffic orders, in order to allow the public realm works to take place. There is no objection from the Council as Roads Authority, to the removal of existing on-street parking spaces on this part of Regent Road, to allow for the implementation of this pavement widening scheme. However, the removal of spaces on the opposite side of the road is not supported at this time.

There are no objections to the proposals, in terms of road safety or other traffic issues.

#### k) Impact on Archaeology

In order to safeguard the archaeological interests of the existing buildings and the earth below, the use of a condition is recommended, if Committee is minded to grant the application. This would require a site survey to be undertaken to secure the recording of historic buildings and excavations, before development commences on site. Given the significance of the history of the Royal High School, and the resulting level of public interest, it is also recommended that the applicant be required to undertake a programme of public engagement, in co-ordination with the programme of works. An informative would be recommended in this regard.

#### l) Geology

The site is situated adjacent to one section of the Arthur's Seat Volcano Site of Special Scientific Interest (SSSI), notified in part for its Carboniferous - Permian Igneous geology. It is therefore important to ensure that the required rock extraction associated with this development does not have a detrimental impact on the special interests of this site. Furthermore, the proposed rock extraction methods also requires to take account of the need to ensure the structural integrity of the remaining listed buildings on site and the adjacent, underlying railway tunnels.

The Environmental Impact Technical Assessment includes detail of the proposed methods of rock extraction, which include a potential mix of rock breaking propellants, chemical blasting and hydraulic rock splitting. The applicant has advised that site investigations would be carried out to identify the most appropriate methods used, taking into account the localised characteristics of the rock and the degree of control required. They have also undertaken to liaise with other parties, including Scottish Natural Heritage (SNH), Historic Environment Scotland, CEC and Network Rail, to agree an acceptable methodology for rock excavation.

SNH advises that this methodology should be adhered to, in order to ensure that the natural heritage interests of national importance adjacent to the site will not be affected by the proposal. SNH and Network Rail wish to continue to be consulted regarding the outcomes of any assessments and potential impacts of rock extraction.

The use of a condition is recommended to ensure that the above mentioned assessment is carried out prior to the commencement of development and the results used to inform the selected methodology. An informative is also recommended, advising the applicant to consult with relevant parties during this process.

### m) Economic Considerations

The applicant has provided background information, including a Report on Economic Social and Cultural Impacts, in order to help demonstrate that the proposals would promote the viable re-use of the former Royal High School, in accordance with the principles of the Princes Street Block 10 Development Framework.

The applicant has stated that they have sufficient funds committed which are underwritten from private benefactors, to allow for both the restoration of the listed buildings and for the provision of the proposed facilities available to the music school and general public. A letter from the Edinburgh based charity (the Dunard Fund), has been submitted, confirming that it has committed funds to underwrite the preserving and enhancing of existing buildings on site and implementing the proposed development, as well as ensuring its long term financial sustainability.

The applicant has further stated that the funding of the development would be aided through the proceeds from the sale of their existing music school and by income generated through making the proposed performance space available for public events. It has also stated that additional income could be raised through the potential for letting out of the boarding accommodation to visitors during the summer months.

It is estimated in the applicant's supporting impact statement that the development could potentially lead to the creation of a total of between 35 and 49 new jobs at the premises. As the proposal relates to the replacement of an existing music school within the city, not all jobs resulting from the development are likely to be newly created. However, given that the existing school role and supporting facilities are to be expanded and the jobs created are of a specialist nature, this estimate is considered reasonable and is similar to the estimate of around 50 new jobs made by Economic Development.

The supporting statement also advises that between £0.70 million and £1.11 million of gross value could be added to the economy per annum, as a result of the proposed development. This estimate is similar to the scale of impact estimated by Economic Development (i.e. £1.07 million). A small proportion of this estimate would be attributable to the letting out the residential space as visitor accommodation during the summer months. However, it is noted that this latter use may require separate planning permission, as it is not part of the formal proposals under this planning application.

The revenue gained through the use of the proposed performance space and the subsidiary function rooms at weekends and during out of term times would contribute to the above sum of gross value. However, the extent to which this use would contribute to the city's economy would depend on the frequency of events held, which would not be possible to quantify in the consideration of this application.

The use of the buildings as a potential visitor venue has also the potential to encourage additional footfall in the area, providing a catalyst for further economic regeneration at this underutilised part of the city centre, meeting the need identified in the Princes Street Development Brief.

The proposal would bring an existing vacant building back into active use, resulting in positive impacts to the City's economy. Although the extent of benefits arising from visitor use is not easy to predict, the overall estimate of added value largely accords with the estimates of Economic Development. The proposals are consistent with the relevant principle of Scottish Planning Policy in this respect. The proposals also support the priorities of the ECLP and LDP, in terms of encouraging economic growth in the city centre area.

#### n) Cultural and educational Issues

The relocation of this specialist school to this site would allow additional space to be provided for an expanding school role and for the provision of improved facilities for the school and its boarders, as set out in the supporting Impact Statement. The proposed development would also allow the school to expand their existing Saturday workshops and to widen their accessibility and to potentially run a summer school from the premises, as further referred to in this Statement. The proposed development would add to the City's educational infrastructure at an easily accessible city centre site, which was originally used for such purposes. The proposals support SPP principles for sustainable development, in terms of providing educational infrastructure.

The cultural benefits to the city and country, brought about as a result of the provision of this musical school and the opportunities for advancement it provides, are acknowledged. However, it should be noted that whilst the facilities to be provided clearly relate to this specialised nature of this school, the type of school operated cannot be controlled through the planning function.

The accessible, Central Area location of the proposed performance space complies with the principles of ECLP policy Ret 6, in relation to the preferred location of entertainment, leisure and arts facilities in the city centre. The proposed use of the main hall for music concerts during weekends and non-term time would make a valuable contribution towards the City's cultural infrastructure through the provision of performance venues which could be a particular benefit during the festival period. These proposals accord with the principles of the Princes Street Development Brief for Block 10, in terms of providing a cultural and visitor destination.

There is also the potential for the proposed terraced garden on the west of the site and the function room at the west pavilion to be similarly made available. The opening of the listed Hamilton Building to the general public for public performance and related events, would provide access to this architecturally and historically renowned building, thereby providing further cultural benefits. However, as there is no means of assessing the frequency which these events would take place, it is difficult to establish the extent of such cultural benefits

The proposed use would make a positive contribution towards the city's educational provision, in accordance with relevant provisions of SPP. The proposals also accord with ECLP policy Ret 6, relating to the provision of entertainment, leisure and arts facilities in the central area of the city and accord with relevant principles of the PSDB.

#### o) Surface Water Management

Scottish Environmental Protection Agency has no objections to the proposals for surface water management.

The submitted Surface Water Management Plan demonstrates that there is sufficient space within the site to allow for the drainage of surface water and storage of any surplus water run-off during periods of excessive rainfall. The proposed Sustainable Urban Drainage System measures include the provision of an underground storage tank, situated between the frontage of the Hamilton Building and Regent Road and the provision of green roofs above the new school accommodation.

However, it is noted that the drainage layout plans are based on an interpretation of levels rather than detailed measurements. A more detailed drainage design would therefore require to be approved at pre-construction stage. A suitable planning condition is recommended to ensure the submission of the finalised drainage levels, prior to commencement of development on site.

#### p) Infrastructure requirements

To mitigate the impacts of the development, it is recommended a suitable legal agreement to secure the following contributions is formed:

- i. the sum of £2,000 to promote a suitable order , if necessary to re-determine the section of footway and carriageway as appropriate , in order to allow for the implementation of the proposed scheme for public realm improvements on the north side of Regent Road; and
- ii. The sum of £ 2,000 if necessary to amend the controlled parking zone as it applies to the north section of Regent Road.

Although the application site is located with Edinburgh tram zone 3, the proposals will not incur a contribution towards the Edinburgh trams, as the most recent use of the site was as offices, with a floor area of approximately 3,500 square metres. This previous use would have incurred a significantly larger contribution than the proposed use (i.e. £161,000). The proposed use would have accrued a contribution of £95,220, which includes 6210 square metres of residential/ non residential institution floor space and 370 square metres of performance floor space (which has a zero contribution requirement).

#### q) Environmental Impact Assessment

The submitted Environmental Statement provides a report on the potential environmental effects arising from the proposed development at this sensitive site.

The scope of the EIA is acceptable, the content comprehensive and the methodologies used for the landscape/townscape and visual assessment are considered appropriate.

Historic Environment Scotland has raised some concerns about the structuring and consistencies in terminologies used in the EIA and in the assessment of the scope of the setting. However, overall they have confirmed their agreement with the conclusions reached in the Environmental Assessment.

Scottish Natural Heritage has commented that they although recommended at the scoping stage that Geology should be included within the formal scope of the Environmental Assessment, this subject is not included in the formal scope. However, SNH has confirmed that it is satisfied that this subject has been dealt with conclusively in various parts of the Environmental Assessment.

Whilst the concerns of HES are acknowledged, the sufficient information has been submitted in the Environmental Assessment to allow a balanced judgement to be made regarding resulting impacts. The overall conclusions of the Environmental Assessment in terms of the assessment of impacts are agreed.

#### r) Sustainability

The applicant has complete form S1 of the Sustainability form. This development is a local development rather than a major development.

The proposals include the installation of a combined heat and power plant, with a connection to allow excess energy generated to supply the national grid and incorporation of green roofs to assist in addressing the impacts of increased surface run off.

This proposal accords with the requirements of Policy Des 6 of the ECLP and the Proposed Development Plan.

#### s) Impacts on equalities and rights are acceptable;

An Equalities and Human Rights Impact Assessment has been undertaken in respect of this application. The relevant assessment is available to view on the online records for this application. The main impacts found are:

#### **Equalities**

The proposals include a fully access inclusive environment within both the school and performance space and in the gardens.

Concerns have been raised regarding the potentially 'elitist' nature of the proposed school, which serves the educational needs of musically gifted children, and is privately funded. Although not a matter which can be controlled through the planning function, it has been indicated that a range of financial assistance is available, such as provided at their existing school, which would allow access for suitably talented children access to such specialised educational facilities, from all sections of the community.

#### **Human Rights**

The proposed music school would support the right to an education, through the provision of additional educational facilities.

In terms of impact on 'Rights to Individual and Family Life', the proposals would result in a potential minor infringement of privacy to the garden of a neighbouring occupier on the eastern boundary of the site. However, as indicated in paragraph 3.3 i), this impact would not be significant. There would also be some potential for noise disturbance due

to noise break out from the proposed performance space at the listed building. However, as referred to in section 3.3 i) the risk of such disturbance would be controlled through the licensing regulations and is mitigated through the suggested condition.

t) Representations have been considered.

## **Material Representations - Objection**

### *Use issues*

- Inappropriate use for site - addressed in section 3.3 (a) and it is found that the proposed use accords with development plan policy and is acceptable;
- Access rights to local community limited - addressed in section 3.3 (n) and (i) and it is found that the proposals include potential provision for wider public access, through the holding of public performances events and summer school and through the range of financial assistance available to pupils. However, as noted the extent of such access is not a matter which can be controlled through the planning function; and
- Limited contribution to city's cultural life - addressed in section 3.3 (n) and it is found that the proposals would result in such benefits.

### *Economic issues*

- Questionable benefit to city's economy - addressed in section 3.3 (m) and it is found that the proposals would contribute to city's economy;
- Restricted scope for job creation as relates to replacement of existing school - addressed in section 3.3 (m) and it is found that the proposals would generate additional employment opportunities; and
- Limited benefit to local economy - addressed in section 3.3 (m) and it is found that the proposals would benefit the local economy.

### *Design Issues*

- Demolition of other listed buildings - addressed in section 3.3 (a) and in the relevant application for listed building consent and it is found that these proposals are justifiable;
- Excessive scale and massing of proposed development - addressed in section 3.3 (b) (c) and (g) and it is found that the proposals are acceptable in this respect; and
- Interventions, damaging to character and fabric of Hamilton Building - addressed in section 3.3(b) and under the relevant listed building consent and it is found that the use of planning conditions will exclude any alterations which are damaging to the character of the listed building.

### *Amenity Issues*

- Detrimental impact on local community - addressed in section 3.3 (l) and it is found that the such impacts are acceptable, subject to use of appropriate planning conditions.

## **Non material issues raised in objections**

- Limited entry rights to school - this is not an issue which is controlled through the planning function. However, measures for encouraging greater inclusiveness, through the provision of financial assistance to pupils, where required, are identified in section 3.3 (s) (Equalities); and
- Potentially greater benefits to economy than previously proposed hotel use - each planning application must be considered in terms of its own merits.

## **Material representations in support**

### *Use issues*

- Appropriate use for original school building - addressed in section 3.3 (a) and it is found that the proposed use at this location complies with relevant development plan policy;
- Allows provision of enhanced facilities for existing school - addressed in section 3.3 (n) and this is confirmed;
- Allows for restoration of vacant listed building - addressed in section 3.3 (b) and this is confirmed;
- Contribution towards city's educational provision in accordance with development plan policy - addressed in section 3.3 (a) and (n) and it is found that the proposal would make such a positive contribution;
- Use accords with ethos behind original development on Calton Hill as part of 'Age of Enlightenment' - the original use of the building is noted in section 3.3 (h) of the report;
- Sensitive re-use of brown field site, in accordance with Strategic Development Plan strategy - addressed in section 3.3 (a) and it is found that the proposals comply with the sustainability development principles of Scottish Planning policy, which are embedded in the provisions of the Strategic Development Plan;
- Compliance with principles of Princes Street Development Framework - addressed in section 3.3 (a) and it is found that the proposals comply with these principles; and
- Provision of much needed performance space - addressed in section 3.3 (n) and it is found that the proposals include such provision.

### *Listed Building and setting issues*

- Allows for restoration and re-use of listed Hamilton Building, belvedere and gate house - addressed in section 3.1 and this aspect of the proposals is confirmed.
- Safeguards character and setting of retained listed buildings on site - addressed in section 3.3 (b) and (g) and it is concluded that the overall impact of the proposals would result in no significant adverse impacts on the setting of such buildings, subject to the use of appropriate planning conditions.
- Safeguards the setting of neighbouring listed buildings - addressed in section 3.3 (b) and it is found that the setting of such buildings would be safeguarded.
- Safeguards Outstanding Universal Value of World Heritage Site - addressed in section 3.3 (f) and it is found that the proposals support the OUV of the Edinburgh World Heritage site.
- Reveals and enhances views of historic townscape and landscape - addressed in section 3.3 (e) and (g) and it is found that the majority of these views would be safeguarded or enhanced.

- Proposed landscaping enhances site's landscaped setting - addressed in section 3.3 (d) and (g) and it is found that the proposals safeguard the landscaped setting.
- Safeguards setting of designed landscape on Calton Hill - this is addressed in section 3.3 (d) and it is found that this landscape is safeguarded.
- Retention of site's heritage value - addressed in section 3.3 (b) (c) (d) and (f) and it is found that the proposals safeguard this value.

#### *Design Issues*

- Appropriate design and scale of new buildings - addressed in section 3.3 (g) and it is found that the design of the new building is acceptable, subject to the removal of the octagonal roof features, which may be secured by planning condition.
- Creation of new vantage point at public open spaces to west - addressed in section 3.3 (d) and this impact is confirmed.

#### *Cultural/ Economic Impacts*

- Use of residential accommodation during holiday periods beneficial to city's tourist economy - addressed in section 3.3 (m) and it is found that such impacts could potentially be realised, subject to the granting of further appropriate planning permission;
- Enhances city's cultural infrastructure - addressed in section 3.3 (n) and it is found that this would be the case;
- Potential public access to both concerts and weekend classes - addressed in section 3.3 (n) and it is found that this provision is included in the proposals although the frequency and extent of such provision cannot be enforced through the planning function;
- Provision of much needed specialist educational accommodation - addressed in section 3.3 (n) and it is found that the proposals would provide such benefits, although the provision of this type of educational use cannot be enforced through the planning function;
- Benefits to both local community and tourists resulting from provision of additional performance space - addressed in section 3.3 (m) and (n) it is found that the proposals have the potential to deliver such potential benefits;
- Enlivens this area of city - addressed in section 3.3 (g) and it is found that the proposal has the potential to enliven this area; and
- Financially viable scheme - addressed in section 3.3 (m) and it is found that the supporting evidence, helps to demonstrate the applicant's case regarding the scheme's financial viability.

#### *Residential Amenity*

- Safeguards local amenity - addressed in section 3.3(i) and it is found that such impacts are acceptable, subject to use of appropriate planning conditions and the application of controls under the licensing regulations.

#### *Other issues*

- Methodologies are proposed for excavation to ensure no risk to Calton Hill and railway tunnels - addressed in section 3.3 (l) and it is found that potential methodologies are available, the details of which will be agreed by means of planning condition;

- Improved security on Calton Hill - addressed in section 3.3 (i) and it is found that the proposals would have positive benefits in this respect;
- Improvements to public access - addressed in section 3.3 (j) and it is found that no new footpaths are proposed outwith the site but works to improve the public footway on the site frontage will be secured under the legal agreement;
- Minimal impacts identified in Environmental Impact Assessment - addressed in section 3.3 (q) and it is found that such impacts are acceptable; and
- Accessible location - addressed in section 3.3 (a) and (j) and it is found that the site is located at an accessible city centre location.

### **Non material issues raised in representations of support**

- Less impact on neighbouring amenity than alternative proposal for hotel - each application must be considered on its own merits;
- Long term cultural legacy for future generations - the length of time the building is utilised for the approved purpose cannot be controlled through the planning function;
- Accords with original remit for Royal High School to provide free school places - the planning function is unable to control access to the proposed use or whether it is chargeable; and
- Effective public engagement process - public engagement is an essential part of the planning application process and its results help to inform the finalised proposals. However, quality of the engagement process is not a material consideration in the assessment of the finalised proposals.

### **Community Council Comments**

New Town and Broughton Community Council (NTBCC) supports this application for the following reasons:

- Safeguards character of conservation area - addressed in section 3.3 (c) and found to be acceptable;
- Sensitive interventions to Hamilton Building - addressed in section 3.3 (b) and it is found that although most interventions are acceptable some are not and conditions are recommended to require their removal from approved plans;
- Safeguards setting of listed Hamilton Building - addressed in section 3.3 (b) and it is found that on the whole the proposals safeguard the setting of the listed building;
- Sensitive design of new build - addressed in section 3.3 (m) and it is found that the design of the new building is acceptable, subject to the removal of the octagonal roof features, which may be secured by planning condition;
- Retention of listed entrance lodge - addressed in section 3.1 and it is confirmed that this building is proposed for retention;
- Demolitions considered in accordance with Scottish Historic Environment Policy - addressed in section 3.3 (a) and in the relevant section of the report on the associated application listed building consent and it is found that these proposals accord with such provisions;
- Positive impact on anti-social behaviour due to re-use of buildings - addressed in section 3.3 (i) and it is found that the proposals would have such potential benefits;
- Consistent with aims of development plan and principles of Development Brief for Princes Street - addressed in section 3.3 (a) and it is found that the proposals

comply with relevant development plan policies and Development Brief principles;

- Positive contribution to city centre amenities and facilities for both residents and visitors - addressed in section 3.3 (m) and (n) and it is found that the proposals would be capable of delivering such potential benefits;
- The proposed uses as performance space and school would provide for public access to this listed building - addressed in section 3.3 (m) and it is found that the proposed uses would be capable of delivering such benefits, although the extent to which the proposed performance space would be open for public performances cannot be controlled through the planning function;
- Enlivening of Regent Road through provision of access to listed building, on this frontage - addressed in section 3.3 (m) and it is anticipated that such benefits would be delivered;
- Retention of landscaping of open space to west - addressed in section 3.3 (m) and it is found that the proposals would provide an increased area of green space at this location;
- Retention of railings - addressed in section 3.3 (m) and it is found that the majority of original railings would be retained, although those on the eastern boundary would be relocated on site; and
- Safeguarding of setting of Calton Hill through provision of green roofs - addressed in section 3.3 (m) and it is found that the roof top of the new building would be surfaced with a mix of natural and artificial turf.

Other comments from Community Council:

- Unclear mechanism for delivery of public realm - this is addressed in paragraph 3.3 (j) which explains that the works to the public realm, which will be restricted to those relating to the widening of the public footway on the Regent Road site frontage, will be carried out directly by the applicant and secured through the provisions of the relevant legal agreement.

## **Conclusion**

The proposal would bring the principal building, known as the Hamilton Building, at the former Royal High School, which is on the Buildings at Risk Register, back into a sustainable long term use. The demolition of other buildings at the site is justifiable under the provisions of ECLP policy Env 2 owing to the merits of the proposed development scheme, which includes the retention and restoration of the principal listed building.

The proposed performance space would make a potentially valuable contribution to the city's cultural infrastructure and provide opportunities for its use by the wider community. The location of the leisure, or entertainment venue at this accessible central area, accords with the provisions of relevant development plan policy. This proposed use also complies with the relevant principles of the Princes Street Block 10 Development Brief.

The proposals to create an improved school campus for this school support the principles of Scottish Planning Policy for sustainable development, in terms of its contribution towards educational infrastructure. The proposed school use further supports SPP principles through its beneficial impact on the city's economy, whilst the use as performance space offers similar potential benefits to the economy.

The design, scale and layout of this generally low profile, sensitively designed extension safeguards the overall character and setting of the listed Hamilton Building, the setting of surrounding listed buildings and monuments and the site's conservation area setting. The use of a condition requiring the re-design of the proposed cupolas will help safeguard views of the Old Town Conservation Area. The proposals comply with policy Des 1, Des 3, Env 3 and Env 6 of the ECLP and the Edinburgh Design Guidance in these respects.

Subject to recommended conditions, the proposed alterations to the listed building are considered acceptable and the proposal will comply with ECLP policy Env 4.

The proposed extension design, together with its co-ordinated landscape scheme is compatible with the site's landscaped setting and enhances views thereof, in accordance with ECLP and LDP policies Env 11. The proposals have no significant adverse effects on the qualities of the SSSI at Calton Hill, in accordance with the provisions of ECLP policy Env 14, subject to the use of a conditions relating to tree protection and external lighting. The character and views of the New Town Gardens Inventory Site are also safeguarded, in compliance with ECLP policy Env 7. There would be no significant adverse impacts on the Outstanding Universal Value of the World Heritage Site, in compliance with ECLP policy Env 1.

In terms of the impact on neighbouring amenity, transport, archaeology, geology, surface water management and ecology, the development is acceptable or its impacts can be successfully mitigated with the use of relevant planning conditions.

An informative is included requiring the conclusion of a section 75 legal agreement, which provides for the relevant footway improvements to be designed and undertaken by the applicant and for the payment of the promotion of the relevant traffic orders, allowing these works to commence.

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 (Historic building recording, excavation, analysis, reporting and publication, interpretation and public engagement) 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 materials shall be submitted to and approved in writing by the

Planning Authority before work is commenced on site; Note: samples of all external materials will be required.

3. Prior to the commencement of the approved works on site, sample panels, to be no less than 1.5m x 1.5m, shall be produced, demonstrating each proposed external material and accurately indicating the quality and consistency of future workmanship, and submitted for written approval by the Planning Authority.
4. A sample of masonry work, indicating courses, surfacing finish and pointing, shall be prepared for inspection on site and shall be approved in writing by the Planning Authority, before work commences on site.
5. The approved landscaping scheme shall be fully implemented within the first planting season of the completion of the development; and thereafter shall be maintained by the applicants and /or their successors to the entire satisfaction of the Planning authority; maintenance shall include the replacement of plant stock which fails to survive for whatever reason, as often as required within the first 5 years of the occupation of the proposed hotel, to ensure the establishment of the approved landscaping scheme.
6. A tree protection plan providing full details of all measures to be put in place to safeguard existing trees on the boundary of the application site prior shall be submitted to and approved by the Planning Authority before works commence on site and the approved measures shall be adhered to at all times during the course of development works.
7. A rock extraction management plan shall be submitted to and approved by the Planning Authority, prior to the commencement of development, giving full details of the pre-development survey and assessment results and the proposed finalised methodology programme.
8. The methodology programme for rock extraction, approved under the terms of condition no. 7 above, shall be implemented on site, as part of the proposed Construction and Demolition Management Plan, and no alternative method of rock extraction shall be used without the prior written approval of the Planning Authority.
9. Prior to the occupation of the development, details demonstrating that noise from all plant (including air source heat pump system) complies with NR 25 within the nearest residential property (with windows partially open for ventilation purposes) shall be submitted to and approved by the Planning Authority.
10. The following noise protection measures to the proposed school and performance space, as defined in the Environmental Statement - Technical Appendix 6 'Noise and Vibration' report (Ref TA6) dated December 2015:

Glazing units with a minimum sound reduction level of  $RW=35dB$ , with no open windows facing the existing residential properties shall be installed on the external doors and windows of the performance space and classrooms within the new building in accordance with the details shown on drawing number LL-02-10 (received 23rd May 2016).

11. Full details of the proposed external lighting strategy shall be submitted to and approved in writing by the Planning Authority, prior to the commencement of development; and shall be implemented on site, in accordance with the approved details.
12. Prior to the commencement of development a detailed surface water management plan, based on finalised site levels, shall be submitted to and approved by the Planning Authority and the approved plan implemented on site, as part of the approved development..
13. Notwithstanding the details included on drawing number AL/04/01- A) (CEC reference 21b) the proposed glass balustrade to the central front portico of the category 'A' listed Hamilton building is not approved and revised details for the balustrade shall be submitted to and approved by the Planning Authority, prior to the commencement of development.
14. Notwithstanding the details included on drawing number AL/02/04- A),(CEC reference 17 b) the proposed glazed slot on the flagstone floor of the central, front portico on the category 'A' listed Hamilton Building is not approved.
15. Notwithstanding the details provided on drawing number AL/04/01 b and AL/04/02 b (CEC drawing numbers 20 b and 21 b), the proposed octagonal shaped cupolas at the octagonal shaped teaching room accommodation to the rear of the listed 'Hamilton' building are not approved; and no development shall commence on site until revised design for the roof lights at these locations, with a maximum height of 0.5 metres, are submitted to and approved by the Planning Authority.
16. Full details of the cycle parking provision proposed at the site, including the specifications for the cycle racks and means of enclosure, shall be submitted to and approved by the Planning Authority prior to the commencement of development.
17. No development shall take place until details of the chimney for the gas powered energy plant have been submitted to and agreed in writing by the planning authority. The chimney details shall include its location, height, size and materials.

**Reasons:-**

1. In order to safeguard the interests of archaeological heritage.
2. In order to enable the planning authority to consider these matters in detail.
3. In order to ensure the adequacy of external building materials.
4. In order to enable the planning authority to consider this matter in detail.
5. In order to ensure that the approved landscaping works are implemented on site.

6. In order to ensure that existing trees within the site and on the site boundary are adequately safeguarded throughout the course of development works on site.
7. In order to ensure that adequate mitigation measures are taken during the proposed rock extraction process, to safeguard the special interests of the adjacent Site of Special Scientific Interest, at Arthurs Seat Site of Special Scientific Interest.
8. In order to safeguard the special interests of the adjacent Site of Special Scientific Interest, at Calton Hill and protect local railway infrastructure.
9. To safeguard neighbouring amenity
10. In order to safeguard the amenity of neighbouring occupiers.
11. In order to allow the planning authority to consider these matters in detail.
12. In order to ensure that the proposals for surface water management are implemented on site in accordance with an approved fully detailed surface water management plan.
13. In order to safeguard the character of the listed building and the New Town Conservation Area.
14. In order to safeguard the character of the listed building.
15. In order to safeguard the character of the New Town Conservation Area and avoid obstruction of views to the Old Town Conservation Area.
16. In order to ensure that the full details of the proposed cycle facilities are satisfactory.
17. In order to enable the planning authority to consider this/these matter/s in detail.

**Informatives:-**

It should be noted that:

1. Consent shall not be issued until a suitable legal agreement, including those requiring a financial contribution payable to the City of Edinburgh Council, has been concluded in relation to transport infrastructure:
  - a) Carry out footway improvement works to the footway on the north side of Regent Road adjacent to the development at no cost to the Council. Detailed drawings must be submitted and agreed in writing by the Head of Planning and Transport, prior to commencement of work on Regent Road. The applicant should note that this may require details of lighting, drainage, Sustainable Urban Drainage, materials (including a survey of existing materials and their retention), structures, layout, specification, etc;

- b) Contribute the sum of £2,000 to promote a suitable order if necessary to re-determine sections of footway and carriageway as appropriate (i.e. if the existing kerb line is adjusted);
- c) Contribute the sum of £2,000 to promote a suitable order if necessary to amend the controlled parking zone order as it applies to Regent Road;

The legal agreement should be concluded within 6 months of the date of this notice. If not concluded within that 6 month period, a report will be put to committee with a likely recommendation that the application be refused.

- 2. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
- 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.
- 4. 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.
- 5. This consent is for planning permission only. Work must not begin until other necessary consents, eg listed building consent, have been obtained.
- 6. The Environmental Statement has been taken into consideration in the making of this decision as required under Regulation 3 of the Environmental Impact Assessment (Scotland) Regulations 1999.
- 7. For the avoidance of doubt, the Council does not support or approve any reduction in parking provision on the south side of Regent Road at this time. Any reduction of on-street parking on the north side of Regent Road will require approval in writing from the Head of Planning and Transport and contributions as set out in the legal agreement.
- 8. The applicant should be informed that prior to carrying out any works to the footway or carriageway, a roadwork's consent must be applied for and secured. The footway improvement works as agreed in writing by the Head of Planning and Transport must be agreed prior to the application for road works consent;
- 9. Any gate or doors must open inwards onto the property.

10. All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Head of Transport if he wishes the bays to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2002 regulations or British Standard 8300:2009 as approved by the Head of Planning.
11. It should be noted that there is no current Council budget provision with respect to the 'inspirational public realm enhancement' works (see Richard Murphy Architects Dwg.AL/02/01, dated 10/12/15). The applicant should be advised that the granting of planning permission will not commit the Council in any way to contribute to, or carry out, any public realm improvements on Regents Road.
12. An electric vehicle charging outlet should be of the following standard shall be installed at the proposed taxi rank: (70 or 50kW (32 Amp) DC with 43kW (32 Amp) AC unit. DC charge delivered via both JEVs G105 and 62196-3 sockets, the AC supply by a 62196-2 socket. It must have the ability to be de-rated to supply 25kW to any two of the three outlets simultaneously.
13. All boilers must be fitted with secondary abatement technology.
14. The applicant is advised to liaise with the Council, in order to agree a suitable design solution for the acoustic attenuation of windows and doors at the proposed performance space within the listed Hamilton building, as identified on drawing number LL-02-10 (dated 10 May 2016) and to apply for listed building consent in relation to the relevant scheme of attenuation.
15. Construction Noise:

To minimise the level of noise to which sensitive receptors will be exposed, the construction work will be conducted in accordance with a Code of Construction Practice (CoCP).

These measures will include the following:

- Careful selection of plant and construction methods. Only plant conforming to relevant national, EU or international standards, directives and recommendations on noise and vibration emissions should be used.
- Design and use of site enclosures, housing and temporary stockpiles, where practicable and necessary, to provide acoustic screening at the earliest opportunity.
- Where practicable, doors and gates should not be located opposite occupied noise-sensitive buildings. The mechanisms and procedures for opening doors/gates will minimise noise, as far as reasonably practicable.
- Choice of routes and programming for the transport of construction materials, spoil and personnel.

- Careful programming so that activities which may generate significant noise are planned with regard to local occupants and sensitive receptors.
- All vehicles and mechanical plant shall be fitted with effective exhaust silencers and shall be maintained in good and efficient working order and operated to minimise noise emissions.
- All compressors and generators shall be 'sound reduced' models fitted with properly lined and sealed acoustic covers which shall be kept closed whenever the machines are in use, and all pneumatic percussive tools shall be fitted with mufflers or silencers of the type Recommended by the manufacturers.
- All machines in intermittent use shall be shut down in the intervening periods between works or throttled down to a minimum. Lorry engines will be switched off, as soon as practicable, when vehicles are stationary.
- Noise emitting equipment which is required to run continuously shall be housed in a suitable acoustic enclosure.
- Temporary noise barriers will be used to reduce noise levels where appropriate and practicable. Such measures can be particularly appropriate for stationary or near-stationary plant such as pneumatic breakers piling rigs and compressors. Barriers should be located as close to the plant as possible and, in order to provide adequate attenuation and should have a mass per unit area of at least 7 kg/m<sup>2</sup>.
- Plant and equipment liable to create noise and/or vibration whilst in operation will, as far as reasonably practicable, be located away from sensitive receptors and away from walls reflecting towards sensitive receptors.
- Materials for night-time working shall be delivered, where practicable, during normal hours of working and be placed as close as possible to the work area for which they are required.
- Where reasonably practicable, fixed items of construction plant shall be electrically powered in preference to combustion engine driven.
- Doors on plant and equipment will be kept closed.

It should be noted the local authority has powers under the Control of Pollution Act (1974) to control noise from construction sites.

## 16. Construction Dust Mitigation

1. All mobile plant introduced onto the site shall comply with the emission limits for off road vehicles as specified by EC Directive 97/68/EC. All mobile plant shall be maintained to prevent or minimise the release of dark smoke from vehicle exhausts. Details of vehicle maintenance shall be recorded.
2. The developer shall ensure that risk of dust annoyance from the operations is assessed throughout the working day, taking account of wind speed, direction, and surface moisture levels. The developer shall ensure that the level of dust suppression implemented on site is adequate for the prevailing conditions. The assessment shall be recorded as part of documented site management procedures.

3. Internal un-surfaced temporary roadways shall be sprayed with water at regular intervals as conditions require. The frequency of road spraying shall be recorded as part of documented site management procedures.
  4. Surfaced roads and the public road during all ground works shall be kept clean and swept at regular intervals using a road sweeper as conditions require. The frequency of road sweeping shall be recorded as part of documented site management procedures.
  5. All vehicles operating within the site on un-surfaced roads shall not exceed 15mph to minimise the re-suspension of dust.
  6. Where dust from the operations are likely to cause significant adverse impacts at sensitive receptors, then the operation(s) shall be suspended until the dust emissions have been abated. The time and duration of suspension of working and the reason shall be recorded.
  7. This dust management plan shall be reviewed monthly during the construction project and the outcome of the review shall be recorded as part of the documented site management procedures.
  8. No bonfires shall be permitted.
17. In the preparation of the proposed Rock Extraction Management Plan, required under the terms of condition no. 7 and 8 of this planning permission, the applicant should consult with Scottish Natural Heritage, as well as other relevant stakeholders, including the British Geological Survey and Network Rail, in order to reach agreement regarding the proposed details.
18. Network Rail has advised that:
- i. Any demolition or refurbishment works must not be carried out on the development site that may endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures. The demolition of buildings or other structures near to operational railway infrastructure must be carried out in accordance with an agreed method statement. Approval of the method statement must be obtained from Network Rail's Asset Protection Engineer before development can commence.
  - ii. Construction works must be undertaken in a safe manner which does not disturb the operation of the neighbouring railway. Applicants must be aware of any embankments and supporting structures which are in close proximity to their development.
  - iii. Details of all changes in ground levels, laying of foundations/piling works, and operation of mechanical plant in proximity to the Calton Railway Tunnels must be submitted to Network Rail's Asset Protection Engineer for approval prior to works commencing on site. Where any works cannot be carried out in a 'fail-safe' manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. by a 'possession' which must be booked via Network Rail's Asset Protection

Engineer and are subject to a minimum prior notice period for booking of 20 weeks.

The developer must contact Network Rail Asset Protection Engineers regarding the above matters.

19. Construction works must be undertaken in a safe manner which does not disturb the operation of the neighbouring railway. Applicants must be aware of any embankments and supporting structures which are in close proximity to their development.
  - Details of all changes in ground levels, laying of foundations/piling works, and operation of mechanical plant in proximity to the Calton Railway Tunnels must be submitted to Network Rail's Asset Protection Engineer for approval prior to works commencing on site. Where any works cannot be carried out in a 'fail-safe' manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. by a 'possession' which must be booked via Network Rail's Asset Protection Engineer and are subject to a minimum prior notice period for booking of 20 weeks.

The developer must contact our Asset Protection Engineers regarding the above matters.

20. The developer will be required to carry out a pre-construction survey of protected species, as identified in the applicant's Construction and Demolition Environmental Management Plan, in order to comply with relevant European Directives and UK law.
21. A programme of public engagement in relation to the archaeological works should be undertaken.

## **Financial impact**

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

The application is subject to a legal agreement for developer contributions towards the promotion of the relevant road traffic orders required to allow for the proposed footway widening scheme.

The proposed alterations to the layout of the public footway required under the relevant legal agreement would result in some loss of revenue to the Council as a result of the removal of parking spaces on the site frontage on the north side of Regent Road.

The application site is owned by 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:**

This application was assessed in terms of equalities and human rights. The impacts are identified in the Assessment section of the main report.

## **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**

A Proposal of Application Notice was submitted and registered on 21 May 2015. Copies of the Notice were also issued to all ward councillors, as well as New Town and Broughton Community Council, Old Town Community Council, the Edinburgh World Heritage Trust, Historic Trust, Historic Scotland, Scottish Civic Trust, The Lord Cockburn Association, Regent Royal and Carlton Terraces and Mews Association, the City Centre Neighbourhood Partnership and the MSP and MPs for Edinburgh Central.

A Community consultation events was held on 18 June 2015 at Cannon Gate Church, with a further exhibition held at the public bar at the Queens Hall, for members of the music community on 22 June 2015. Meetings were also held with a number of public bodies including the New Town and Broughton Community Council (11 May 2015) and the Lord Cockburn Association (10 November 2015). Pre-application meetings were also held with Edinburgh World Heritage Trust on 3 November and Historic Environment Scotland on 2 November 2015.

Full details of these events can be found in the Pre-Application Consultation report, which sets out the findings from the community consultation. This is available to view on the Planning and Building Standards Online services.

The proposal was presented to the Urban Design Panel Review meeting on 20 October 2015. The report of the review panel is included in the Consultations section of this report.

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

The application was advertised on 24 December 2015. A total of 534 letters of representation were received on this application, 545 of which were in favour, four of which were objections and three of which raised comments which were neither in support or against the proposals.

Comments in support of the application were received from, India Street Residents Association, the West End Community Council, New Town and Broughton Community Council (which is also a consultee), Portobello Amenity Society, Lord Cockburn Association, the Scottish Civic Trust, the Architectural Society of Scotland and Sarah Boyak MSP. The Regent Terrace Gardens Residents Association also commented on the listed Building consent application, its comments also relate to the planning application.

The four objections received to the application were all from members of the public.

The application was re-advertised on 29 April 2016 following receipt of revised drawings and supporting information. Fourteen letters of representation were received, all of which were in favour of the application.

The application was further advertised on 24 June 2016, following the receipt of an additional Report on Impacts. Four representations were received, all of which were in favour of the proposals.

## **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**

Within the adopted Edinburgh City Local Plan (ECLP) and the Second Proposed Edinburgh Local Development Plan (LDP), the site is located in the Central Area and in the New Town Conservation Area.

The Site is also included within the Old and New Towns of Edinburgh World Heritage Site.

The application site is included within the Princes Street Development Brief Block 10.

The land at Calton Hill immediately to the north of the application site is a nationally designated, Site of Special Scientific Interest (SSSI). Calton Hill is also included within the Inventory of Designed Gardens and Historic Gardens, and is partially included within a Local Nature Conservation Site, as designated in the Edinburgh City Local Plan. Calton Hill is also proposed as a Candidate Special Landscape Area, in the Second Proposed Edinburgh Local Development Plan.

The Calton Hill Conservation Plan - adopted by the Council Executive at its meeting on 7 November 2000, underpins the Council policies for the use and regeneration of Calton Hill.

**Date registered**

10 December 2015

**Drawing numbers/Scheme**

01,02a-07a,08, 09a,10,11a,12a-13,14b-23b,24-43,

**John Bury**

Head of Planning & Transport  
PLACE  
City of Edinburgh Council

Contact: Carla Parkes, Senior Planning Officer  
E-mail: [carla.parkes@edinburgh.gov.uk](mailto:carla.parkes@edinburgh.gov.uk) Tel: 0131 529 3925

## **Links-Policies**

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### **Relevant Policies:**

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

Policy Ca 1 (Central Area) sets criteria for assessing development in the Central Area.

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

Policy Des 1 (Design Quality and Context) sets general criteria for assessing design quality and requires an overall design concept to be demonstrated.

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

Policy Des 5 (External Spaces) sets criteria for assessing landscape design and external space elements of development.

Policy Des 6 (Sustainable Design & Construction) sets criteria for assessing the sustainable design and construction elements of development.

Policy Des 7 (New Pedestrian Routes in the City Centre) relates to the creation of new pedestrian routes in the City Centre.

Policy Des 10 (Tall Buildings) sets out criteria for assessing proposals for tall buildings.

Policy Des 11 (Alterations and Extensions) sets criteria for assessing alterations and extensions to existing buildings.

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

Policy Env 2 (Listed Buildings - Demolition) identifies the circumstances in which the demolition of listed buildings will be permitted.

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 7 (Historic Gardens & Designed Landscapes) establishes a presumption against development that would be detrimental to Historic Gardens and Designed Landscapes.

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 Env 11 (Landscape Quality) establishes a presumption against development which would adversely affect important landscapes and landscape features.

Policy Env 12 (Trees) sets out tree protection requirements for new development.

Policy Env 14 (Sites of National Importance) identifies the circumstances in which development likely to affect Sites of National Importance will be permitted.

Policy Env 15 (Sites of Local Importance) identifies the circumstances in which development likely to affect Sites of Local Importance will be permitted.

Policy Env 16 (Species) sets out species protection requirements for new development.

Policy Env 17 (Flood Protection) sets criteria for assessing the impact of development on flood protection.

Policy Env 18 (Air, Water and Soil Quality) sets criteria for assessing the impact of development on air, water and soil quality.

Policy Hou 8 (Inappropriate Uses in Residential Areas) establishes a presumption against development which would have an unacceptable effect on the living conditions of nearby residents.

Policy Hou 10 (Student Housing) supports provision of student housing on suitable sites.

Policy Os 3 (Open Space in New Development) sets out requirements for the provision of open space in new development.

Policy Ret 6 (Entertainment and Leisure Developments – Preferred Locations) identifies the Central Area, Leith & Granton Waterfronts and town centres as the preferred locations for entertainment and leisure developments.

Policy Ret 12 (Food and Drink Establishments) sets criteria for assessing the change of use to a food & drink establishment.

Policy Tra 1 (Major Travel Generating Development) supports major travel generating development in the Central Area, and sets criteria for assessing major travel generating development elsewhere.

Policy Tra 2 (Planning Conditions and Agreements) requires, where appropriate, transport related conditions and/or planning agreements for major development likely to give rise to additional journeys.

Policy Tra 3m (Tram Contributions) requires contributions from developers towards the cost of tram works where the proposed tram network will help address the transport impacts of a development.

Policy Tra 5 (Private Cycle Parking) requires cycle parking provision in accordance with levels set out in supplementary guidance.

Policy Tra 6 (Design of Off-Street Car and Cycle Parking) sets criteria for assessing design of off-street car and cycle parking.

### **Relevant policies of the Proposed Local Development Plan.**

Second Proposed LDP Policy Del 1 (Developer Contributions) identifies the circumstances in which developer contributions will be required.

Second Proposed LDP Policy Del 2 (Retrospective Developer Contributions) identifies developer contributions will be sought for the tram network and other infrastructure identified in the Action Programme.

Second Proposed LDP Policy Del 3 (City Centre) sets criteria for assessing development in the city centre.

Second Proposed LDP Policy Des 1 (Design Quality and Context) sets general criteria for assessing design quality and requires an overall design concept to be demonstrated.

Second Proposed LDP Policy Des 2 (Co-ordinated Development) establishes a presumption against proposals which might compromise the effect development of adjacent land or the wider area.

Second Proposed LDP Policy Des 3 (Development Design - Incorporating and Enhancing Existing and Potential Features) supports development where it is demonstrated that existing and potential features have been incorporated into the design.

Second Proposed LDP Policy Des 7 (Layout design) sets criteria for assessing layout design.

Second Proposed LDP Policy Env 1 (Old and New Towns World Heritage Site) protects the quality of the World Heritage Site and its setting.

Second Proposed LDP Policy Env 2 (Listed Buildings - Demolition) identifies the circumstances in which the demolition of listed buildings will be permitted.

Second Proposed LDP 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.

Second Proposed LDP Policy Env 4 (Listed Buildings - Alterations and Extensions) identifies the circumstances in which alterations and extensions to listed buildings will be permitted.

Second Proposed LDP Policy Env 6 (Conservation Areas - Development) sets out criteria for assessing development in a conservation area.

Second Proposed LDP Policy Env 7 (Historic Gardens and Designed Landscapes) protects sites included in the national Inventory of Gardens and Designed Landscapes and other historic landscape features.

Second Proposed LDP 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.

Second Proposed LDP 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.

Second Proposed LDP Policy Env 11 (Special Landscape Areas) establishes a presumption against development that would adversely affect Special Landscape Areas.

Second Proposed LDP Policy Env 12 (Trees) sets out tree protection requirements for new development.

Second Proposed LDP Policy Env 14 (Sites of National Importance) identifies the circumstances in which development likely to affect Sites of National Importance will be permitted.

Second Proposed LDP Policy Env 15 (Sites of Local Importance) identifies the circumstances in which development likely to affect Sites of Local Importance will be permitted.

Second Proposed LDP Policy Env 16 (Species Protection) sets out species protection requirements for new development.

Second Proposed LDP Policy Env 20 (Open Space in New Development) sets out requirements for the provision of open space in new development.

Second Proposed LDP Policy Env 21 (Flood Protection) sets criteria for assessing the impact of development on flood protection.

Second Proposed LDP Policy Env 22 (Pollution and Air, Water and Soil Quality) sets criteria for assessing the impact of development on air, water and soil quality.

Second Proposed LDP Policy Hou 7 (Inappropriate Uses in Residential Areas) establishes a presumption against development which would have an unacceptable effect on the living conditions of nearby residents.

Second Proposed LDP Policy Ret 6 (Entertainment and Leisure Developments - Preferred Locations) identifies the City Centre, at Leith and Granton Waterfront and town centres as the preferred locations for entertainment and leisure developments.

Second Proposed LDP Policy Tra 2 (Private Car Parking) requires private car parking provision to comply with the parking levels set out in Council guidance, and sets criteria for assessing lower provision.

Second Proposed LDP Policy Tra 3 (Private Cycle Parking) requires cycle parking provision in accordance with standards set out in Council guidance.

Second Proposed LDP Policy Tra 4 (Design of Off-Street Car and Cycle Parking) sets criteria for assessing design of off-street car and cycle parking.

Second Proposed LDP Policy Tra 8 (Cycle and Footpath Network) prevents development which would prevent implementation of, prejudice or obstruct the current or potential cycle and footpath network.

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

**Non-statutory guidelines** on Developer Contributions and Affordable Housing gives guidance on the situations where developers will be required to provide affordable housing and/or will be required to make financial or other contributions towards the cost of, providing new facilities for schools, transport improvements, the tram project, public realm improvements and open space.

**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.

**Non-statutory guidelines - EDINBURGH STREET DESIGN GUIDANCE** - Edinburgh Street Design Guidance supports proposals that create better places through the delivery of vibrant, safe, attractive, effective and enjoyable streets in Edinburgh. It sets out the Council's expectations for the design of streets and public realm.

**NSESBA - Non-statutory guidelines** Part A of 'The Edinburgh Standards for Sustainable Building' requires new development in Edinburgh to reduce their carbon emissions in line with the current Building Regulations

**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** on 'PARKING STANDARDS' set the requirements for parking provision in developments.

**The New Town Conservation Area Character Appraisal** states that the area is typified by the formal plan layout, spacious stone built terraces, broad streets and an overall classical elegance. The buildings are of a generally consistent three storey and basement scale, with some four storey corner and central pavilions.

**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

**Application for Planning Permission 15/05662/FUL  
At New Parliament House, 5 - 7 Regent Road, Edinburgh  
Project proposes conservation of Thomas Hamilton  
designed former Royal High School building to form new  
premises for St Mary's Music School. Combined with  
demolition of later ancillary buildings, space to the East is  
created for new residential, teaching/practice facility.  
Proposed new landscaped public garden to West. New  
basement created under Main Hall to provide new foyer  
giving access to public performance spaces above.**

## Consultations

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### City Archaeologist

*The nationally important A-listed Royal High School (New Parliament House) building was designed by Thomas Hamilton and opened in 1829. The school occupied the site until 1968, with a range of buildings being added to Hamilton's original design reflecting the growth and new demands of the school principally as follows; Gate Lodge 1885, Gymnasium 1885 (1894), Luncheon Block 1935 (1948) and the class room Block in 1946. A full history of the school its development is contained within the Heritage Statement produced by Simpson & Brown in support of this application. Prior to the Royal High School's construction the site occurred on the edge of the medieval burgh of the Canongate. No earlier remains have been recorded from the site, however prehistoric activity on Calton Hill is expected, with prehistoric pottery having been found in antiquity close to this site.*

*Accordingly this application must be considered under terms Scottish Government's Scottish Planning Policy (SPP) and Scottish Historic Environment Policy (SHEP) and also CEC's Edinburgh City Local Plan Policies ENV2, ENV4, ENV7, 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.*

### Historic Buildings

*The proposed scheme proposes the demolition three listed buildings namely the Gymnasium, Classroom Block and Luncheon Block. Such actions must be considered as clearly having significant adverse impacts upon these listed structures as it would lead to their complete loss. That said the loss of the two 20th century buildings (Luncheon Hall and Classroom Block) in archaeological terms could be seen as acceptable provided that a detailed (level 2) programme of historic building recording (annotated plans and elevations, photographic and written description and analysis) is undertaken prior their demolition.*

*Of greater concern is the loss of the 19th century Gymnasium given its longer association with the sites former use as a school. If consent is granted for its demolition it is essential that a detailed (level 3) programme of historic building recording (annotated plans and elevations, photographic and written description and analysis) is undertaken of them prior to demolition.*

*The alterations proposed to the main High School building in archaeological terms is considered to have an overall moderate impact, but in places one which may be considered to be significant. Accordingly it is essential that a detailed programme of historic building recording (annotated plans and elevations, photographic and written description and analysis) is undertaken of them prior to and during alterations/development.*

*If approved, the above archaeological historic building surveys will build upon the historic building analysis already undertaken by Simpson & Brown and others.*

#### *Setting*

*It is clear that the proposed new development, if approved, will significantly alter the current setting of not only The Royal High School but also importantly, the adjacent Calton Hill, a Designated Historic Landscape. However it is considered that overall the new proposals (in particular to the east of the Royal High School) will have an overall moderate impact.*

#### *Buried Archaeology*

*The proposals will require significant ground breaking works, principally in regards to the demolition of the proposed of the ancillary buildings and proposed new constructions and landscaping. Such works have the potential to disturb archaeological remains principally relating to the construction of the Royal High School in the 1820's. The potential for earlier remains surviving on site is however considered to be low. It is recommended that in addition to the historic building recording that programme of archaeological work is undertaken during ground breaking works, in order to record, excavate and analyse any significant remains affected.*

#### *Interpretation & Public Engagement*

*Given the significance of the Royal High School to the history of Edinburgh it is essential that this rich heritage is interpreted within the final development. This should be undertaken also in collaboration with a programme of public/community engagement (e.g. site open days, viewing points, temporary interpretation boards) the scope of which will be agreed with CECAS.*

*In consented it is essential therefore that a condition be applied to any consent if granted to secure this programme of archaeological works based upon the following CEC condition;*

*'No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (Historic building recording, excavation, analysis, reporting and publication, interpretation and public engagement) 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.*

## **CEC Flood Prevention, Comments**

*In support of the above planning application the Flood Prevention Unit has reviewed Technical Appendix 2.4: Surface Water Management Plan.*

*CEC Flood Prevention has the following comments with respect to drainage.*

- 1. Drainage layout should be provided which corresponds to the Microdrainage calculations and the surface water plan. Although exact invert levels and diameters of manhole are not required to be finalised an overall philosophy behind the proposed drainage should be conveyed including important information regarding tie in points to existing infrastructure, locations of Suds and flow control devices.*
- 2. The applicant requests the 10 l/s is used as the maximum discharge rate from the site to the combined sewer as opposed to 4 l/s. CEC Flood Prevention would request that the applicant attenuate flows in line with our guidelines, subject to use of minimum pipe diameters as specified in Sewers for Scotland. Once the drainage layout has been provided then consideration could be made for allowance of more than one minimum diameter connection into the combined network.*
- 3. The applicant must provide Microdrainage calculations pre-determination as this informs the decision. Therefore, please provide microdrainage outputs for all underground pipework including rainfall data, manhole and pipe schedules (to mAOD), and pipe surcharge report for all underground pipe connections. The manholes in the calculation should be cross-referenced to the drainage drawing to enable interpretation. The results should include the 30yr, 200 year and 200 yr plus climate change results. Should the model identify flood or flood risk in the system then drawings will be required to indicate where exceedence flow will be directed, how it will be contained within the site and lastly how it will be drained once the event has subsided.*
- 4. Please identify existing and proposed surface water flow paths on a drawing prior to determination. Surface water should be dealt with by analysing the existing and proposed flow paths and depths for surface water runoff. This should include runoff from outwith the site, from unpaved areas within the site, and from paved areas in events which exceed the capacity of the drainage system. Existing surface water flow paths should be over-marked on the topographical survey of the site to compare with the post-development flow paths.*

## **Flood prevention, further comments**

*The proposals are generally acceptable however, the applicant should consider the following modifications at detailed design stage to be in line with CEC requirements:*

*The surface water design should utilise two number hydro brakes of 75mm diameter (one for east network, one for west). This is as per Sewers for Scotland v3 and incorporates good design. Hydro brakes of diameter 62mm and 59mm are more susceptible to blockage and as a result may result in flooding. CEC Flood Prevention are accepting of the discharge rates that would pass through a 75mm hydro brake to the combined network- this is typically in the order to 3l/s dependant on head.*

*The increased aperture and subsequent discharge rate will ensure that the attenuation storage required to be provided on site will be reduced. As the applicant has demonstrated that the site has sufficient space to accommodate the larger amount of attenuation storage within their site, the flood prevention have no further comment on this application.*

### **CEC Environmental Assessment, Comments: 23/12/15**

*Environmental Assessment have assessed the submitted reports on noise and local air quality and deem the information submitted to be insufficient.*

#### *Noise*

*It is suggested in the supporting reports that specific instruments will be used in certain classes based on the level of noise they produce. This is not something which may be conditioned. Assurance must therefore be sought that the classes nearest the sensitive receptors are capable containing the noise from the noisiest instruments.*

*Specific mitigation details are required, for example regarding the exact specifications for the glazing and acoustic ventilation requirements. This should be accompanied by a plan showing where the specific mitigation measures will be required, in order to meet the prescribed noise criteria.*

#### *Local Air Quality*

*The specific details of the energy plant should be provided, in order to allow a full assessment of this impact.*

### **Environmental Assessment - further response 19 May 2016**

*The proposed development is bounded to the south and west by Regent Road (A1) and to the east by residential premises. There are also residential premises and student halls to the south of the development, beyond the A1 road. Environmental Assessment raised several issues which required to be addressed before we could support the application. This included noise and potential local air quality impacts.*

#### *Noise*

*Environmental Assessment raised concerns regard the potential noise impacts this proposed development may have on nearby residential amenity. Environmental Assessment recommended that a noise impact assessment should be submitted to support the application. The areas requiring attention relevant to the noise and vibration are demolition, construction and operational noise. The applicant has submitted a supporting noise impact assessment which has addressed all the concerns raised.*

## Construction

*The applicant has included details of the potential risk of likely effects from construction during activities that involve heavy demolition and piling. The site is located on hard bedrock (below existing buildings), therefore there are potential impacts of noise and vibration arising during excavation and breaking.*

*Construction noise and vibration is normally addressed and regulated under The Control of Pollution Act 1974 which gives City of Edinburgh Council Environmental Health Officers the powers to control noise and vibration pollution from construction sites, using primarily two mechanisms: British Standard 5228 Code of practice for noise and vibration on construction and open sites. Under the above primary legislation the site working hours are regulated which allows noisy construction works to take place only from Monday to Saturday between 07:00 and 19:00.*

*Any works requiring to be undertaken outside the daytime hours will require permission from the City of Edinburgh Council as specified in the Control of Pollution Act 1974.*

*There would be a requirement to demolish three buildings on site - the gymnasium, luncheon hall and classroom block. The Belvedere Tower would be retained. A Construction and Demolition Environmental Management Plan would be developed before works on site commenced. This would outline measures which would be followed to minimise potential environmental impacts at this stage. It would include, for example, management plans relating to noise, vibration and dust minimisation.*

*With regards to construction ground works, the applicant has suggested various methods for the site: 'Hydraulic Breakering' and 'Rotary Bored Piling'. Environmental Assessment is satisfied that either method can be used and regulated under the Control of Pollution Act 1974 to ensure disturbance is minimised. The applicant has further advised that it is envisaged that rock removal will be mainly removed through hand tool breakout techniques to minimise damage to the historic building. The applicant has confirmed that all techniques adopted will ensure that vibrations at the existing building are kept below the British Standard 5228:2009+A1:2014 - Code of Practice for Noise and Vibration Control on Construction and Open Sites levels.*

*An informative will be recommended regarding construction noise.*

## Plant

*Most of the building services will be centralised in a plant room with several additional plant spaces. There will also be an external chillers compound at the east end of the building and potentially kitchen supply/extract plant on the roof of the existing school, on either side of the central roof dome.*

*The assessment of mechanical services plant is based on the intrusive noise within nearby residential properties. The applicant has advised that it will be able to achieve the required noise criteria of NR25 within the neighbouring residential properties allowing for their windows to be open. It is not uncommon for developers not to have the specific details of all the plant. Mitigation of plant noise is straightforward and it is recommended that a suitably worded planning condition defining allowable noise limits (NR25).*

### *Operational Noise*

*Sound insulation performance of the building envelope (including glazing and ventilation) for performance space and music class rooms, are the mostly areas where noise breakout may occur. Environmental Assessment has advised that noise breakout must not be audible within any of the nearby residential properties. The applicant's noise impact assessment has addressed this issue and provided details on how the development will be designed to ensure that break-out noise levels meet the strict criteria.*

*Environmental Assessment is satisfied that the worst case scenario has been considered in the noise impact assessment. The performance space is enclosed within other rooms and so breaking-out noise would be reduced by the attenuation provided by internal partitions and the external building envelope. In order to achieve inaudibility in closest residential property the outer partition performance should be at least  $R_w=35\text{dB}$  with no open windows facing the residential properties. Environmental Assessment accepts the findings of this report and shall recommend conditions to ensure amenity is protected.*

### *Deliveries*

*The applicant has advised that a service management plan will be prepared by the operator that will detail how the deliveries will function, however based on the existing use Environmental Assessment have no concerns regarding noise from the proposed deliveries.*

### *Local Air Quality*

*It has been highlighted to the applicant that the site is located adjacent to the City Centre Air Quality Management Area which has been declared for exceeding Nitrogen Dioxide levels, caused mainly by traffic emissions.*

*Planning Advice Note (PAN) 51: Planning, Environmental Protection and Regulation 3 sets out the Scottish Executive's core policies and principles with respect to environmental aspects of land use planning, including air quality. PAN 51 states that air quality is capable of being a material planning consideration where a large scale proposal is inside, or adjacent to, an AQMA*

*The planning system has a role to play in the protection of air quality, by ensuring that development does not adversely affect air quality in AQMAs or, by cumulative impacts, lead to the creation of further AQMAs where air quality standards are not being met, and for which remedial measures should therefore be taken.*

*Breaches of air quality standards in the city's AQMAs are largely due to road congestion. The Council's Air Quality Action Plan contains a range of measures to reduce emissions both within these areas and beyond. Reducing the need to travel and promoting the use of sustainable modes of transport are key principles identified in the second Edinburgh Local Development Plan (LDP). The LDP acknowledges that growth of the city based on car dependency for travel would have serious consequences in terms of congestion and air quality. An improved transport system, based on sustainable alternatives to the car is therefore a high priority and continued investment in public transport, walking and cycling are central tenets of the City of Edinburgh Council's Local Transport Strategy 2014-19.*

*The City of Edinburgh Council's Parking Standards for Development Control document, dated December 2009, is used to determine the appropriate level of car parking for new developments.*

*The applicant does propose installing a relatively small gas powered energy plant. The applicant has demonstrated compliance with the Clean Air Act with supporting chimney height calculation ensuring the correct sized chimney is consented. As the applicant is including car parking they must consider the provision of rapid electric vehicle charging points for staff and visitors. At least one Charging outlet should be of the following standard:*

*70 or 50kW (32 Amp) DC with 43kW (32 Amp) AC unit. DC charge delivered via both JEVS G105 and 62196-3 sockets, the AC supply by a 62196-2 socket. Must have the ability to be de-rated to supply 25kW to any two of the three outlets simultaneously.*

*An informative will be recommended for construction dust.*

*Therefore Environmental Assessment offers no objections subject to the following conditions;*

- 1. The following noise protection measures to the proposed hotel, as defined in the Environmental Statement - Technical Appendix 6: Noise and Vibration' report (Ref TA6), dated December 2015:*
  - Glazing units with a minimum sound reduction level of  $R_w=35\text{dB}$  with no open windows facing the existing residential properties shall be installed for the external doors and windows of the performance space and class rooms, in accordance with drawing number LL-02-10 received on 23 May 2016 shall be carried out in full and completed prior to the development being occupied.*
- 2. Prior to occupation of the development, details demonstrating that noise from all plant complies with NR25 shall be submitted for written approval by the Head of planning and Building Standards*

*Details required*

*Prior to occupation of the development, details demonstrating that noise from all plant (including air source heat pump system) complies with NR25 within the nearest residential property (with window partially open for ventilation purposes) shall be submitted for written approval by the Head of planning and Building Standards.*

- 3. Charging outlet should be of the following standard shall be installed at taxi rank: 70 or 50kW (32 Amp) DC with 43kW (32 Amp) AC unit. DC charge delivered via both JEVS G105 and 62196-3 sockets, the AC supply by a 62196-2 socket. Must have the ability to be de-rated to supply 25kW to any two of the three outlets simultaneously.*
- 4. All boilers must be fitted with secondary abatement technology.*

### *Construction noise informative*

*To minimise the level of noise to which sensitive receptors will be exposed, the construction work will be conducted in accordance with a Code of Construction Practice (CoCP).*

*These measures will include the following:*

- Careful selection of plant and construction methods. Only plant conforming to relevant national, EU or international standards, directives and recommendations on noise and vibration emissions should be used.*
- Design and use of site enclosures, housing and temporary stockpiles, where practicable and necessary, to provide acoustic screening at the earliest opportunity*
- Where practicable, doors and gates should not be located opposite occupied noise-sensitive buildings. The mechanisms and procedures for opening doors/gates will minimise noise, as far as reasonably practicable*
- Choice of routes and programming for the transport of construction materials, spoil and personnel*
- Careful programming so that activities which may generate significant noise are planned with regard to local occupants and sensitive receptors*
- All vehicles and mechanical plant shall be fitted with effective exhaust silencers and shall be maintained in good and efficient working order and operated to minimise noise emissions*
- All compressors and generators shall be 'sound reduced' models fitted with properly lined and sealed acoustic covers which shall be kept closed whenever the machines are in use, and all pneumatic percussive tools shall be fitted with mufflers or silencers of the type recommended by the manufacturers*
- All machines in intermittent use shall be shut down in the intervening periods between works or throttled down to a minimum. Lorry engines will be switched off, as soon as practicable, when vehicles are stationary*
- Noise emitting equipment which is required to run continuously shall be housed in a suitable acoustic enclosure.*
- Temporary noise barriers will be used to reduce noise levels where appropriate and practicable. Such measures can be particularly appropriate for stationary or near-stationary plant such as pneumatic breakers piling rigs and compressors. Barriers should be located as close to the plant as possible and, in order to provide adequate attenuation and should have a mass per unit area of at least 7 kg/m<sup>2</sup>*
- Plant and equipment liable to create noise and/or vibration whilst in operation will, as far as reasonably practicable, be located away from sensitive receptors and away from walls reflecting towards sensitive receptors*
- Materials for night-time working shall be delivered, where practicable, during normal hours of working and be placed as close as possible to the work area for which they are required*
- Where reasonably practicable, fixed items of construction plant shall be electrically powered in preference to combustion engine driven*
- Doors on plant and equipment will be kept closed*

*It should be noted the local authority has powers under the Control of Pollution Act (1974) to control noise from construction sites.*

## *Construction Dust Mitigation*

1. *All mobile plant introduced onto the site shall comply with the emission limits for off road vehicles as specified by EC Directive 97/68/EC. All mobile plant shall be maintained to prevent or minimise the release of dark smoke from vehicle exhausts. Details of vehicle maintenance shall be recorded.*
2. *The developer shall ensure that risk of dust annoyance from the operations is assessed throughout the working day, taking account of wind speed, direction, and surface moisture levels. The developer shall ensure that the level of dust suppression implemented on site is adequate for the prevailing conditions. The assessment shall be recorded as part of documented site management procedures.*
3. *Internal un-surfaced temporary roadways shall be sprayed with water at regular intervals as conditions require. The frequency of road spraying shall be recorded as part of documented site management procedures.*
4. *Surfaced roads and the public road during all ground works shall be kept clean and swept at regular intervals using a road sweeper as conditions require. The frequency of road sweeping shall be recorded as part of documented site management procedures.*
5. *All vehicles operating within the site on un-surfaced roads shall not exceed 15mph to minimise the re-suspension of dust.*
6. *Where dust from the operations are likely to cause significant adverse impacts at sensitive receptors, then the operation(s) shall be suspended until the dust emissions have been abated. The time and duration of suspension of working and the reason shall be recorded.*
7. *This dust management plan shall be reviewed monthly during the construction project and the outcome of the review shall be recorded as part of the documented site management procedures.*
8. *No bonfires shall be permitted.*

## **CEC Transport**

*No objections to the application, subject to the following being included as conditions or informatives as appropriate:*

1. *Consent should not be issued until the applicant has entered into a suitable legal agreement to:*
  - a. *Carry out footway improvement works to the footway on the north side of Regent Road adjacent to the development at no cost to the Council. Detailed drawings must be submitted and agreed in writing by the Head of Planning and Transport, prior to commencement of work on Regent Road. The applicant should note that this may require details of lighting, drainage, Sustainable Urban Drainage,*

- materials (including a survey of existing materials and their retention), structures, layout, specification, etc;
- b. Contribute the sum of £2,000 to promote a suitable if necessary order to re-determine sections of footway and carriageway as appropriate (i.e. if the existing kerb line is adjusted);
  - c. Contribute the sum of £2,000 to promote a suitable order if necessary to amend the controlled parking zone order as it applies to Regent Road;
2. For the avoidance of doubt, the Council does not support or approve any reduction in parking provision on the south side of Regent Road at this time. Any reduction of on-street parking on the north side of Regent Road will require approval in writing from the Head of Planning and Transport and contributions as set out in 1.c. above;
  3. The applicant should be informed that prior to carrying out any works to the footway or carriageway, a roadwork's consent must be applied for and secured. The layout etc. referred in 1.a. above must be agreed prior to application for road works consent;
  4. Any gate or doors must open inwards onto the property;
  5. All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Head of Transport if he wishes the bays to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2002 regulations or British Standard 8300:2009 as approved by the Head of Planning.

Notes-

- a) It should be noted that there is no current Council budget provision with respect to the 'aspirational public realm enhancement' works (see Richard Murphy Architects Dwg.AL/02/01, dated 10/12/15). The applicant should be advised that, should you be minded to recommend approval, the granting of planning permission will not commit the Council in any way to contribute to, or carry out, any public realm improvements on Regent Road;
- b) The Council's Developer Contributions and Affordable Housing Consultation Draft states that tram contributions will be required for change of use. These will be based on the tram contribution for the proposed use, minus the tram contribution based on the use of the existing building. The existing use is understood to be 3,500m<sup>2</sup> GFA offices and the proposed use to be a mix of non-residential and residential institution but with a reduced floor area (due to demolition of some parts). This results in a negative sum and therefore it is considered that a tram contribution is not applicable in this case.

**Economic Development - response dated 22/12/2015**

The following are comments from the City of Edinburgh Council's Economic Development service which relate to the planning application 15/05662/FUL for the adaptive reuse of the former Royal High School as a music school.

*Edinburgh's economic strategy, A Strategy for Jobs 2012-17 aims to achieve sustainable economic growth through supporting the creation and safeguarding of jobs in Edinburgh. A key element of delivering jobs-driven economic growth is the provision of an adequate supply of workplaces.*

*In adherence with Capital Coalition Pledge 17 - Continue efforts to develop the City's gap sites and encourage regeneration the City of Edinburgh Council is committed to supporting development across the city. The Edinburgh 12 initiative was introduced by the Council in 2013 to assist with the progression of developments on strategic gap sites within Edinburgh's city centre. 12 sites were identified as having the greatest economic impact and which could be delivered within the next five years within the city centre. The former Royal High School is one of these sites. It is estimated that the Edinburgh 12 could collectively directly support over 18,000 full-time equivalent end use jobs upon completion.*

#### *Commentary on existing uses*

*The site in question is currently occupied by the former Royal High School (FRHS), an A-listed former secondary school. The FRHS constitutes a complex of seven buildings five listed 19th century buildings and two unlisted 20th century buildings (along with boundary walls, gateposts, railings and a belvedere tower, all of which are also listed):*

- 1) The 1825 Hamilton Building (net internal area estimated at 1,831m<sup>2</sup>);*
- 2) The 1825 West Pavilion (NIA 72m<sup>2</sup>);*
- 3) The 1825 East Pavilion (NIA 72m<sup>2</sup>);*
- 4) The 1885 Gate Lodge to the far west of the Hamilton Building (NIA 62m<sup>2</sup>);*
- 5) The 1894 Gymnasium Block northeast of the Hamilton Building (NIA 649m<sup>2</sup>);*
- 6) The 1924 Luncheon Hall southeast of the Hamilton Building (NIA 216m<sup>2</sup>); and*
- 7) The 1946 Classroom Block west of the Hamilton Building (NIA 126m<sup>2</sup>).*

*The FRHS was designed by Thomas Hamilton in the Greek Revival style and originally built between 1825 and 1829. It is frequently cited as a leading example of Scottish Greek Revival architecture and as an important element of Edinburgh's World Heritage Site. The building occupies a prominent location at the base of Calton Hill below the National Monument. The building was listed in 1966. Works undertaken in the late 1970s saw many of the original interior elements altered or removed.*

*The Royal High School relocated to a new building in 1968, leaving the building empty. In the late 1970s, extensive internal works were undertaken to convert the school into a debating chamber for the proposed Scottish Assembly. Edinburgh District Council resumed ownership of the FRHS in 1993. Thereafter, a number of uses for the building were mooted, including a civic building; a sixth form college; a museum; a music conservatoire; and a boutique cinema. None of the proposals materialised, with a recurring theme being a requirement for a large upfront capital grant and ongoing public sector financial support. The FRHS was utilised intermittently by the Council as office space until being largely mothballed in 2010 as a cost reduction exercise. The FRHS is currently in a state of dilapidation with erosion of the stonework and vegetation growth to the exterior and water damage to the interior as a result of roof leaks. This reflects in part the extensive energy, maintenance and security costs associated with the building (approximately £250,000 per annum), leaving limited budget for major repair works. The Gate Lodge is currently occupied by the Council, supporting a negligible number of jobs, while the other buildings are vacant. The*

*property agent DTZ has advised that all buildings other than the Gate Lodge are not fit for occupation due to their condition.*

*The FRHS complex is located on Regent Road, placing it within Edinburgh city centre. As set out in the Strategic Development Plan for South East Scotland, Edinburgh city centre performs a broad range of regional and national functions including shopping, office, leisure, culture, tourism and government and is the principal city centre for South East Scotland. The Princes Street Development Brief for Block 10 states that "the block has the potential to deliver a cultural and visitor destination and become a key connection between the existing and emerging developments within the Old Town and the St James Quarter. The retail and leisure offering of the city centre to the east of Princes Street is sporadic, with major breaks in the active frontage at Regent's Bridge and the Old Calton Burial Ground wall. At present, the offering comes to an abrupt end at Howies Restaurant at the eastern extent of Waterloo Place, with no clear demarcation of the end of the city centre and nothing to draw footfall onward. As identified in the Princes Street Development Brief for Block 10, Regent Road is an underutilised area of the city centre. Calton Hill, Jacob's Ladder, and the New Calton Burial Ground are unwelcoming environments prone to antisocial behaviour. The area is generally in need of an asset that will draw additional footfall to the area (particularly in the evening) and catalyse further regeneration.*

#### *Commentary on proposed uses*

*The applicant the Royal High School Preservation Trust proposes to convert the former Royal High School into a music school. It is proposed that the school would be operated by the St Mary's Music School, which currently occupies premises at 25 Grosvenor Crescent, Edinburgh with a roll of 83 students 49 day and 34 boarding). The music school would provide education facilities along with residential facilities for staff and pupils and three performance spaces. The Hamilton Building, East and West Pavilions and Gate Lodge would be retained and restored, albeit with extensive renovation of the interiors (to include the restoration of "as much as is possible" of the original features removed in the 1970s). A portion of the South Terrace wall of the Hamilton Building would be removed to create a new entrance at ground level. The Classroom Block, Luncheon Hall and Gymnasium Block would be removed and replaced with a new building containing classrooms, practice rooms and student bedrooms. The grounds of the FRHS would be extensively landscaped.*

*The application has been made speculatively, with the applicant possessing no material interest in the site; as a result, the prospective timescale for delivery of the proposals is unclear.*

*The application suggests that the development as proposed complies with the Development Brief for Princes Street Block 10. The vision for the block as set out in the brief is for a world class visitor destination set within a high quality public realm with key linkages to Calton Hill, Princes Street and the Old Town. The development principles states that proposals should provide a range of uses, such as cultural, visitor and leisure uses" and deliver "improved accessibility to the campus and main building. While it is recognised that there are public-facing elements of the development, it is uncertain whether a music school can genuinely be considered a visitor destination.*

### *Class 8 Residential Institution*

*The proposed development would deliver bedrooms for 70 students boarding at the school (24 single, 20 twin, and two triple), along with a dining room, sitting room, and kitchen facilities.*

*This represents an increase of 36 bedrooms on the School's existing building. As it can be assumed that boarders will typically live outwith Edinburgh, this could be expected to bring a small amount of additional expenditure to Edinburgh during term time via additional spending by pupils in the local economy on recreation, dining out, clothes, etc. The scale of this expenditure is challenging to quantify but is unlikely to be significant.*

*St Mary's Music School currently rents out 40 bedrooms in the months of July and August and the application indicates that the bedrooms in the development would similarly be rented out. The development could provide approximately 4,340 bed-nights of visitor accommodation per annum. Given an average occupancy rate in Edinburgh of approximately 80%, this would represent 3,472 additional visitor nights in Edinburgh. Daily visitor expenditure in Edinburgh averages £93. This suggests the development could support an additional £0.15 million of visitor expenditure in Edinburgh each year (£0.32 million, less the £0.17 million currently supported). This could be expected to (directly and indirectly) support approximately 2 new jobs and £0.07 million of gross value added per annum (2013 prices) in tourism-related sectors in Edinburgh.*

### *Class 10 Non Residential Institutions*

*The proposed development would deliver a music school. This would comprise 41 teaching rooms/classrooms/etc and 23 practice rooms, along with a recording suite, common room and offices/administrative space.*

*Data from the Scottish Council of Independent Schools indicates that independent schools on Scotland employ on average one member of staff for every 4.1 pupils. A review of the St Mary's Music School prospectus indicates that it employs approximately 79 members of staff (a 1:1 staff to student ratio). Multiplier effects could be expected to support a further 21 jobs across Scotland, giving a total employment impact of 100 jobs. Based on average levels of productivity for employees in the "education, human health and social work activities", this could be expected to directly support gross value added of £1.42 million, along with a further £0.59 million through multiplier effects, giving a total economic impact of £2.01 million of gross value added per annum (2013 prices).*

*A key consideration is the extent to which this impact would be displaced from elsewhere in Edinburgh. The applicant's submission suggests that the St Mary's Music School would simply be relocated from Grosvenor Crescent to Regent Road, meaning there would be no overall increase in economic output. However, it is noted that the application refers to the School having outgrown its present location and suggests that the School could use the new premises to expand to 120 pupils. This could be expected to deliver an increase in the employment and output of the School of approximately 50%. This would equate to 50 new jobs and an additional £1.00 million of gross value added per annum (2013 prices). Given the specialised nature of the School it is assumed there will be limited displacement from elsewhere in Scotland.*

### *Class 11 Assembly & Leisure*

*The proposed development would deliver a 250-seat concert hall in the central chamber of the Hamilton Building and a smaller performance space to the west. The West Pavilion would also be converted into a function room, while the garden created in the former western playground would be available for outdoor events.*

*The application suggests that the spaces could be used by organisations such as the National Youth Choirs of Scotland, National Youth Orchestra of Scotland, and National Youth Orchestra of Great Britain, along with visiting youth music groups, small-scale choral music and Edinburgh Festival acts. This space could therefore help contribute to the shortage of creative space in Edinburgh.*

*The application refers to the spaces hosting "evening concerts in term-time. It is suggested that there may be some practical challenges associated with regularly hosting evening events within a boarding school, particularly if the venue is licensed. The performance spaces could potentially attract additional visitors to Edinburgh. To more robustly assess this, it would be necessary to understand how frequently events would be held and to what extent the performances would reasonably be expected to attract visitors to the city.*

*The proposed development would also deliver a bar within the foyer level of the Hamilton Building. It is unclear whether this would be permanently staffed.*

### **SUMMARY RESPONSE TO CONSULTATION**

*It is calculated that the development could directly and indirectly support a total of 52 new jobs and an additional £1.07 million of gross value added per annum (2013 prices) by enabling St Mary's Music School to expand its pupil roll and hire out additional bedrooms during the summer vacation. There could potentially be additional impacts associated with increased expenditure by boarders in the local economy; expenditure in the local area by people visiting Edinburgh to attend performances being held within the development; and employment within the leisure elements of the development.*

*As highlighted in the Princes Street Development Brief for Block 10, the FRHS is located in an underutilised area of Edinburgh prone to antisocial behaviour, presenting a requirement for a "world class visitor destination to enliven and animate the area. It is unclear to what extent the development would fulfil this requirement. While it is recognised that the development would incorporate performance space open to members of the public, it is not specified how intensively this space would be utilised; there is therefore a lack of clarity as to how frequently the building will be accessible to the public. There are also uncertainties around whether a licensed performance venue could practically routinely operate within a boarding school during term time. It is suggested that it would be useful to have greater clarity on how the performance space would operate to help determine whether it would deliver the increase in vitality needed.*

### **Economic Development - Addendum received 1/7/16**

*In June 2016, BOP Consulting published an 'Impact Statement' for the development on behalf of the applicant. This addendum reviews the elements of the impact statement pertaining to the projected economic impact of the development.*

*The impact statement suggests that the development could directly and indirectly support between 35 and 49 new jobs and £0.70 million and £1.11 million of gross value added per annum. These figures are of a similar magnitude to those independently arrived at by the City Strategy and Economy service and are considered to be realistic.*

*Additionally, the impact statement suggests that the development would represent £38.5 million of capital expenditure. This could be expected to directly and indirectly support a total of 272 jobs and £19.6 million of gross value added over the duration of the construction period.*

## **Scottish Natural Heritage**

*The proposed development is situated in a sensitive location adjacent to Calton Hill, which is an important and prominent landform and an iconic landmark within the City of Edinburgh.*

*It is also adjacent to one section of the Arthurs Seat Volcano Site of Special Scientific Interest (SSSI), notified in part for Carboniferous - Permian Igneous geology. We strongly support the production of a rock extraction management plan, and advise that if the mitigation regarding this, set out within the Environmental Statement and outlined below, is taken forward, then these interests will not be affected by the proposal. It is for the planning authority to determine, within the context of your own policies, whether planning conditions are necessary to secure this mitigation.*

### *Background*

*Calton Hill, as an important context for the proposed development, is characterised by its rugged natural form of exposed rock, gorse and tree cover, juxtaposed with buildings and monuments which fringe the hill and punctuate its summit. Within this context the application site occupies an important position on the southern platform of the hill, with the hill and the site itself offering spectacular views of the city centre and other key landscapes within the city and beyond. The hill has a particularly strong physical relationship to Arthur's Seat and Salisbury Crags, which are related geological features. The value of the hill is widely recognised in the multiple designations that apply to the hill and its immediate surroundings.*

*At the scoping stage, we advised that due to the location of the development site immediately adjacent to the Arthurs Seat Volcano SSSI, geology should be 'scoped in' to the Environmental Impact Assessment. We considered that the level of detail provided within the scoping report was not sufficient to conclude that the risk of damage to the geological features of the SSSI would be avoided. The applicant did not alter their decision regarding the scope of the assessment; however the level of information provided within general chapters of the ES is sufficient to enable us to complete our appraisal.*

*Advice to Council:*

### *Geology*

*Volume 2 Chapter 8 of the ES, the 'Schedule of Mitigation', states that the exact measures to be included within the Construction and Demolition Environmental Management Plan (CDEMP) would be subject to agreement with the City of Edinburgh*

*Council and other consultees, and such agreement would be ensured by appropriately worded planning conditions.*

*We therefore recommend that the following is included as a planning condition in any planning permission granted:*

*A Rock Extraction Management Plan must be drawn up and included within the CDEMP to mitigate any effects which may arise from rock extraction on the Arthurs Seat Volcano SSSI.*

*As noted in section 8.1.4, this should include consultation with specialists and stakeholders, including the British Geological Survey (BGS) and SNH, to establish a preferred method and for the monitoring and recording of the work. The ES Technical Appendix 2.1, the Draft CDEMP, section 2.2.3 'Substructure' contains a Working strategy for rock excavation' which we advise should be adhered to in order to ensure that the natural heritage interests of national importance adjacent to the site will not be affected by the proposal.*

*We wish to continue to be consulted regarding the outcomes of any assessments and potential impacts of rock extraction. There may be positive or negative implications for the SSSI rock exposures, so it is important that dialogue continues as the development progresses. We welcome the involvement of the BGS in observing and recording temporary rock exposure during excavation, and we are pleased to note the potential to incorporate an element of interpretation where it is possible to retain new exposures, or where features of interest are found and documented (ES Vol. 2 - 2.6.23).*

#### *Landscape*

*We note and broadly agree with the findings of the ES, as set out in the Townscape, Landscape and Visual assessment, that activity at the site will be most notable during the demolition and construction phases. During the demolition and construction works large machinery / cranes will appear visible against and breaking the skyline of Calton Hill. However, we agree that these effects are temporary and reversible in nature, and that most of the work will only be visible within a short range. Once construction is complete, the low elevation of the proposed new building and its location behind the Hamilton Building is unlikely to have a significant adverse impact on the existing landscape character of Calton hill, or the views towards or from the landform. However, given the changes proposed for this sensitive site we would advise that methods of securing tree protection and new planting as landscape mitigation within the site are secured, and that detailed consideration is given to matters put forward in the night time lighting strategy.*

#### *Ecology*

*Based on the results of the ecological survey detailed in the Ecology Report (Technical Appendix, section 2.3), we are content with the stated requirement for pre-construction surveys detailed in the draft CDEMP section 3.5.6.*

#### **Scottish Natural Heritage - comments dated 27/4/16 (Re: Supplementary environmental Information)**

*Scottish Natural Heritage has no further comment to make at this stage.*

## Historic Environment Scotland

*Your council has consulted us in regard to 3 separate consultations for St Mary's Music School's proposal, namely: 15/05662/FUL, the planning application regarding setting of various assets; then 15/05665/LBC, the listed building consent; and finally, 15/05662/FUL, the Environmental Impact Assessment. For clarity and ease of reference we enclose a consolidated single response.*

*Historic Environment Scotland has reviewed your consultation, and we consider the proposals do not raise issues of national significance, so we can confirm that we do not object. While we do not object, we do, however, have detailed comments on the applications which are provided the enclosed Annex which your Council should take into account under the terms of Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013.*

### Note

*Historic Environment Scotland, HES, has a national remit for the Historic Environment, and as such does not provide detailed comments on every application. We consider consultations in national terms, and will decide whether to provide detailed advice depending on the scale, nature or complexity of the proposals.*

### Annex

*This consolidated response addresses the 3 consultations sequentially, as follows:  
15/05662/FUL - the planning application regarding setting of various assets;  
15/05665/LBC - the listed building consent  
15/05662/FUL - the Environmental Impact Assessment.  
15/05662/FUL - (DMPR) Planning Permission*

*The following comments address your council's request to consider the possible impacts of the proposed development on the following:*

### *Setting of Category A Listed buildings:*

- Old Royal High School*
- St Andrew's House*
- Regent Terrace*
- Burns' Monument*
- Monuments on Calton Hill*
- Setting of Scheduled Monuments: Holyrood Palace, Abbey and Gardens*
- New Town Gardens: Historic Gardens/ Designed Landscape - Inventory Site (Calton Hill and Holyrood Palace Gardens and Regent Terrace Gardens) - Outstanding Universal Value ('OUV') of Edinburgh Old and New Towns World Heritage Site ('WHS')*

### *The Royal High School*

*The proposed new teaching/accommodation block on the eastern portion of the site has been designed to sit low within the majority of the eastern area, its stepped massing and form taking its design cue from the natural topography of the hill. The inclusion of planting and green roofs anchor the building into its wider landscape context, giving it a recessive foil in contrast with the powerful classical language of the main Thomas Hamilton-designed building (including its pavilions, 'sub-structure', staircases, walls and railings, etc) (henceforth 'the Hamilton building'). We note that the proposed development would be lower than the existing gymnasium block which currently occupies the site.*

*The development also proposes a new practice room range to the north / 'rear' of the Hamilton building. In preliminary discussions with your council and the applicant's agents in November 2015, it was noted that this area of the site was sensitive to change, and presented challenges in terms of any development appropriately addressing its setting and character. Whilst we recognise this area is the 'rear' of the Hamilton building, it is nonetheless highly significant, not only because of its careful detail and articulation, but also because it is historically the main entrance to the building, and articulated accordingly. There is a clear visual progression of sequences from the gate piers and gates at Regent Road to the gate lodge, moving to the main building where the rear elevation slowly reveals itself.*

*We remain concerned in regard to the potentially adverse impact this proposed building may have on the setting of the Hamilton building. As currently designed, this proposed new building would prevent the north façade being read coherently, with octagonal pavilions introducing an uncharacteristic series of interlocking spaces. Development here would also prevent the creation of an open communal space, a 'breathing space' for the north side, enclosed as it is by the original retaining wall and over-sailing green space of Calton Hill above it.*

*An options appraisal was made available to us following our initial comments in November 2015, whereupon a joint Council / HES response was issued back to the agent's Design Team. We are therefore disappointed that the design has reverted back to the previous concept which did not receive strong support. We believe there could be real merit and scope in your council re-opening a dialogue with the agent's Design Team on this issue. This is borne out by the previous discussions which demonstrated that the practice rooms can be absorbed into the teaching/ accommodation block on the east of the site without unduly unbalancing the design, appearance, and, importantly, the height of the proposed development. Historic Environment Scotland would welcome being part of any future discussions regarding this area of the site.*

#### *The New Town Gardens Inventory Designed Landscape*

*The Royal High School is located on the southern flank of Calton Hill, which forms a significant and visually prominent element of The New Town Gardens Inventory designed landscape. It has outstanding historical, architectural and scenic value as well as outstanding value as a work of art.*

*We consider the proposals would maintain the carefully-planned setting and relationship between the hill and the former school complex. As previously noted, the teaching and accommodation block sits low within the site. Its stepped massing takes its design cue from the natural topography of the hill. The inclusion of planting and green roofs further anchors the building into its wider landscape context. The demolition of the later classroom block behind the lodge would return this area of the site to its open aspect as envisaged by Hamilton. The proposed landscaping, whilst bold and contemporary, respects the setting of the hill. Calton Hill is prominent and visible from a wide range of locations, its monuments giving it emphasis and a characteristic form. The proposed development, due to its design, massing and materials, would not have an adverse impact on the series of important views of Calton Hill. Furthermore, the uncovering of the impressive original Hamilton-designed retaining wall with terminating Belvedere will bring significant benefit to the wider city views of Calton Hill and its iconic picturesque composition.*

### *Setting of other Category A Listed buildings*

*We consider that the proposals would not have an adverse impact on any of the following Category A-listed buildings/ structures - St Andrew's House, Monuments on Calton Hill, Burns Monument. Similarly, they would not have an adverse impact on the Royal Park or Holyrood Palace, Abbey and Gardens, a Scheduled Monument.*

### *World Heritage Site*

*Both the former Royal High School and Calton Hill have great importance within the Old and New Towns of Edinburgh World Heritage Site. The former school is also within the New Town Conservation Area whose Conservation Area Character Appraisal identifies it as an integral component within the ensemble of monuments and buildings on Calton Hill. The Management Plan recognises the 'dramatic topography' of Calton Hill and its 'collection of nationally important monuments'. It also notes the care taken to maximise 'long views and the picturesque quality of the site' in its original early nineteenth century development. We consider the proposals, due to their design, massing, and materials, would maintain the carefully-planned setting and relationship between the hill and the former school.*

### *15/05665/LBC Listed Buildings Consent*

*The international importance of Category A, listed Thomas Hamilton's Royal High School is undisputed. It is arguably the most significant and accomplished Greek Revival building in the UK, and has claims to be amongst the finest on a worldwide stage.*

*This proposal represents varying degrees of impact and change on the site, ranging from sensitive repair to demolition. The Design Access Statement notes the intent of the proposals to provide a new home for St Mary's Music School, including the formation of a new performance space in the main hall. This is supplemented by the Conservation Statement: December 2015 which identifies a hierarchy of significance to the various elements of the Hamilton building and site at large. In a section titled 'Strategy, Resolution and Vision' (p.81) it affirms 'A firm resolution to act in a conservation-led way should be set out to ensure the principles of 'informed conservation' are key elements of its future'.*

*As noted above, the applicant proposes to adapt the main hall (currently laid out as a debating chamber) to a publically accessible performance space. This proposed new use brings with it a number of challenges, particularly in terms of adequate access and circulation. To alleviate the applicant's perceived tension of using the existing access arrangement to the main hall, particularly in regard to the sensitive functions of the school, it is proposed to create a new entrance set beneath the portico. Associated works including the formation of a large subterranean foyer, new staircases and full DDA compliance is proposed to support this new use. Given the extensive nature of these proposals there are a number of points to consider.*

### *External works*

*We note that the railings which run along the retaining wall are proposed to be removed. Although the railings may not appear in Hamilton's known artistic visions for the Royal High School, they do appear original to the building's construction and appear in a calotype image of 1843. As they are rare survivals, presumably original; and of both architectural and historic significance, the presumption should be to retain them. Their removal would also seem to be at odds with Policy 18 of the Simpson and*

*Brown Conservation Statement: December 2015 to retain and restore all railings and lamps.*

#### *New entrance and access from Regent Road*

*We welcome the re-use of the pylon gatehouses on Regent Road which will provide suitably impressive entry points into the building. It is acknowledged that the original circulation route here is convoluted, and was never intended for day-to-day use, instead, inspired by Grecian ceremonial ideals. As a way to rationalise the complex access route, the design team proposes to create a terrace behind the central retaining wall. This would provide an access point into a new foyer underneath the entrance hall. The main intervention here is the proposed formation of a wide entrance into the building below the portico. The information supplied suggests that the new entrance and terrace would be masked by the retaining wall and would not be visible from Regent Road. Further assurances on this may be useful. Besides the visibility, the extent of historic fabric proposed for removal is of concern. It may be beneficial to have further dialogue regarding the dimensions of the opening or whether a stone pier is retained. The expansive width supported by a prominent steel beam is a radical architectural and structural treatment, and there may be scope to retain the facing of the original stone to cover the steel. This could bring the stone level neatly down to the existing plinth in this position and reduce further any potential views of the opening.*

*Once entering through the new opening, a large undercroft is designed to house a new foyer supporting the concert hall. In order to create this expansive new space, considerable ground/ rock excavation will need to be carried out. There will also be considerable loss of many of Hamilton's original, and characterful, network of passages and stone vaulting. In regard to the methodology and works to excavate a significant amount of ground, including bedrock, the applicant will need to convince your council that this structural work can be carried out without causing damage to the building. In addition, any of Hamilton's structural work that can be retained will be welcome.*

*The principle of this substantial re-working is justified by the applicant in terms of the significant benefits they identify the proposals will bring to the site at large, particularly in terms of the conservation-led reinstatement works, and the proposed sustainable re-use of the site. Furthermore, we are asked to take into account the cultural gain of promoting the principal parts of the building as being accessible to the public as a series of performance spaces with a dedicated new entrance and foyer accessed from Regent Road.*

#### *Works to main hall*

*The main hall is the most important space within the building, one that was at the heart of the school throughout its history. We therefore welcome that it is proposed to reuse this space as a dynamic cultural hub which will be publicly accessible. It is also within this space that the applicant proposes significant conservation work, including returning key architectural and decorative features. The re-opening of the portico door, re-creation of the Greek ceremonial doorpiece, return to original configuration of balconies and stairs, and re-instatement of missing decorative features from the ceiling are all to be greatly welcomed. However, further consideration and dialogue should be continued regarding the cast iron balcony supports. We note it is proposed to replace them with console brackets that Hamilton showed on early drawings. Although elegant and appropriate, without knowing why Hamilton did not proceed with the brackets, the presumption should be to retain an original feature of the building he oversaw.*

### *Works to portico*

*It is proposed to remove the entire floor of the portico and replace it with fritted glass. The design rationale for this is to allow daylight into the subterranean entrance space and add interest allowing a view upwards to the coffered pediment ceiling. The applicant's statement of significance identifies the entire portico as outstanding. The character of a portico is something solid, robust and self-contained, and we would argue that the entire removal of its fine Craigeith stone flooring is inappropriate and should be opposed. There may be an opportunity to introduce a number of discreet light wells within the floor, giving permeability and light, whilst respecting the appearance and character of the portico. However, the daylighting achieved from under the portico may be overestimated and a better option may be to leave the portico alone and provide artificial lighting to the subterranean space instead.*

*We recognise there will be the need for barrier protection at this level. Although glass has benefits, it will inevitably draw the eye as an alien feature under the south-facing portico. There may be scope to investigate less immediately-visible alternatives such as tensioned wire or railings.*

### *Internal works elsewhere*

*The majority of proposals for internal works to the former teaching wings and former library/ masters' room recommend re-instatement of lost fixtures and features, which is to be welcomed. Where this is not feasible or valid due to previous insensitive intervention, appropriate and mindful re-configuration and adaption of spaces are proposed. We do not object to the replacement of the later PSA stairs.*

*The refurbishment of the eastern and western wings and their reuse as teaching/ office facilities has negligible impact to the exterior. The only external change of any degree connected with these is the proposal to lower the eastern wing's northern ground floor window to a door. Further details of this would be useful but hopefully the fanlight can be retained. The rationale for this is to give connectivity from the reconfigured refectory housed in the basement/ ground floor of the Thomas Hamilton wing to the residential bedrooms of the school pupils. There are a number of minor internal adoptions proposed to the pavilions. However, it is understood that these buildings have undergone a number of internal changes, for instance the western pavilion was used as a swimming pool. As with the main building there are no external changes proposed which would cause us concern.*

*Demolition: Gymnasium / Classroom block and Luncheon block We believe that the level of information contained within the applicant's Planning Statement broadly meets the criteria for demolition of the above listed buildings. Throughout our consideration of the proposals for the building we have noted and understood the considerable costs or repair and reuse for the main focus of the listing - the Hamilton Building. We have therefore taken the view that the demolition of the above ancillary buildings (primarily the Gymnasium) covered by the overall listing may be acceptable provided it facilitated a conservation-based solution for the main building and its important setting. The scheme offers the welcome repair and reuse of the main Hamilton building together with the sensitive redevelopment of the footprints the above buildings occupy - and on the western playground removes a later building reinstating the historic relationship between lodge and school and retaining wall.*

### *General comments*

*The assessment of impacts in the ES is complex, which is inevitable given that there are a large number of designations covering this site. However, we do have some concerns with the level of information provided in the assessment. This mainly relates to the treatment of the issue of 'setting' and impacts on the world heritage (WHS) site and New Town Gardens GDL in the cultural heritage chapter. We also have some concerns with the methodology used in the Townscape and Visual chapter and the treatment of heritage assets within the assessment. These issues are discussed below. We note the description of potential alternative uses for the site and design options set out in chapter 3.*

### *Cultural Heritage*

*General comments: We welcome the inclusion within the ES of an assessment of the effects of the proposed development on cultural heritage. We note the inclusion of a conservation plan in technical appendix 5.1 and the assessment criteria as set out in paragraphs 5.3.6 - 5.3.11 and tables 5.1 - 5.4; and we note that paragraph 5.4.4 states that designations are described in detail in Technical Appendix 1.3. However, this amounts to a list of the various designations present on the site, with no discussion of their contribution to the character of the site and its setting. The New Town Gardens GDL is missing from this list and we note that there is no assessment of impacts on this heritage asset within this chapter.*

### *Assessment of impacts*

*Direct impacts: We note the conclusions reached for the effects of demolition, alteration of the listed buildings within the site and the existing landscaping, construction and operational effects. On the whole we agree with the direct effects identified for the demolition works in this chapter.*

*Impacts on setting: Comments in Table 1.3.1 in Technical Appendix 1.3 state that the assessment of impacts on setting relies on visualisations. Whilst we welcome their provision and acknowledge that they were helpful in understanding the impact of the development, their use in the assessment in this way implies that the issue of setting is primarily a visual issue. Whilst the visual envelope of the asset is relevant, it is not the sole consideration as our 'Managing Change' Guidance clarifies. The applicant's approach leads to some shortcomings within the assessment in section 5.5 of the ES, particularly in relation to the characterisation and analysis of setting which does not appear to be explained. We note that the issue of the setting of the building is touched on at various points in the conservation plan in Technical Appendix 5.1, although these findings are not drawn together.*

*We also have some concerns about the way in which the effects of the proposed development have been assessed for the Old and New Towns of Edinburgh WHS. It would have been helpful if the impact of the proposals on the Outstanding Universal Value [OUV] of the WHS had been described and assessed instead of focussing on a number of visualisations without explaining their relevance to OUV. We note that the OUV of the WHS is discussed in more detail in the townscape and visual chapter (Chapter 7) although we do not agree that the methodology used in that assessment is necessarily appropriate. Further details on this matter are provided under the relevant heading below.*

### *Mitigation and residual impacts*

*We note the list of mitigation measures set out in section 5.7 of the ES which have been included as part of the design process for the proposals at this site. We consider that the option being taken forward in the planning application does not fully mitigate the impact of the proposed new practice rooms. Our detailed comments on setting impacts can be found under the relevant heading above. In terms of the assessment of residual impacts of the demolition of the gymnasium, we do not accept that the measures identified in Table 5.5 would alter the level of the impact of demolition such that it changes the overall level of effect.*

### *Townscape and visual assessment*

*General comments: Whilst we welcome the inclusion of a townscape assessment into the Environmental Statement as a way of considering the site in relation to the overall urban environment, we do not consider that this successfully addresses the impact of the development on designated historic environment features. This is principally because we do not agree that the Old and New Towns of Edinburgh WHS and the New Town Gardens GDL should be considered as townscape designations but rather that they should be considered in terms of their cultural heritage significance.*

*There are also some issues with the methodology used in the assessment. We note that the term 'susceptibility' is explained in Technical Appendix 7.3, Tables 7.3.2 and 7.3.3. We do not agree that it is appropriate to apply a judgement of the susceptibility of an asset to a particular development when considering its sensitivity. For example, the assessment of the demolition of the gymnasium building states in paragraph 7.8.8 that although this building is to be removed, that its susceptibility to the development is 'medium'. In this case, the effect of its demolition would be permanent and adverse. Given the nature of this impact we would prefer to see this acknowledged in the assessment as it has been in the cultural heritage chapter.*

*These issues can also be seen elsewhere in the assessment, such as in paragraphs for the WHS and the New Town Gardens GDL. That said, whilst the assessment raises some issues for our interests, overall we agree with the conclusions reached in the assessment.*

### *Conclusion*

*After careful assessment we consider the St Marys Music School proposals represent a measured reuse of a nationally and internationally important site and building. We welcome not only the proposed restoration and repairs to the listed building(s) on the site, but also the design of the new school accommodation blocks that, by their scale and positioning, firmly retain the primacy of the Hamilton building on the site. We would be happy to be involved in any further discussion over the listed building consent issues we have identified above.*

## **Historic Environment Scotland - Further response 23 May 2016**

*Historic Environment Scotland have reviewed your consultation, and we consider the proposals do not raise issues of national significance, so we can confirm that we do not object. While we do not object, we do, however, have the following comments which your Council should take into account under the terms of Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013*

*This response should be read in conjunction with our previous consultation response dated 1 February 2016 which comprised of;  
15/05662/FUL (Planning application regarding setting of various assets)*

*15/05665/LBC (Listed Building Consent)*

*15/05662/FUL (Environmental Impact Assessment)*

*We have the following comments to make on the current consultations, again dealing with the Planning Permission, Listed Building Consent and Environmental Impact Assessment separately.*

*15/05662/FUL (DMPR) Planning Permission*

*The Royal High School*

*In our letter of 1 February we noted our support for the well-considered design principles for the new teaching/ accommodation wing on the eastern side of the site, particularly in regard to its stepped massing and inclusion of planting. This approach retains and reinforces the primacy of the main listed building and also reveals Hamilton's belvedere.*

*Following an options appraisal (2015) regarding the location of proposed new work on the site, we asked whether there would be scope to revisit the location of the new practice rooms proposed to the north or rear of the Hamilton Building. We considered that the impact on the setting of the Hamilton building could be improved by keeping this area open and re-siting the rooms elsewhere to the east. We note no change to this element, with the applicant reiterating their view that there are significant benefits to the functionality of the school in siting the rooms here. Whilst we still consider the rooms would be best located elsewhere we do not consider the harm to the setting of the building is significant.*

*The New Town Gardens Inventory Designed Landscape*

*We would reiterate our comments from our consultation letter of 1 February 2016 (copy attached for ease of reference).*

*Setting of other Category A Listed buildings*

*We would reiterate our comments from our consultation letter of 1 February 2016.*

*World Heritage Site*

*We would reiterate our comments for our consultation letter of 1 February 2016.*

*15/05665/LBC Listed Buildings Consent*

*As noted in our previous response to your council, we had particular comments on the detailed treatment of the building. We will focus these comments on the outstanding elements of discussion.*

*External works*

*We note that it is still proposed to remove the run of original or early railings located on the retaining wall directly underneath the portico. We consider these railings are an important and considered element of the composition and do not believe their removal has been properly justified. We would recommend that the further consideration of this element could be handled by an appropriate LBC condition. We would be happy to be part of any ongoing discussion regarding this matter.*

### *New entrance from Regent Road*

*As a way to rationalise the complex access route from Regent Road to the main Hamilton building it is proposed to create a terrace behind the central retaining wall with the formation of a wide entrance into the building below the portico. Although the opening is large we understand that this new subterranean public entrance requires a certain scale and vigour, and welcome the design team's confirmation that both the new entrance portal and terrace will be masked by the retaining wall, and will not be visible from Regent Road.*

### *Works to main hall*

*Universally accepted as the most important space within the building, we greatly welcome the proposed wide-ranging conservation works which would re-instate significant lost elements of the original design and appearance of this magnificent hall, including access to the portico.*

*We note that the applicant has not revised their proposal to remove the cast iron balcony supports and to replace them with console brackets modelled on Hamilton's original design intention. Should their removal be considered acceptable by your Council, we would advise an undertaking to relocate, and ideally reuse, them in a meaningful area of the site. We would be happy to be part of any ongoing discussion regarding this matter.*

### *Works to portico*

*Following on from our previous comments expressing concern regarding the proposed removal of the entire portico floor, and its replacement with fritted glass, we note the substantial revisions to this element of the proposal. It is now proposed to considerably reduce the size of this feature, detailing it as a narrow slit running behind the columns. We welcome this revision.*

*We accept the need for barrier protection on the reopened portico level. However, the currently proposed use of a glass balustrade will inevitably draw the eye as an alien feature under the highly-visible south-facing portico. We would therefore reiterate our suggestion that there may be scope to investigate less immediately visible alternatives such as tensioned wire or railings. Again this element could usefully form a condition of any listed building consent.*

### *Conclusion*

*The international importance of Category A-listed Thomas Hamilton's Royal High School is undisputed. It is arguably the most significant and accomplished Greek Revival building in the UK, and has claims to be amongst the finest on a worldwide stage.*

*Although there remains a number of outstanding points not fully addressed in this revised consultation, and whilst we consider there could still be discussion over, or conditioning of, these elements, we would take this opportunity to state that the overarching principles, vision, and design tenets of this application are fully supported and welcomed by Historic Environment Scotland.*

*The reuse of the site as a school and cultural / arts venue affords significant and meaningful benefits. These include a conservation-led repair of the Thomas Hamilton*

*building, restoring the building, and allowing its main assembly space to retain a public and vibrant use.*

*The proposals also guarantee a sustainable future for the remainder of the site, providing a low-scaled school building to the east whilst keeping the important western playground free of development.*

### *Environmental Impact Assessment*

#### *Cultural Heritage chapter*

*We note the revised chapter which has been submitted as part of this consultation and welcome the tracked changes document which was helpful in understanding the amendments made.*

*Whilst we welcome the changes which have been made to the structure of the chapter to draw out the impact of the proposed development on the Outstanding Universal Value (OUV) of the world heritage site (WHS), our comments made in our response of 1 February remain relevant in relation to direct impacts, impacts on setting and the approach to mitigation and residual impacts.*

#### *Landscape and Visual Assessment Chapter*

*We note the response to our comments as submitted as Appendix 7 in the addendum. Our comments of 1 February still stand in relation to this assessment and we have nothing further to add.*

### **Network Rail**

*Whilst Network Rail has no objections in principle to the proposal, due to its close proximity to the Calton Railway Tunnels, we would request that the following matters are taken into account, and if necessary and appropriate included as conditions or advisory notes, if granting the application:*

*Any demolition or refurbishment works must not be carried out on the development site that may endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures. The demolition of buildings or other structures near to operational railway infrastructure must be carried out in accordance with an agreed method statement. Approval of the method statement must be obtained from Network Rail's Asset Protection Engineer before development can commence.*

*Construction works must be undertaken in a safe manner which does not disturb the operation of the neighbouring railway. Applicants must be aware of any embankments and supporting structures which are in close proximity to their development.*

- Details of all changes in ground levels, laying of foundations/piling works, and operation of mechanical plant in proximity to the Calton Railway Tunnels must be submitted to Network Rail's Asset Protection Engineer for approval prior to works commencing on site. Where any works cannot be carried out in a 'fail-safe' manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. by a 'possession' which must be booked via Network Rail's Asset Protection Engineer and are subject to a minimum prior notice period for booking of 20 weeks.*

*The developer must contact our Asset Protection Engineers regarding the above matters. We would be grateful if Local Planning Authorities would provide a copy of the Decision Notice.*

### **Police Scotland - Secure by Design**

*Due to its positioning, The Old Royal High School site is naturally very secure. With the exception of the main vehicular entrance, the site is surrounded by substantial stone walls and railings, which easily prevent unauthorised access. Having viewed the plans and discussed the development. The following initial comments are offered:*

- *The proposed public park/garden area at the West end of the site should be locked and secured preventing public access at night. The front of the School building should not be accessible to members of the public from this point*
- *It is noted that while access to the West car park area will be unrestricted, there is an intention to install a barrier/gate beyond the door to the proposed school reception. This will prevent unauthorised access into the heart of the school estate. This gate should be constructed in such a way as to prevent pedestrians from simply slipping by and entering the grounds without authorisation.*
- *The retention of the gate lodge as staff accommodation is fully supported. This will provide valuable natural surveillance over the main entrance and public garden area to the West of the site.*

*From a child protection perspective, the separation of the performance spaces in the main school building from the day to day St Mary's Music School operations, is fully supported. Patrons attending performances in the performance spaces will enter and leave the building from the front entrances/exits on Regent Road. Access to the music school and boarding accommodation will not be permitted when the main building is being used for external performances.*

- *It is recommended that consideration be given to the installation of an electronic access control system. A system like this would allow access by use of individual pupil /staff proximity cards. As well as the obvious security benefits in terms of pupil safety and protecting the school estate from intruders, these systems allow the operator to:*
  - *Create authorised entry points within specified hours.*
  - *Limit access to contractors, visitors or parents.*
  - *Restrict access to certain areas for authorised users.*
  - *Create easily accessible audit trails to determine the movement of individuals in the event of an incident or fire. - Swiftly replace and de-activate lost access cards.*
- *The extension of the public footway outside the school to the existing centre line of Regent Road is supported. The removal of parking permissions from the North and South carriageways of Regent Road here and the inclusion of Traffic calming measures will create a safer environment for pedestrians, school pupils and patrons of evening performances at the school. Drop off spaces could be created in front of the school building to facilitate drop offs for school pupils and evening performance patrons.*

## **SEPA**

*We have no objection to this planning application. We recently commented on a separate application at the proposed site (15/03989/FUL, (Our Ref: PCS/142428). While we offered no objection to that application we did highlight some issues for the attention of the planning authority. Therefore, this response should be read in conjunction with the above referenced letter. If there is any matter which you require any further clarification regarding, please do not hesitate to get in contact.*

*This advice is given without prejudice to any decision made on elements of the proposal regulated by us, which may take account of factors not considered at the planning application stage.*

## **New Town and Broughton Community Council**

*We welcome the early engagement and ongoing dialogue with the Royal High School Preservation Trust (RHSPT). The New Town and Broughton Community Council (NTBCC) have had the opportunity for several face to face discussions covering the Royal High School Preservation Trust's aspirations for this building in terms of providing facilities to enable it to be used to re-house St Marys Music School by relocating from Grosvenor Crescent; thereby re-developing the Old Royal High (New Parliament House) into a specialist music school and performance space. Regarding the principle of development, the New Town and Broughton Community Council has looked carefully at the scheme as it has developed and we are very supportive of it in terms of the educational use proposed (preserving its historic legacy) and the proposed conservation-based approach to redevelopment. We support the provision of a publically-accessible performance venue and support the improved public access both to the building but also to the undeveloped western terrace. We are also encouraged by the commitment by the Royal High School Preservation Trust (RHSPT) to ensure that sufficient funds have been committed for both the restoration of the listed building and the creation of world class facilities for the music school. In the longer term, we recognise that the proposed cultural function could generate sufficient revenue to support the upkeep of the building - resulting in a sustainable long term use for this important city asset.*

*2) NTBCC has always been supportive of a new, sustainable use for the building, given its deteriorating condition. NTBCC recognises and accepts that to accommodate any new use in the listed building, change and alteration on the site will be required. The key determining issue remains is whether the building and the site can accommodate the changes required without detrimental impact on the building, its setting, the wider conservation area and residential amenity.*

*Overall, NTBCC strongly believe that this proposal does achieve a sensitive adaptation for this building. We believe that the proposed design is fully consistent with the aims and policies of the Edinburgh City Local Plan and the proposed Second Local Development Plan which seek to preserve, protect and promote Edinburgh's built heritage whilst allowing and encouraging continued development.*

*We believe that the proposal is acceptable in terms of the planning authority's policies covering Design Quality (Des 1), and the impact on local amenity (Des 11) whilst ensuring as far as possible that the relevant conservation policies are upheld. The*

*proposed low level design - continuing the horizontality of Hamilton's design, achieves the goals of a functioning school. The proposed new buildings - being lower than the buildings proposed for demolition - in our view, do not detract from the principal building but reinforces the primacy of the Hamilton building. The proposed interventions, whilst being modern and contemporary, sensitively achieve a workable access solution to ensure the future reuse of the building.*

*3) NTBCC supports the assertion made by the applicant regarding the Development Brief for Princes Street Block 10 This brief states that 'the block has the potential to deliver a cultural and visitor destination and become a key connection between the existing and emerging developments within the Old Town and the St James Quarter'. At present, there is a distinct break at the eastern extent of Waterloo Place with little to draw footfall further eastwards. Regent Road and the environs of the Old Royal High School (ORHS) is an underutilised area of the city centre and especially at night, is an unwelcoming environment prone to antisocial behaviour.*

*NTBCC agree with applicant's assertion that the development as proposed complies with the Development Brief for Princes Street Block 10. The vision for the block as set out in the brief is for a 'world class visitor destination set within a high quality public realm with key linkages to Calton Hill, Princes Street and the Old Town'. The development principles states that proposals should 'provide a range of uses, such as cultural, visitor and leisure uses' and deliver 'improved accessibility to the campus and main building'.*

*NTBCC believe that this proposal 'will contribute significantly to the facilities and amenity of the city centre' for both local residents and visitors to the city centre by ensuring significant, all year round, publically -accessible events in addition to the music school*

*4) Generally, from a Listed Building standpoint, the level of intervention proposed on the key south-facing façade is minimal, and the proposed alterations would add value to the structure and overhaul its setting fit for modern schooling and cultural events. Further comments on this have been submitted in our representation on the associated Listed Building Consent application (15/05662/LBC).*

*Of particular relevance is the aspiration to maximise public performances as they can be more easily accessed without disruption on the normal activities of the Music School. The proposed're-orientation' of the building with access to the front brings new life to this building and potentially to Regent Road without compromising the façade of the building.*

*5) NTBCC does not object to the proposed demolition of some buildings within the Old Royal High School site, including the gymnasium. Arguably the present Gymnasium block to the east does to some degree diminish both the setting and the focus of the main Thomas Hamilton building. ON balance, we believe that this is an acceptable price to pay to bring the Hamilton building back into use as a school and a public performance venue which would enable the people of Edinburgh (and visitors to Edinburgh) to be able to regularly access the main hall for the first time since its inception and appreciate the wonderful architecture and setting, consistent with the SHEP tests ( as 'the demolition of the building is essential to delivering significant benefits to economic growth or the wider community').*

*We had objected to the proposed demolition of the entrance lodge in our representation to applications 15/03989/FUL & 15/03990/LBC as, although the lodge building is a later addition, its demolition did not meet any of the required SHEP tests. We therefore support retention of this and welcome that a new viable, economic use has been found - preserving the viewpoint from Waterloo Place towards Calton Hill. As noted by Police Scotland, this will also provide valuable natural surveillance over the main entrance and public garden area to the West of the site - which is to be welcomed.*

*6) The proposed education and accommodation extension is clearly necessary to ensure that the overall Music School proposal is viable. The proposed addition does not, in our opinion, detrimentally impact the setting. It takes advantage of the site's existing topography and will be largely out of sight when viewed from Regent Road. Furthermore, the developer has chosen to replicate the existing symmetry of the main Hamilton building, as the plans are near invisible from outside the boundary. In common with the statement by the Edinburgh Urban Design Panel, NTBCC support the proposed use of green roofs to the new buildings to allow for their effective reconciliation with the setting of the Hamilton building and Calton Hill.*

*7) NTBCC welcome the approach proposed for the western playground and the landscaped spaces on the site; previous concerns relating to the development including the potential loss of the playground and railings have been alleviated.*

*8) We note that as far as we are aware, there is no provision for parking on the developed site. We also note the comment in the Edinburgh Urban Design Panel report which stated that 'the project team were anxious that this should be discouraged and a reduced parking provision would be feasible given the accessibility of the site'. Although we believe that the requirements for parking should be minimal and we support the desire to minimise the amount of parking on the site, we would encourage the Planning Officer to explore this aspect further with the applicant and carefully integrated any requirements for parking e.g. by school staff etc. into the design.*

*9) We support the applicant's aspirations for public realm improvements. NTBCC believe that the public realm to the front of the building needs to be addressed as part of the project. It is stated that the project team would seek support from Edinburgh Council to enhance the accessibility and associated public realm including Regent Road. Regent Road does not serve the building well and the area to the front of the building needs to be re-energised., particularly the treatment of the road which would benefit from removal of the central railings and may benefit from traffic calming measures. The project team have stated that the creation of a more open environment would be integral part of returning the building to public use. However, the exact mechanism for achieving these improvements to the wider public realm is not clear at this stage. We would encourage the applicant to further liaise with relevant Council department to coordinate and manage these improvements to ensure that maximum benefit is obtained from this proposal.*

*In summary, NTBCC support the proposals put forward which offer not only a world class music school bringing additional talent and culture to Edinburgh, but also a public performance space which could provide a concert venue for musical events across the spectrum as well as and an available space for a wide variety of other events. These uses will make a significant contribution to the economic success and viability (with the associated increase in Edinburgh's GDP) through their use.*

*NTBCC believe that the proposed school and concert venue constitutes an appropriate and suitable use for the building and the site, and meets the council's objectives as they are contained in the Princes Street Block 10 Development Brief of 2008. This proposal will significantly enhance the amenity of this currently under-utilised and forgotten area for the residents of Edinburgh, but also attract a many new visitors to this area of the city, consistent with Edinburgh Council's development policies.*

*NTBCC believe that this proposal is considerably more appropriate than other recent applications due to its sympathetic reuse and complimentary redevelopment of the main Royal High building and its current setting. We support this application which provides a tangible and viable opportunity to protect and enhance this important city asset and secure a sustainable and long term future for this site.*

## **Edinburgh Urban Design Panel Report - 28 October 2015**

*The proposal for review is the restoration and adaptation of the former Royal High School site at Regent Road, Edinburgh.*

*The Panel welcomed the opportunity to review the proposal at this early stage of the design process.*

*The Panel unanimously supported the general design strategy and approach, particularly that relating to the proposed use and adaptation of the original Hamilton building. It is noted that the designs are at an early stage of development, and recommendations are made in developing detailed proposals in relation to the new build elements to the rear and eastern parts of the site, the landscape setting of the proposed development in relation to Calton Hill, the integration of parking and design of public realm enhancements to Regent Road.*

### *Main Report*

#### *1. Introduction*

*1.1 The application site is the former Royal High School with its grounds and ancillary buildings. The site occupies a prominent, elevated position on the north side of Regent Road on Calton Hill.*

*1.2 The primary building is category 'A' listed, and was designed by Thomas Hamilton, in 1825-1829. It is composed of a symmetrical of 'the principal Doric temple-pavilion, with flanking colonnades and subsidiary temples'. The listed building group, all category 'A' also includes a gate lodge on the north west side of the site (built in 1885) and a classical style, and a classroom block (built 1894) to the north east of the main building. The northern boundary of the former school grounds is bounded by a deep retaining wall which is also listed. This wall runs alongside the public walkway on Calton Hill, part of which is included in the site area. An area of informal landscaping, including small trees and shrubs, is located at the western end of the site next to the entrance to the old school and the walkway to Calton Hill.*

*Edinburgh Urban Design Panel Report - The Old Royal High School - 28 October 2015*

*1.3 The site is located in the New Town Conservation Area on the edge of the Old Town Conservation Area and within the Edinburgh World Heritage Site.*

*1.4 The site and its surroundings are affected by a number of other designations. Calton Hill is a Site of Special Scientific Interest and is included in the Historic Scotland Inventory of Gardens and Designed Landscapes. It contains a collection of*

monuments, including the category 'A' listed, National Monument, Observatory and the Stewart monument designed by William Playfair and the Robert Burns monument, designed by Thomas Hamilton. The category A listed Royal Terrace is situated immediately to the east of the site and the category A listed, St Andrews House is located to the south east, on the opposite side of Regent Road.

1.5 The site is located in the Central Area in both the Edinburgh City Local Plan (ECLP) and Second Proposed Edinburgh Local Development Plan (LDP).

1.6 This proposal envisages the restoration and adaptation of the site to provide a new home for the St Mary's Music School. This would allow for expansion of the school to 120 students and also include residential boarding facilities.

1.7 The original Hamilton building would be converted into a series of three music performance spaces contained within the principal rooms, these being served by a new foyer and staircases at the lower level of the building. School accommodation, including classroom, dining room and offices would be placed within the eastern and western wings of the building. The performance spaces, which would include a concert hall, would be accessible to the public and serve as a new cultural venue.

1.8 The proposal envisages that the existing classroom to the west of the original Hamilton building, and Gymnasium and Lunch blocks lying to the east would be demolished. These buildings are covered by the category 'A' listing and must be subject SHEP test to justify their demolition.

1.9 A largely single storey linear block with octagonal pavilion elements would be placed to the rear of the primary building. This would contain a series of small rooms for individual teaching and connect with an academic wing located to the eastern part of the site. This would be arranged around two courtyards, with an under level containing residential accommodation for the school. The area to the west of the original Hamilton building would remain an open landscaped space allowing for views to Calton Hill.

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

1.11 Declarations of interest were made by three panellists. Bob Bainsfair stated that his employer Ramboll Environ was involved in preparing ES/EIS data for the proposal although he had no personal involvement with the project and undertook to have no future role in respect of this submission. Dr Ola Udoku stated her child was a pupil at St Mary's School of Music and she was also a member of the School's Parent Teacher Association. Adam Wilkinson stated that William Gray Muir of the Royal High School Preservation Trust also sits on the board of Edinburgh World Heritage Trust. The nature of each declaration was discussed by the Panel and it was agreed that none were considered to represent a conflict of interest.

1.12 This report should be read in conjunction with the pre meeting papers which include an overview of the proposals, contextual and site analysis and preliminary design proposals.

1.13 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.

## *The Panel's View*

*Edinburgh Urban Design Panel Report - The Old Royal High School - 28 October 2015*

### *2. Proposed Uses*

*2.1 The Panel recognise that the former Royal High School represents one of the key buildings of the Scottish enlightenment and its international significance.*

*2.2 The project team outlined the aims of the project would be two fold. In addition to offering a new home for the St Mary's Music School, the building would also offer a performance venue which would be open to the public. This cultural function would generate revenue to support the upkeep of the building outside term time.*

*2.3 The Panel welcomed the proposal in that it would allow the building to be returned to productive, inspiring use, and to an educational purpose for which it was originally designed. The cultural performance venue would also offer a public face for the school. The Panel felt that the proposed uses would offer a sustainable long term future of the site and achieve a sensitive adaptation for an historic building of international significance.*

*2.4 The Panel noted the challenges of combining the proposed public use with an educational use, particularly for reasons of child protection. The Panel supported the proposed entrance strategy which will require separate entrances for the school and public performance venue. The internal spaces of the building will also need to be sufficiently flexible to accommodate such uses. However the design of the school accommodation to the eastern part of the site would also allow for enclosed, secure play areas to be created.*

*2.5 The Panel commented that the site would offer a highly accessible location for the proposed uses, being close to major transport facilities and strategically placed in relation to other cultural facilities in the city. The nature of the proposal would return the building to active use thus help improve public safety in the Regent Road area.*

*2.6 However, the Panel questioned whether any future expansion of the school needs would be possible, given the size and constraints of the site. The Panel also considered whether proposed accommodation to the eastern part of the site would offer a sufficient level of external space for the children to use. These are issues which the project team may wish to consider further in the development of their proposals.*

### *3. Concept and impact upon historic assets including the Hamilton Building and Calton Hill.*

*3.1 The project team outlined their proposed entrance strategy for the Hamilton building. The proposed concert hall and performance spaces would be accessed via the existing southern steps at the base of the building on Regent Road, this in turn leading to a new foyer area and internal staircases. The external, side staircases leading to the terraces above would be retained in their original form. This arrangement would also allow separate circulation to be maintained for the operation of the school and as a public performance venue.*

*3.2 The Panel considered that the proposed entrance arrangements would acknowledge the ritualistic journey through the building and allow the original front entrance and staircases to be maintained as pieces of architectural sculpture.*

3.3 The Panel noted that new glazed openings beneath the existing portico would allow natural light to enter the foyer space below. The height of the new opening would be carefully controlled to ensure minimal visual impact on the existing façade when viewed from the road. The Panel accepted that the proposed foyer would be critical to the long term re-use of the building and although parts of the existing terrace area would be removed this area is currently redundant and unused. The original Hamilton design envisaged a range of terraces and levels of the site will be maintained as existing. The Panel suggested that further dialogue needs to take place on the detail of new openings to the building.

3.4 Overall, the Panel were strongly supportive of the subtle level of intervention which would be required to the front elevation of the original Hamilton building. The composition and horizontality of the building would be retained and the proposed entrance strategy could offer an exciting experience to users of the building. However, notwithstanding the importance of the principal front elevation, the Panel also recognised the need to consider the building in the round. It was remarked that the rear elevation is also well detailed and important and this requires careful consideration as part of the overall design development.

3.5 The Panel noted that the existing classroom to the west of the original Hamilton building, Gymnasium and Lunch blocks lying to the east are proposed for demolition. The Panel felt that the loss of the listed buildings could be justifiable in that it would return the building to its original composition and greatly improve its landscape setting. The Panel felt that the proposed nature of development to the rear of the Hamilton building would be acceptable and would not compromise its setting.

3.6 The Panel felt that the design approach would respect the setting of Calton Hill, but remarked that the effect of lighting and potential light leakage need to be further considered. Particular impacts may arise with the proposed roof lights and these should be explored further.

3.7 The Panel enquired how DDA requirements might be achieved given the particular constraints of the historic building. The design team outlined that the DDA compliant access can be achieved from the front of the building via a passageway beneath the stairs with a lift then leading to the main performance level.

3.8 In summary, the Panel felt these represented exciting and innovative proposals offering an intuitive re-use of the building. The design was being progressed well and the overall concept would relate well to the site. The impact of the proposals on the setting of the Hamilton Building, Calton Hill and key views across the city would be negligible. Previous concerns relating to the development including the potential loss of the playground, railings and the breakthrough into the building from Regent Road have been alleviated.

#### 4. Design of new build elements and landscape

4.1 The Panel were generally supportive of the design approach for the new buildings and landscaped spaces on the site, although recognised that their detailed design still requires further development.

4.2 The Panel remarked that the octagonal form of the pavilion elements make reference to the atria on the original Hamilton building and would encourage both this idea and other design architectural typologies to be further explored.

*4.3 The Panel welcomed the proposed use of green roofs to the new buildings and it was recognised these could assist in reconciling the setting of the new buildings with Calton Hill.*

*4.4 The proposals must also consider the setting of the Hamilton belvedere to the north east of the site and seek to integrate this feature into the overall design.*

## *5. Public Realm and Transport*

*5.1 The Panel commented the current environment of Regent Road does not serve the building well and the area to the front of the building needs to be re-energised. The public realm to the front of the building needs to be addressed as part of the project, particularly the treatment of the road which would benefit from traffic calming. In response to this, the project team stated that the creation of a more open environment would be integral part of returning the building to public use. The Trust views itself as being a quasi public body and would wish to team up with the Council in terms of managing the public realm.*

*5.2 The Panel also noted that the project would seek to re-animate the front of the building with a series of terraces, as envisaged in original architectural concept.*

*5.3 The Panel enquired as to how car parking would be accommodated within the proposals. The project team were anxious that this should be discouraged and a reduced parking provision would be feasible given the accessibility of the site. The Panel stated that any parking requirements, including those for buses and service vehicles must be carefully integrated with the design of public realm and should not dominate the exterior of the building.*

## *6.1 Recommendations*

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

- The proposed concept for the scheme based around the Music School and a public performance venue*
- The ingenuity and sensitive approach being adopted for the Hamilton building including the design strategy for the main entrance and the minimal level of intervention required to the principal façade*
- The proposed use of green roofs to the new buildings to allow for their effective reconciliation with the setting of the Hamilton building and Calton Hill*
- The proposed arrangements for disabled access to the original Hamilton building.*

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

- The design and architectural language of the new build elements to the rear and eastern parts of the site*
- The detailed landscape design proposals for the site including the terraces and courtyard areas for the school accommodation*

*- The effect of lighting and light leakage both to the existing and proposed buildings needs to be further considered, particularly in relation to the landscape setting of Calton Hill.*

*- The design of public realm enhancements to Regent Road. These should be developed in close collaboration with the Council*

*- Seek to minimise the parking levels across the site with any essential parking requirements carefully integrated into the design*

*- The configuration and role of the proposed external courtyards in ensuring a sufficient level of external space for the children to use*

*- The proposals must also consider the setting of the Hamilton belvedere to the north east of the site and seek to integrate this feature into the overall design*

*- A strategy for any future expansion of the Music School which considers the size and particular constraints of the site.*

### **Edinburgh World Heritage - response dated 17/02/2016**

*I write further to our letter of the 15th November, following our initial discussions with the Royal High School Development Trust's development team in relation to the relationship between the old Royal High School, its surrounding area and the outstanding universal value of the World Heritage Site*

*At the point of writing our last letter, it was clear that the RHSPT team had a clear understanding of the importance of Hamilton's Royal High School building and its relationship with its wider setting, and were prepared to ensure their plans to adapt the site for use by St Mary's Music School fully recognized this. Our advice to CEC was that the proposals were shaping up to support outstanding universal value.*

*Since our last letter, we have become aware of correspondence between UNESCO's World Heritage Centre and the Department for Culture, Media and Sport highlighting the importance of the Royal High School in relation to the outstanding universal value of the World Heritage Site. We believe that this makes it all the more important that the most sensitive approach to Hamilton's Royal High School is adopted by the building's owner in terms of its setting and use.*

*Having studied the applications, it is clear that the development team has continued with its approach to the building and site, and the result is a set of proposals that we have no hesitation in endorsing as an exemplary and thoughtful marriage of ancient and modern in the highly sensitive setting of Colton Hill. Managing the relationship between Hamilton's building, its immediate and wider setting in a way to both conserve and enhance Hamilton's building. The proposals support the ambitions of the World Heritage Site Management Plan in terms of conservation and reuse but also in relation to the culture and sustainability of the city.*

## **Edinburgh World Heritage - response dated 09/05/2016**

*Further to our letter of the 17th February, we note that there have been continued, relatively minor, refinements to the proposals. These do not impact on outstanding universal value, and our view remains that the scheme as a whole supports the outstanding universal value of the World Heritage Site.*

# Location Plan

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**END**