

Development Management Sub Committee

Tuesday 25 April 2017

**Application for Planning Permission 16/04581/FUL
At Boroughmuir High School, 26 Viewforth, Edinburgh
Change of use and conversion of Boroughmuir High School
to form residential accommodation. Demolition of existing
outbuildings and erection of new residential block.**

Item number	6.1(a)
Report number	
Wards	A10 - Meadows/Morningside

Summary

The proposal complies with the adopted Edinburgh Local Development Plan and non-statutory guidance and is acceptable. There are no material considerations to outweigh this conclusion. It will not harm the architectural or historic interest of the listed building or adversely affect the character and appearance of the conservation area.

Outcome of previous Committee

This application was previously considered by Committee on 22.03.2017.

Links

<u>Policies and guidance for this application</u>	LDES01, LDES04, LDES07, LEN03, LEN04, LEN05, LEN06, LEN09, LEN12, LEN16, LEN21, LHOU02, LHOU04, LHOU05, LHOU06, LTRA02, LTRA03, LTRA04,
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Report

Application for Planning Permission 16/04581/FUL At Boroughmuir High School, 26 Viewforth, Edinburgh Change of use and conversion of Boroughmuir High School to form residential accommodation. Demolition of existing outbuildings and erection of new residential block.

Recommendations

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

Background

2.1 Site description

The application property is Boroughmuir High School. This is a category B listed building, reference 30040, listed on 12th December 1974. It is a three storey with basement and attic, symmetrical, rectangular double quadrangle-plan freestyle Renaissance school with Byzantine details, designed by John Alexander Carfrae, 1911-14.

The building is on the east side of Viewforth, lying between Westhall Gardens, Admiral Terrace and Viewforth Square. The surrounding area is primarily residential, with a mix of tenements and terraced houses.

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

2.2 Site History

There are concurrent applications for conservation area consent and listed building consent to convert the school building to residential use, with associated works, reference 16/04579/CON and 16/04580/LBC.

Main report

3.1 Description Of The Proposal

The Boroughmuir High School building is currently in educational use. However, the school intends to move to new premises at Fountainbridge in summer 2017.

Planning permission is sought for the alteration and conversion of the school building to form 87 residential units with associated parking, landscaping and bin stores. There will be 95 car parking spaces and provision of secure cycle parking.

It is proposed to erect metal walkways within the existing courtyards within the main school building for access.

There will be a mix of 15 x one bed, 47 x two bed and 25 x three bed flats within the existing school building. A new six storey tenement containing 20 affordable units is proposed which would adjoin the existing tenement to the north-west of the school site. This will contain 15 x one bedroom, four x two bedroom, and one x three bedroom flats. An existing annex building will be converted to form eight affordable units each with one bedroom.

The scheme will include access, 95 parking spaces, bin stores, and cycle parking.

It is proposed to extend the height of some windows on the front and rear elevations, and to reinstate windows following the demolition of an outbuilding to the rear.

The proposed tenement development will have accommodation over six storeys with access at ground floor. It will be finished in brick, coloured to match the existing sandstone tenement. The windows will be timber, while the roof and dormers will be finished with zinc cladding.

It is proposed to remove 10 trees from within the site.

Supporting Statement

- The applicant has submitted the following information in support of the application;
- Design and Access Statement;
- Preliminary Environmental Report;
- Daylighting Assessment;
- Preliminary Bat Assessment;
- Transport Statement; and
- Surface Water Management Plan.

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

3.2 Determining Issues

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

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

In considering whether to grant consent, special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. For the purposes of this issue, preserve, in relation to the building, means preserve it either in its existing state or subject only to such alterations or extensions as can be carried out without serious detriment to its character.

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) The proposed use is appropriate in the location;
- b) There is any adverse impact on the character and appearance of the conservation area;
- c) There is any adverse impact on the setting of the listed building;
- d) The scale and design are acceptable;
- e) The proposed use would result in any loss of amenity;
- f) Road safety has been addressed;
- g) Archaeological impacts have been addressed;
- h) Contaminated land issues have been addressed;
- i) Air quality issues have been addressed;
- j) Affordable housing requirements are met;
- k) Impact on school rolls has been addressed;
- l) Any matters raised in representations have been addressed; and
- m) Equalities and human rights impacts have been addressed;

a) Whether the proposed use is appropriate in this location

The adopted Edinburgh Local Development Plan (LDP) sets out in policy Hou1 that priority will be given to the delivery of the housing land supply and the relevant infrastructure as detailed in the plan including on "other suitable sites in the urban area, provided proposals are compatible with other policies in the plan". The application site is a suitable site within the urban area. Compatibility with other LDP policies is detailed below.

The established character of the surrounding area in Bruntsfield is of residential use. LDP policy Hou5 states that "Planning permission will be granted for the change of use of existing buildings in non-residential use to housing, provided:

- a) a satisfactory residential environment can be achieved
- b) housing would be compatible with nearby uses
- c) appropriate open space, amenity and car and cycle parking standards are met
- d) the change of use is acceptable having regard to other policies in this plan including those that seek to safeguard or provide for important or vulnerable uses".

The proposed units, including the affordable housing, will provide a satisfactory residential environment in terms of floor space and amenity space. The flats will have a floorspace range of 59 square metres (sq/m) to 162 sq/m. One flat is proposed at 49 sq/m, which is 5.8% below the minimum floorspace standard. Whilst this would not be acceptable as part of a new build development, the provision of one non-compliant flat out of 87 within the existing listed school building can be justified in planning terms on the basis that it is a minor infringement, and all other proposed flats exceed the minimum standard. On this basis, the proposal will not represent over development of the site.

Housing is compatible with nearby uses. The surrounding area is predominantly residential with some commercial premises at ground floor level, and the Bruntsfield Local Centre is a short distance to the south.

There is minimal open space provided on the site at the moment, and given that the application is for conversion of the existing building, an exception to the requirement for open space provision is justified. There will be a landscaped strip along the front of the site and a small communal garden area to the rear, as well as access to the courtyards within the building envelope. Within the constraints of the site, and given the historic use of the site, failure to provide open space within the site is acceptable. The site is within 200 metres of Bruntsfield Links to the south.

The proposed conversion of the existing annex building to residential use is acceptable. Residential use on the wider site is in keeping with the character of the area.

b) Character and appearance of the conservation area

Marchmont, Meadows and Bruntsfield Conservation Area Character Appraisal (MMCACA) describes the essential architectural character of the conservation area as being defined by *high quality local sandstone, slate roofs, and timber sashes which unify the different types and scales of housing*. The two schools, the church and the hotel within the conservation area have strong mass and character with exuberant roofline features and identity. MMCACA also states that the architectural character has a "human, urban scale with integrity of purpose".

The proposed tenemental addition is the same height as the tenement to the north, although it will incorporate an additional storey. This will be reflected in the busier fenestration, which will provide contrast with the existing five storey tenement. The proposed use of brick within the context of surrounding stone buildings will harmonise in terms of colour, as specified on the submitted drawings. The use of brick for the tenement will contrast with the established appearance of the surrounding buildings. Although it will appear as a later addition to the conservation area, it will be subordinate to the school to the south, to the older tenement to the north, and to the two storey with attic houses on Hartington Place and Hartington Gardens. The visual appearance will be a "completion" of the currently blank gable end, and this will reflect the wraparound tenemental form of the corner of Viewforth and Westhall Gardens. This will preserve the character and appearance of the conservation area, in accordance with LDP policy Env 6.

It is necessary to obtain a sample of the proposed brick type and mortar on site, in order to ensure compatibility. A condition to this effect is proposed.

In terms of its impact on the visibility of the original school building, MMCACA notes that the school "nestles to the gradient of the site". Given the topography of the site, the main views are to the north. The tenement will be set below the level of the school building when viewed from the south, with that vista described in MMCACA as "a fine aspect, albeit restricted". The aforementioned strong mass and character of the school building will buffer it against the addition of the tenement building to the streetscape.

The removal of 10 trees from within the site is compatible with LDP policy Env12 as the trees are of poor quality, and they do not make a strong positive contribution to the character and appearance of the conservation area. It is proposed to plant replacement four trees of an appropriate type along the south west boundary. This proposed replacement planting will mitigate the loss of the existing poor quality trees.

c) Impact on the setting of the listed building

The impact of the proposal on the character of the listed building is addressed fully in the concurrent application for listed building consent. The setting of the listed building is largely defined by medium views in and out of the site. As Viewforth is comparatively narrow to the north and south, long views of the school building are not a factor. When considering medium views approaching the school from the north, it is not fully appreciated until the existing tenement has been passed. The removal of the single storey teaching block will benefit the setting of the listed building, and the extent of the new tenemental form is such that the medium views into and out of the site will be preserved. Similarly, when approaching from the south, the imposing scale of the building, being well set back from the boundary, allows the setting to remain uninterrupted. The new tenemental form will be read in the context of the existing tenements, rather than as an addition within the school building setting.

The removal of the existing modern stand-alone building and the pulling back of the building to 'complete' the blank gable of the tenement will have positive impacts on the setting of the listed building.

d) Scale and Design

The scale and design of the new tenemental building will be acceptable in and of itself. It will be the same height as the tenement to the north, although it will incorporate an additional storey. As described in part 3.3(b), the materials and fenestration will provide contrast with the existing five storey tenement. Although it will appear as a later addition to the tenement, and will be read as such, the continuation of the roofline will be a "completion" of the currently blank gable end, reflecting the wraparound tenemental form to the south. The use of brick for the tenement will contrast with the established appearance of the school buildings, and it will be read as a new chapter in the history of development of the school site.

e) Impact on amenity

The proposed conversion of the school building and annex will not have any adverse impact on amenity by reason of overshadowing or loss of privacy. They are existing buildings which have been in use until recently, and the windows which are closest to the boundary are those facing Admiral Terrace, which are 20 metres from existing houses.

The proposed tenemental development will not cause an unacceptable loss of daylight to the windows or garden ground of the neighbouring tenements on Viewforth and Viewforth Square. The greater part of any overshadowing will affect land within the development site. The submitted daylight assessment sets out detailed analysis of the impact on existing windows. The assessment demonstrates that four windows on the rear elevation will suffer from loss of light, but that these particular windows do not comply with current requirements for light, due to their positioning and the orientation of the wraparound element of the existing building.

The proposed flats will provide a satisfactory residential environment for occupiers in terms of floorspace and open space provision, as referred to in part 3.3.a., and in terms of daylight.

The bin stores are proposed in positions where they can be accessed safely by necessary vehicles. In terms of amenity, the situation is that the previous school use was subject to waste collections, and the surrounding residential tenements are subject to waste collections. Noise and vehicle movements arising from waste collections is an accepted and established part of the urban environment. The proposal is not to introduce noise into a previously quiet location.

f) Roads Authority Issues

In terms of car parking standards, 100% car parking provision cannot be met on the site. However, the historical context is of a school, with high levels of car movement twice daily, and a large amount of ground within the site previously given over to hard surface for parking and as a playground. The site is very well served by public transport along both Bruntsfield Place to the south and Gilmore Place to the north. The development is located in Controlled Parking Zone 8 and the conversion is considered to be an exception to Category B. The proposed parking provision of 95 spaces complies with the current parking standards. Cycle parking standards will be met by the proposed scheme.

Having considered the submitted supporting information, the council as roads authority has no objection to the proposal on road safety grounds. This is subject to the addition of certain informatives and the completion of a legal agreement relating to amend the controlled parking order to introduce residents and / or ticket spaces on Viewforth. All details are set out in Appendix 1 of the report.

g) Archaeological Impacts

In general, the proposal will have low archaeological impacts. A standard condition requiring the implementation of a programme of archaeological works is proposed.

h) Contaminated Land

A standard condition requiring a site survey, followed by any necessary works, is proposed.

i) Air Quality

The proposed increase from 65 to 95 parking spaces on site will not adversely affect local air quality.

j) Affordable Housing

It has been confirmed that the development will include 28 affordable units. This will meet the requirement of LDP policy Hou6 which expects 25% of units to be affordable in schemes of this size.

The affordable homes will be located in the new build block and an annex of the listed building. They will be a mix of affordable rented delivered by a RSL and Golden Share homes. Locating the affordable homes in the new tenement block is acceptable in the circumstances, as the cost of converting the listed building is likely to mean that affordable rented tenures would not be feasible within that block. A legal agreement will be required in order to secure the affordable housing provision.

k) Impact on schools

LDP policy Del1 requires proposals to contribute towards infrastructure provision to mitigate any impact of the proposed development. For this proposal, a contribution towards education infrastructure is required in line with the Consultation Draft Supplementary Guidance "Developer Contributions and Infrastructure Delivery".

This site falls within the South Edinburgh part of the 'South Central Education Contribution Zone'. The development comprises 115 flats, although 38 one bedroom flats have been excluded from the contribution assessment. The development is expected to generate additional primary and secondary school pupils. Therefore, payment of the standard contribution for this Zone is appropriate to mitigate the impact of the development, and this will be the subject of a legal agreement. In this case, the required amount will be £118,257 index linked based on the increase in the BCIS Forecast All-in Tender Price Index from Q1 2015 to the date of payment.

l) Public comments

In total, 102 representations have been received, 100 of which are in objection.

Material representations in objection:

- The proposed new tenement block will harm the setting of the listed building. This is addressed in part 3.3(c).
- The proposed new tenement block will harm the character and appearance of the conservation area. This is addressed in part 3.3(b).
- Increased parking pressure / overprovision of parking spaces / road safety. This is addressed in part 3.3(f).
- Impact on schools. This is addressed in part 3.3(k).
- Loss of amenity to existing dwellings. This is addressed in part 3.3(e).
- Poor amenity for occupants of the new affordable housing. This is addressed in part 3.3(a).

- The affordable housing is not integrated into the scheme. This is addressed in part 3.3(j).
- Providing 115 units is overdevelopment of the site. This is addressed in part 3.3(a).
- Too many parking spaces have been provided. This has been addressed in part 3.3(f).
- Air Pollution. This is addressed in part 3.3(i).
- Loss of Trees. This is addressed in part 3.3(b).
- Lack of open space within the new development. This has been addressed in part 3.3(a).
- No alterations should be allowed to the wall at Leamington Terrace. No alterations are proposed to the wall along the rear boundary.
- The Transport Statement report methodology has been questioned. This has been addressed in part 3.3(f). The submitted statement is sufficient to determine the application.
- Position of the bin stores is not appropriate. This is addressed in part 3.3(e).
- There is no provision of 'social housing'. The affordable housing provision is addressed in part 3.3(j).

Non-material representations in objection

- Litter. This is not a planning matter.
- Loss of property value. This is not a planning matter.
- Marketing signs should not be displayed during construction. The display of advertisements is controllable through the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984.
- Harm to the physical fabric of the listed building caused by alterations. Any damage to the physical fabric of the building arising from work being carried out with the benefit of planning permission/listed building consent/conservation area consent is a legal matter between the owner of the building and the developer.
- No work to be carried out at certain times of the day / noise controls during construction. This is not a planning matter. It is controllable through a different statutory regime.
- CALA has not completed projects elsewhere. This is not a planning matter. Planning permission runs with the land, not with the beneficiary of the planning permission.
- Harm to the annex building. The impact of the alterations in terms of the interest of the listed building is assessed in the application for listed building consent, reference 16/04580/LBC.
- Loss of private view. The planning system does not seek to protect private views.
- Disturbance from having flats in occupation. Antisocial behaviour or night noise which may arise from occupation are controllable under other statutory regimes.

m) Equalities and Human Rights

This application has no impact in terms of equalities and human rights.

Conclusion

The proposal complies with the adopted Edinburgh Local Development Plan and non-statutory guidance and is acceptable. There are no material considerations to outweigh this conclusion. It will not harm the architectural or historic interest of the listed building or adversely affect the character and appearance of the conservation area.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. No demolition/development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (historic building recording, conservation, analysis & reporting, publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.
2. Prior to the commencement of construction works on site:
 - a) A site survey (including intrusive investigation where necessary) must be carried out to establish, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and
 - b) Where necessary, a detailed schedule of any required remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Planning Authority.
 - ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.
3. Samples of the proposed brick and mortar type shall be provided on-site and approved in writing by the Planning Authority before work commences on site.
4. The details of the landscape plan (drawing 34) shall be implemented prior to the occupation of the first residential unit.

Reasons:-

1. In order to safeguard the interests of archaeological heritage.
2. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.
3. In order to enable the Head of Planning to consider this/these matter/s in detail.

4. In order to protect the amenity of the occupiers of the development.

Informatives

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
3. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.
4. Planning permission should not be issued until the applicant has entered into suitable planning obligations to;
 - contribute the sum of £118,257 towards the costs of delivering education infrastructure within the identified 'South Central Education Contribution Zone'.

Note - all contributions shall be index linked based on the increase in the BCIS Forecast All-in Tender Price Index from Q1 2015 to the date of payment.

- contribute the sum of £2,000 to progress a suitable order to amend the controlled parking order to introduce residents and / or ticket spaces on Viewforth, and including all associated works at no cost to the Council. The layout of parking provision to be agreed with the Head of Planning and Strategy prior to commencement of work on-street.
 - secure the affordable housing element of this proposal.
5. Planning permission should not be issued until the applicant has entered into a suitable planning obligation to contribute the sum of £2,000 to progress a suitable order to amend the controlled parking order to introduce residents and / or ticket spaces on Viewforth, and including all associated works at no cost to the Council. The layout of parking provision to be agreed with the Head of Planning and Transport prior to commencement of work on-street.
 6. All roads requiring access by waste collection vehicles will be built to an adoptable standard.
 7. Hammerheads or turning areas are required for dead ends. Yellow line marking (hatching) to be provided to stop people parking and causing access problems at the hammerhead.

8. Yellow line marking should be provided where access to bin storage areas may be designed.
9. There should be four separate types of waste bins in each bin store and adequate space is to be allocated to ensure that the bins at the rear of the store can be serviced without all the bins having to be taken out.
10. The distance for the transportation of waste containers from the collection point to the vehicle should be kept to a minimum, 10 metres is the maximum acceptable distance.
11. Maximum distance a vehicle will reverse along an access road is 15 metres where a turning area is not provided.
12. Drop kerbs should be provided for any route from the bin store to the collection vehicle.
13. Doorways should be wide enough for easy passage of wheeled containers, at least 300mm either side of the largest container.
14. The fitting of metal protection plates are recommended at either side of openings or doorways to prevent damage to property while servicing of containers.
15. The provision of motion detecting lighting within the bin storage areas is recommended.
16. It will be the architect's responsibility to contact the council if line markings are required. Pavement blisters may be required to ensure access from bin storage area to the nearest vehicle access point.
17. All containers should be designed to be forward facing to enable access by the resident.
18. Line markings may be required to ensure vehicle access is clear.
19. The electric vehicle charge points required should be installed in accordance with Transport Scotland's 'Switched On Scotland: A Roadmap to Widespread Adoption of Plug-in Vehicles' (2013). In particular the charge points should include a 70 or 50kW (100 Amp) DC with 43kW (64 Amp) AC unit. The DC charge should be delivered via both JEVS G105 and 62196-3 sockets and the AC supply by a 62196-2 socket. The outlet must have the ability to be de-rated to supply 25kW to any two of the three outlets simultaneously.

20. In accordance with the Council's LTS Travplan3 policy, the applicant should submit a draft Travel Plan prior to first occupation of the premises and a final Travel Plan within 12 months of that date. The scope to be agreed with the Head of Planning and Strategy. The Travel Plan should include consideration to provide pedal cycles (inc. electric cycles), secure cycle parking, public transport travel passes, a Welcome Pack, a high quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport and a monitor within the property capable of displaying real time public transport information.
21. The development will not be eligible for residential permits. The development is located in Controlled Parking Zone 8 and:
 - a. The existing building conversion is considered to be an Exception to Category B, Newly sub-divided or converted. See the Transport and Environment Committee decision of 4 June 2013 http://www.edinburgh.gov.uk/download/meetings/id/39382/item_7_7 (Category B - Newly sub-divided or converted). This states that "Properties where there is scope to provide sufficient off -street car parking to provide 1 space per dwelling without compromising other Planning policies. No entitlement in these cases". The proposed parking provision of 95 spaces complies with the current parking standards;
 - b. The new-build element is considered to be Category A - New Build in the above report.
22. Any proposed on-street car parking spaces cannot be allocated to individual properties, nor can they be the subject of sale or rent. The spaces will form part of the road and as such will be available to all road users. Private enforcement is illegal and only the Council as roads authority has the legal right to control on-street spaces, whether the road has been adopted or not. The developer is expected to make this clear to prospective residents.
23. Access to the site is to be by dropped kerb (i.e. not bell mouth). A length of 2 metres nearest the road should be paved in a solid material to prevent deleterious material (e.g. loose chippings) being carried on to the road. Any gate or doors must open inwards onto the property. Any hard standing outside should be porous, to comply with 'Guidance for Householders' published in December 2012. The works to form any footway crossing must be carried out under permit and in accordance with the specifications. See Road Occupation Permits http://www.edinburgh.gov.uk/downloads/file/1263/apply_for_permission_to_create_or_alter_a_driveway_or_other_access_point.

24. All disabled persons parking places should comply with the 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 Planning and 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 2016 regulations or British Standard 8300:2009 as approved by the Head of Planning and Strategy.
25. Electric vehicle charging outlets should be considered for this development including dedicated parking spaces with charging facilities and ducting and infrastructure to allow electric vehicles to be readily accommodated in the future.
26. The applicant is requested to identify a RSL to deliver the affordable housing.
27. The applicant is requested to ensure that the affordable homes are built to be fully compliant with latest building regulations.

Financial impact

4.1 The financial impact has been assessed as follows:

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

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

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

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

In total, 102 representations have been received, 100 of which are in objection. The matters raised are addressed in part 3.3. of this report.

Background reading/external references

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

Statutory Development

Plan Provision

Date registered 22 September 2016

Drawing numbers/Scheme 01-11, 12A-17A, 18, 19, 20A-25A, 26-38,

Scheme 2

David R. Leslie

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Links - Policies

Relevant Policies:

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

LDP Policy Des 4 (Development Design - Impact on Setting) sets criteria for assessing the impact of development design against its setting.

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

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.

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

LDP Policy Env 5 (Conservation Areas - Demolition of Buildings) sets out criteria for assessing proposals involving the demolition of buildings within a conservation area.

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

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.

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

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

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

LDP Policy Hou 2 (Housing Mix) requires provision of a mix of house types and sizes in new housing developments to meet a range of housing needs.

LDP Policy Hou 4 (Housing Density) sets out the factors to be taken into account in assessing density levels in new development.

LDP Policy Hou 5 (Conversion to Housing) sets out the criteria for change of use of existing buildings to housing.

LDP Policy Hou 6 (Affordable Housing) requires 25% affordable housing provision in residential development of twelve or more units.

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.

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

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

Appendix 1

Application for Planning Permission 16/04581/FUL At Boroughmuir High School, 26 Viewforth, Edinburgh Change of use and conversion of Boroughmuir High School to form residential accommodation. Demolition of existing outbuildings and erection of new residential block.

Consultations

City Archaeologist

The B-Listed Boroughmuir High School was built just prior to the start of World War I to a design by John Alexander Carfrae. Accordingly this application must therefore be considered under terms of the Scottish Government's Scottish Planning Policy (SPP), PAN 2/2011, Historic Environment Scotland Policy Statement (HESPS) 2016 and also CEC's Edinburgh City Local Plan policies ENV4 & ENV9. The aim should be to preserve archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.

This proposal will require significant alterations to this historic school and demolition to ancillary buildings. It has been concluded that although these works will have localised adverse impacts on the fabric and also to the interior character of this historic school on the whole the development will have a low archaeological impact. It is however essential that a programme of archaeological building recording (phased and annotated plans and elevations, written and photographic survey and analysis) is undertaken prior to and during demolition, in order to provide a permanent record of it prior to conversion

It is unclear from the submitted plans if the current War Memorial will be retained in this school. If this is the case then it is essential that it is protected during development and a mitigation strategy submitted for approval to this end.

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

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

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

Environmental Assessment

16/04581/FUL | Change of use and conversion of former Boroughmuir High School to form residential accommodation. Demolition of existing outbuildings and erection of new residential block. | Boroughmuir High School 26 Viewforth

The applicant proposes changing the use of a secondary school building into residential use which will include the erection of a new build block. The applicant only proposes increasing parking numbers from 65 to 95. It is unlikely this increase will adversely impact local air quality therefore Environmental Protection requires no further information on this regard however will recommend that the applicant installs an electric vehicle charging point to future proof the development.

Based on currently available technology Environmental Protection recommends that at least one rapid electric vehicle (EV) charging outlet should be installed of the following standard:

70 or 50kW (100 Amp) DC with 43kW (64 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.

This type of charger will enable users to charge their vehicles in approximately 20 minutes. Grants may also be available from the Energy Saving Trust for the installation of EV charge points more information can be found at;

<http://www.energysavingtrust.org.uk/scotland/Organisations/Transport/Electric-vehicles/Electric-Vehicle-Charge-Point-Funding>

Ground conditions relating to potential contaminants in, on or under the soil as affecting the site will require investigation and evaluation, in line with current technical guidance such that the site is (or can be made) suitable for its intended new use/s. Any remediation requirements require to be approved by the Planning & Building Standards service. The investigation, characterisation and remediation of land can normally be addressed through attachment of appropriate conditions to a planning consent (except where it is inappropriate to do so, for example where remediation of severe contamination might not be achievable)

Therefore environmental Protection offers no objection subject to the following condition being attached to any consent. Environmental Protection will also recommend an informative regarding EV charging;

Condition

i) Prior to the commencement of construction works on site:

a) A site survey (including intrusive investigation where necessary) must be carried out to establish, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and

b) Where necessary, a detailed schedule of any required remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Planning Authority.

ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.

Informative

The electric vehicle charge points required should be installed in accordance with Transport Scotland's 'Switched On Scotland: A Roadmap to Widespread Adoption of Plug-in Vehicles' (2013). In particular the charge points should include a 70 or 50kW (100 Amp) DC with 43kW (64 Amp) AC unit. The DC charge should be delivered via both JEVS G105 and 62196-3 sockets and the AC supply by a 62196-2 socket. The outlet must have the ability to be de-rated to supply 25kW to any two of the three outlets simultaneously.

Roads Authority Issues

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 contribute the sum of £2,000 to progress a suitable order to amend the controlled parking order to introduce residents and / or ticket spaces on Viewforth, and including all associated works at no cost to the Council. The layout of parking provision to be agreed with the Head of Planning and Transport prior to commencement of work on-street;*

2. *In accordance with the Council's LTS Travplan3 policy, the applicant should submit a draft Travel Plan prior to first occupation of the premises and a final Travel Plan within 12 months of that date. The scope to be agreed with the Head of Planning and Transport. The Travel Plan should include consideration to provide pedal cycles (inc. electric cycles), secure cycle parking, public transport travel passes, a Welcome Pack, a high quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport and a monitor within the property capable of displaying real time public transport information;*

3. *The applicant should be advised that the development will not be eligible for residential permits. The development is located in Controlled Parking Zone 8 and:*

a. *The existing building conversion is considered to be an Exception to Category B, Newly sub-divided or converted. See the Transport and Environment Committee decision of 4 June 2013 http://www.edinburgh.gov.uk/download/meetings/id/39382/item_7_7 (Category B - Newly sub-divided or converted). This states that "Properties where there is scope to provide sufficient off -street car parking to provide 1 space per dwelling without compromising other Planning policies. No entitlement in these cases". The proposed parking provision of 95 spaces complies with the current parking standards;*

b. *The new-build element is considered to be Category A - New Build in the above report;*

4. *The applicant must be informed that any proposed on-street car parking spaces cannot be allocated to individual properties, nor can they be the subject of sale or rent. The spaces will form part of the road and as such will be available to all road users. Private enforcement is illegal and only the Council as roads authority has the legal right to control on-street spaces, whether the road has been adopted or not. The developer is expected to make this clear to prospective residents;*

5. *Access to the site is to be by dropped kerb (i.e. not bell mouth). A length of 2 metres nearest the road should be paved in a solid material to prevent deleterious material (e.g. loose chippings) being carried on to the road. Any gate or doors must open inwards onto the property. Any hard standing outside should be porous, to comply with 'Guidance for Householders' published in December 2012. The works to form any footway crossing must be carried out under permit and in accordance with the specifications. See Road Occupation Permits*

http://www.edinburgh.gov.uk/downloads/file/1263/apply_for_permission_to_create_or_alter_a_driveway_or_other_access_point;

6. *All disabled persons parking places should comply with the 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 Planning and 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 2016 regulations or British Standard 8300:2009 as approved by the Head of Planning and Transport;*

7. *Electric vehicle charging outlets should be considered for this development including dedicated parking spaces with charging facilities and ducting and infrastructure to allow electric vehicles to be readily accommodated in the future.*

Note:

o Current Council parking standards for residential development in this area (parking Zone 2) allow up to 140 spaces for this development. The development provides 95 spaces for residents, including 28 : Affordable units

o In support of the Council's LTS Cars1 policy, the applicant should consider a contribution towards the provision of car club vehicles in the area;

o For the avoidance of doubt, the access and internal areas of the site are not considered to be 'roads' under the meaning of the Roads (Scotland) Act 1984 and road construction consent is not required.

Waste Services

The above new development will consist of 115 flatted properties with no provision for garden waste collections, this has been agreed to be factored. I can confirm receipt of revised drawings showing the bin store provision / allocation and the sweep analyses for a twelve meter vehicle. This letter is confirmation that agreement on the waste strategy, details below, and requirements for this development have been reached and that the following conditions will apply.

When applying for a building application warrant through Building Control, please ensure that a copy of this letter is also enclosed for their records. Please also ensure that a copy of this letter is provided to the builder / developer, site manager and the property management company.

Waste strategy for new developments

The City of Edinburgh actively promotes the provision of recycling facilities in all new developments and other appropriate sites within the City. The National Waste Plan 2003 establishes the direction of policies and aims to provide widespread, source segregated collections to over 90% of Scottish householders by 2020. Recycling collections will be integral to the overall waste collection system, with this in mind, it is the intention of the Department to incorporate recycling facilities within your development

Waste management planning

Please note the following requirements when planning for the waste facilities.

- o All roads requiring access by waste collection vehicles will be built to an adoptable standard.*
- o Hammerheads or turning areas are required for dead ends. Yellow line marking (hatching) to be provided to stop people parking and causing access problems at the hammerhead.*
- o Yellow line marking should be provided where access to bin storage areas may be deigned*
- o There are four separate types of waste bins in each bin store and adequate space is to be allocated to ensure that the bins at the rear of the store can be serviced without all the bins having to be taken out.*
- o The distance for the transportation of waste containers from the collection point to the vehicle should be kept to a minimum, 10 metres is the maximum acceptable distance.*
- o Maximum distance a vehicle will reverse along an access road is 15 metres where a turning area is not provided*
- o Drop kerbs should be provided for any route from the bin store to the collection vehicle*
- o Doorways should be wide enough for easy passage of wheeled containers, at least 300mm either side of the largest container*
- o The fitting of metal protection plates are recommended at either side of openings or doorways to prevent damaged to property while servicing of containers.*
- o The provision of motion detecting lighting within the bin storage areas is recommended.*
- o It will be the architect's responsibility to contact city development if line markings are required. Pavement blisters may be required to ensure access from bin storage area to the nearest vehicle access point.*

- o All containers should be designed to be forward facing to enable access by the resident*
- o Line markings may be required to ensure vehicle access is clear*

Provision and collection of waste containers

For flatted developments we would recommend that 1280 Litre wheeled containers are used for household refuse and dry mixed recyclable waste (DMR). A 500 litre wheeled container for food waste and 660 litre container for glass.

An information leaflet showing the dimensions of the 1280 litre communal bins containers suitable for servicing by this Department has already been provided for your information.

Flatted Properties

Bin store 1 - 53 Units

5 x 1280 Residual

5 x 1280 DMR

1x 660 Glass

1x 500 FW

Bin store 2 - 62 Units

10 x 1280 Residual

5 x 1280 DMR

1 x 660 Glass

1 x 500 FW

Builder or developer

It will be the builder/developer's responsibility to purchase the residual and recycling containers.

I can advise that I have a limited stock available and can make arrangements for the delivery of the containers at cost price and bins will be invoiced at the current price. Please note that, should you wish to pursue this option, contact should be made with this Department at least 6-8 weeks prior to occupation in order that container delivery can be arranged.

Residual waste containers and including individual wheeled bins will be serviced on a fortnightly frequency with recycling containers normally being serviced once per week.

It will be the builders or developers responsibility to provide unrestricted access to the bin storage areas during the building stage and occupation of the properties. Containers will not be delivered until adequate vehicle access is provided. Responsibility for the bin storage areas will lie with the builder / developer until handed over to the property management company.

Temporary street signage to be installed should permanent signage be unavailable at the time of delivery/servicing

Property management

On completion of the building or individual block and when handover from the builder/developer has taken place the following requirement will apply:

Property management company responsibility

- o Ensure that all material, residual or recyclable, are deposited within the communal bins prior to collection*
- o Removal of excess waste where residents do not use the containers provided*
- o Removal of any dumped items e.g. furniture, carpets, white goods etc*
- o General cleaning of the bin storage areas*

Edinburgh Council responsibility

- o Provide initial guidance documentation for residents in using the recycling facilities*
- o Servicing of residual and recycling waste containers as scheduled*

It is appreciated that new occupiers may initially have quantities of cardboard and other recyclable material generated from new appliances. The Department requests that householders flatten cardboard boxes and deposit them in the packaging communal bins provided. Large cardboard boxes should be flattened and placed alongside the containers for collection.

Information on the Council's Special uplift Service for the removal of bulky household items may be obtained by contacting the Department's enquiry line on 0131 529 3030.

Please note that the above is for guidance only, and does not constitute an endorsement by Services for Communities for an agreed waste management system for any proposed development.

Affordable Housing

Services for Communities have developed a methodology for assessing housing requirements by tenure, which supports an Affordable Housing Policy (AHP) for the city.

o The AHP makes the provision of affordable housing a planning condition for sites over a particular size. The proportion of affordable housing required is set at 25% (of total units) for all proposals of 12 units or more.

o This is consistent with Policy Hou 7 Affordable Housing in the Edinburgh City Local Plan.

2. Affordable Housing Provision

This application is for a development consisting of 115 homes and as such the AHP will apply. There will be an AHP requirement for a minimum of 25% (28) homes of approved affordable tenures. The applicant has stated that the affordable housing will account for 28 (25%) of the new homes. This is welcomed by the department. The applicant has been in engagement with the Council and Registered Social Landlords (RSLs) to discuss proposals for taking forward the affordable homes on site. This welcomed.

The development is a mix of new build and a conversion of a listed building (former school site) and the affordable homes will be located in the new build block and an annex of the listed building. The affordable proposed is a mix of affordable rented delivered by a RSL and Golden Share homes. The affordable homes being in the new build block is acceptable as the cost of converting the listed building is likely to mean that affordable rented tenures would not be feasible within that block; however, both construction and sales values for the new build and refurbished blocks have been requested from the applicant so that this can be assessed. The homes within the converted building are also unlikely to be able to comply with housing association design requirements for accessibility. The affordable homes within the new build block are required to be fully compliant with latest building regulations and further informed by guidance such as Housing for Varying Needs and the relevant Housing Association Design Guides.

In terms of accessibility, the affordable homes are situated within close proximity (400 metres) of regular public transport links and are located next to local amenities.

3. Summary

The applicant has made a commitment to provide 25% on site affordable housing and this is welcomed by the department. These will be secured by a Section 75 Legal Agreement. This department welcomes this approach which will assist in the delivery of a mixed sustainable community.

- o The applicant is requested to identify a RSL to deliver the affordable housing*
- o The applicant is requested to ensure that the affordable homes are built to the fully compliant with latest building regulations*
- o The applicant will be required to enter into a Section 75 legal agreement to secure the affordable housing element of this proposal.*
- o Construction and sales values are required to be submitted by the applicant.*

Children and Families

The education actions required to mitigate the impact of planned and anticipated housing development, including school land safeguards, have been established on a city-wide contribution zone basis. This requirement is set out in guidance on Developer Contributions and Affordable Housing (December 2015).

This site falls within the South Edinburgh part of the 'South Central Education Contribution Zone'. New housing developments within this part of the Zone, which will have a net impact on education infrastructure, are required to contribute to the following actions:

SOUTH CENTRAL EDUCATION CONTRIBUTION ZONE ACTIONS - South Edinburgh
Action Cost at Q1 2015

2 Primary School classes (towards new South Edinburgh PS) £705,308

1 Primary School class (reconfiguration at Bruntsfield PS) £50,000

1 RC Primary School class £350,000

Increase secondary school capacity to accommodate 102 extra pupils (Tynecastle HS, Boroughmuir HS, James Gillespie's HS, St Augustine's RC HS) £3,273,751

A standard pro-rata contribution towards the costs of delivering these actions has been established.

The development comprises 115 flats, although 38 one bedroom flats have been excluded from the assessment below. The development is expected to generate additional primary and secondary school pupils. Payment of the standard contribution for this Zone is therefore appropriate to mitigate the impact of the development. The required contribution is set out in the table below. If this is to be provided by the developer, Communities and Families does not object to the application.

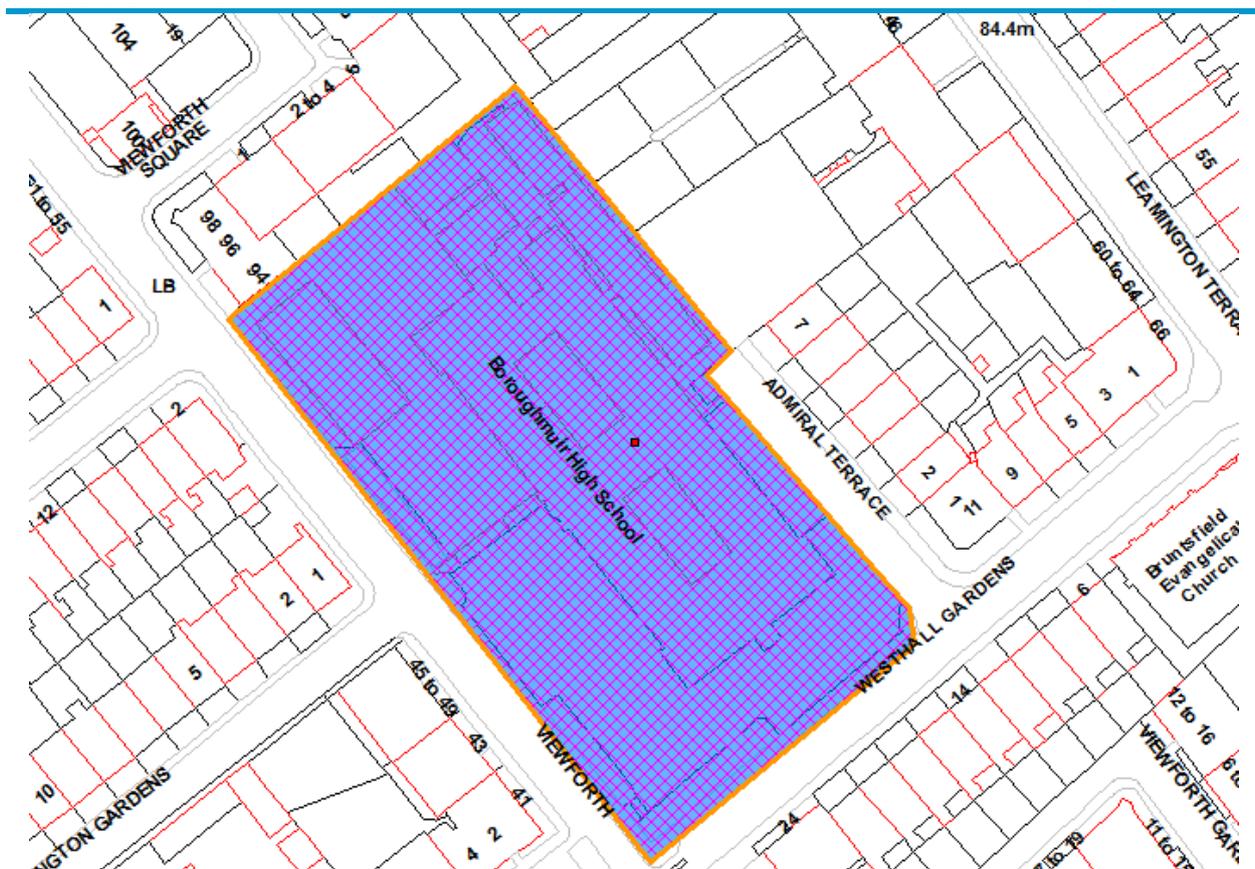
Assessment based on: 77 flats
(38 one bed flats excluded from the assessment)
Cost per unit Flats £1535.81
Houses £8739.13
Total contribution required
£118,257

Note - all contributions shall be index linked based on the increase in the BCIS Forecast All-in Tender Price Index from Q1 2015 to the date of payment.

Flooding

The information supplied now addresses all of Flood Prevention's concerns and we have no further comment on this application.

Location Plan



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