

# Notice of meeting and supplementary agenda

## Development Management Sub-Committee of the Planning Committee

1.00 pm Tuesday 25 April 2017

Dean of Guild Court Room, City Chambers, High Street, Edinburgh

This is a public meeting and members of the public are welcome to attend.

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## 1. Order of business

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- 1.1 Including any notices of motion, hearing requests from ward councillors and any other items of business submitted as urgent for consideration at the meeting.

## 2. Declaration of interests

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- 2.1 Members should declare any financial and non-financial interests they have in the items of business for consideration, identifying the relevant agenda item and the nature of their interest.

## 3. Minutes

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- 3.1 None

## 4. General applications and miscellaneous business

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**The recommendations by the Chief Planning Officer or other Chief Officers detailed in their reports will be approved without debate unless the Clerk to the meeting indicates otherwise during “Order of Business” at item 1 above.**

- 4.1 None

## 5. Returning Applications

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**These applications have been discussed previously by the Sub-Committee and continued for further information. The Chief Planning Officer will give presentation to the Sub-Committee on the additional material requested.**

- 5.1 6 Bruntsfield Terrace, Edinburgh – Three new Townhouse units to the rear of the site maintaining existing large Lime tree as per previously consented planning permission - application no 17/00253/FUL - report by the Chief Planning Officer (circulated)

It is recommended that this application be **GRANTED**.

## 6. Applications for Hearing

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**The Chief Planning Officer has identified the following applications as meeting the criteria for Hearings. The protocol note by the Head of Strategy and Insight sets out the procedure for the hearing.**

- 6.1 26 Viewforth, Edinburgh EH10 4LR (Boroughmuir High School) – Protocol note by the Head of Strategy and Insight (circulated)
- 6.1(a) 26 Viewforth, Edinburgh EH10 4LR (Boroughmuir High School) - Change of use and conversion of Boroughmuir High School to form residential accommodation, demolition of existing outbuildings and erection of new residential block – application no 16/04581/FUL – report by the Chief Planning Officer (circulated)

It is recommended that this application be **GRANTED**.

6.1(b) 26 Viewforth, Edinburgh EH10 4LR (Boroughmuir High School) - Conversion of Boroughmuir High School to form residential accommodation, demolition of existing outbuildings and erection of new residential block (as amended) – application no 16/04580/LBC – report by the Chief Planning Officer (circulated)

It is recommended that this application be **GRANTED**.

6.1(c) 26 Viewforth, Edinburgh EH10 4LR (Boroughmuir High School) - Demolition of existing outbuildings – application no 16/04579/CON – report by the Chief Planning Officer (circulated)

It is recommended that this application be **GRANTED**.

## **7. Application for Detailed Presentation**

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**The Chief Planning Officer has identified the following applications for detailed presentation to the Sub-Committee. A decision to grant, refuse or continue consideration will be made following the presentation and discussion on each item.**

7.1 None

## **8. Returning Applications Following Site Visit**

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**These applications have been discussed at a previous meeting of the Sub-Committee and were continued to allow members to visit the sites. A decision to grant, refuse or continue consideration will be made following a presentation by the Chief Planning Officer and discussion on each item.**

8.1 None.

## **9. Pre-Application Reports**

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**No decisions will be taken on these applications at this meeting. Following a presentation by the Chief Planning Officer, members will have the opportunity to ask questions and indicate key issues they would like the applicants to consider in their eventual application/s. Members will not express a view on the merits of the proposal/s.**

9.1 None

## **Laurence Rockey**

Head of Strategy and Insight

## **Committee Members**

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Councillors Perry (Convener), Lunn (Vice-Convener), Bagshaw, Balfour, Blacklock, Cairns, Cardownie, Child, Gardner, Heslop, Keil, McVey, Milligan, Mowat and Ritchie.

## **Information about the Development Management Sub-Committee**

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The Development Management Sub-Committee consists of 15 Councillors and usually meets twice a month. The Sub-Committee usually meets in the Dean of Guild Room in the City Chambers on the High Street in Edinburgh. There is a seated public gallery and the meeting is open to all members of the public.

### **Further information**

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A summary of the recommendations on each planning application is shown on the agenda. Please refer to the circulated reports by the Chief Planning Officer or other Chief Officers for full details. Online Services - planning applications can be viewed online by going to [www.edinburgh.gov.uk/planning](http://www.edinburgh.gov.uk/planning) - this includes letters of comments received.

The items shown in part 6 on this agenda are to be considered as a hearing. The list of organisations invited to speak at this meeting are detailed in the relevant Protocol Note. The Development Management Sub-Committee does not hear deputations.

The Sub-Committee will only make recommendations to the full Council on these applications as they are major applications which are significantly contrary to the Development Plan.

If you have any questions about the agenda or meeting arrangements, please contact Committee Services, City of Edinburgh Council, Business Centre 2:1, Waverley Court, 4 East Market Street, Edinburgh, EH8 8BG, 0131 529 4210 email [committee.services@edinburgh.gov.uk](mailto:committee.services@edinburgh.gov.uk)

A copy of the agenda and papers for this meeting will be available for inspection prior to the meeting at the main reception office, City Chambers, High Street, Edinburgh.

The agenda, minutes and public reports for this meeting and all the main Council committees can be viewed online by going to [www.edinburgh.gov.uk/meetings](http://www.edinburgh.gov.uk/meetings) .

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# Development Management Sub Committee

Tuesday 25 April 2017

**Application for Planning Permission 17/00253/FUL  
At 6 Bruntsfield Terrace, Edinburgh, EH10 4EX  
Three new Townhouse units to the rear of the site  
maintaining existing large Lime tree as per previously  
consented planning permission.**

<b>Item number</b>	5.1
<b>Report number</b>	
<b>Wards</b>	A10 - Meadows/Morningside

## Summary

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The principle of housing on the site is acceptable and the scale, form and design have no adverse impact upon the character or appearance of the conservation area. Impact upon neighbouring amenity is acceptable. Car parking provision and access is acceptable. The proposals comply with development plan policies and non-statutory guidelines. No other considerations outweigh this conclusion.

## Links

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<a href="#"><u>Policies and guidance for this application</u></a>	OTH, CRPMER, LDPP, LHOU01, LHOU03, LHOU04, LDES01, LTRA02, LEN06, NSG, NSLBCA, NSGD02,
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# Report

## **Application for Planning Permission 17/00253/FUL At 6 Bruntsfield Terrace, Edinburgh, EH10 4EX Three new Townhouse units to the rear of the site maintaining existing large Lime tree as per previously consented planning permission.**

### **Recommendations**

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

### **Background**

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#### **2.1 Site description**

The site is the rear portion of a large site (fronted by a 19th century villa) extending to around 900 square metres. The site is currently occupied by a modern two storey office in its northern section and a large car park to the south (capable of holding at least ten vehicles). It is bounded by trees, with those on the eastern boundary including one significant mature tree.

The villa fronting the site onto Bruntsfield Links was listed category C on 12 December 1974 (reference number: 26873).

The site is accessed by an existing private driveway running along the western edge of the villa.

This application site is located within the Merchiston and Greenhill Conservation Area.

#### **2.2 Site History**

18 March 2015 - planning permission granted for change of use of main villa to three residential units plus two mews houses to rear (application number: 14/04949/FUL).

27 March 2015 - listed building consent granted for alterations to villa relating to creation of three units internally (application number: 14/04950/LBC).

11 August 2016 - listed building consent granted for the works relating to the villa, including total demolition of existing offices within the rear garden (application number: 16/03026/LBC).

11 November 2016 - planning permission granted for subdivision of villa and creation of two mews houses to its rear (application number: 16/04483/FUL).

28 November 2016 - application for three townhouses within southern section of garden withdrawn (application number: 16/04485/FUL).

## **Main report**

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

The application proposes three linked townhouses: one of two storeys to the west, and a pair of three storey units to the centre and east. Each has its own private garden to the rear and two car-parking spaces to the front. Two visitor parking spaces are also provided, creating a total of eight parking spaces within the site boundary. Walling is in cedar boarding with details in white render, all over a beige brick base. The roof is in standing seam zinc.

The two storey unit contains a three bedroom house of 183 square metres and the two larger units are each four bedroom, totalling 234 square metres.

Access is via the existing private lane running along the west side of the main villa fronting the site.

Two semi-mature trees close to the eastern boundary are to be removed.

#### Supporting Statement

A Design Statement was submitted with the application. This is available to view on 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 permission.

Do the proposals comply with the development plan?

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

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

### **3.3 Assessment**

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

- a) the principle of development is acceptable;
- b) the scale, form and design impact on the character or appearance of the conservation area;



- c) the proposal impacts on the setting of the listed building;
- d) impact upon neighbouring amenity is acceptable;
- e) the amenity of the proposed units will be acceptable;
- f) parking and access are acceptable;
- g) impact upon trees is acceptable;
- h) comments are addressed; and
- i) impact on equalities and human rights is considered.

a) Residential Use

The Edinburgh Local Development Plan (LDP) policy Hou1 Housing Development considers suitability of sites for housing use.

The site lies in a residential area and housing is acceptable in principle subject to other policy requirements being met.

Whilst in other circumstances the proposal may have been resisted on grounds of "backland development", in this instance the principle of development in this location is established both by the existing rear office and by the extant permission for a pair of semi-detached houses.

The density of the proposal would equate to 33 units per hectare, which is appropriate to the location, which forms a transition between the villas to the east and the tenements to the west.

As the units are family houses a payment of £27,450 is payable towards education infrastructure.

b) Impact of the Scale, Form and Design on the Conservation Area

*The Merchiston and Greenhill Conservation Area Character Appraisal*

*"The character of the area is dominated by Victorian villas....The villas incorporate a considerable variety and blend of architectural styles, unified by the use of local building materials...There has also been a limited amount of demolition, infill and backland development in garden grounds".*

Policies Des1 and Env6 of the LDP consider the appropriateness of a proposal to its surroundings.

The application adopts a modern form with monopitch metal roofs. The westmost unit drops to two storey and has a much flatter roof to address overshadowing issues (see below). The positioning of the block is such that it is almost totally screened from public view by the existing villa, in a location very similar to that already agreed within the extant consent. Whilst the existing consent has a hipped slate roof, there is no specific requirement for a traditional solution on this site. Other modern buildings exist within the conservation area and there is no objection in principle to a modern design.

Whilst the predominant character of the conservation area remains stone-built villas with slate roofs, modern infills do now form part of the overall character. In this instance, the location of the proposal is such that there is minimal impact upon the character and appearance of the conservation area, with only glimpse views available between the villas to the north.

The impact upon the conservation area is considered acceptable.

#### c) Setting of the Listed Building

Policy Env 3 of the LDP considers setting of the listed building.

The proposal stands wholly to the rear of the listed building. There is no impact on the setting of the listed building in relation to public views.

In relation to views from the garden, and in relation to the existing rear office extension, the proposal is now physically detached and set further way from the listed villa. The setting of the rear of the listed building will be improved.

#### d) Impact Upon Neighbouring Amenity

Policy Des5 Development Design Amenity, read in conjunction with Edinburgh Design Guidance consider impact upon neighbouring amenity.

North-facing windows within the proposal lie around 24 metres from the rear of the existing villa (already consented for residential conversion). South-facing windows and terraces lie around 25 metres from the southern boundary. Diagonal views from the proposed development are not considered a breach of privacy guidelines. Whilst there is an east-facing window on the east elevation at first floor level, this serves a stair landing, rather than an apartment, and does not constitute a breach of guidelines.

The form of the balconies is such that these do not project beyond the side screen walls. All privacy standards are met.

In relation to previous schemes the location of the proposal has been negotiated such as to be as close as possible to the existing consent in its footprint.

On the west side, the two storey form and distance from the boundary ensure that there is no overshadowing on this side. It is noted that this is a slight improvement in relation to the existing permitted scheme.

On the east side there is an impact on around 20 square metres of garden ground to 7 Bruntsfield Terrace. However, this represents only around 2% of the total site area of the neighbouring house, in a remote corner of the garden. This impact is also identical to the agreed impact within the existing planning permission (for two units in this area). The effect is therefore acceptable.

#### e) Amenity of the Proposed Units

Policy Des5 Development Design Amenity, read in conjunction with Edinburgh Design Guidance also consider amenity of the proposed units.

All units will be dual aspect and each has a private and secluded rear garden, accessed only from their own house. The units also have immediate access onto parkland at Bruntsfield Links.

Space standards within each unit are exceeded.

Amenity levels within the units will be high.

#### f) Parking and Access

Policy Tra2 of the LDP considers appropriate parking provision.

The existing access is used to enter the site and this is unaltered. This leads to eight parking spaces serving the three houses. This fully meets parking standards.

Overall parking levels are much reduced in relation to the existing car park on site. Net traffic generation will reduce in relation to the existing office use.

The existing access road will remain private. Comments from the Roads Authority relating to the pavement and outer access are not relevant and this area lies beyond the site boundary.

#### g) Impact Upon Trees

Policy Env12 of the LDP considers Trees.

The layout has specifically strived to retain a large tree in the rear section of the site, close to the eastern boundary. This tree can be seen rising above the villa in views from Bruntsfield Links.

Impact on trees is largely as already agreed in the previous permission and remains acceptable.

The central courtyard between the development and the existing villa will be landscaped in an appropriate manner.

#### h) Public Comments

##### **Material comments**

- Scale of the proposal is too large - considered in section 3.3 b).

- Impact on neighbouring amenity - considered in section 3.3 d).
- Tree loss undesirable/unclear- considered in section 3.3 g).
- Impact on the listed building - considered in section 3.3 c).
- Traffic will increase - considered in section 3.3 f)
- Windows on east gable are not acceptable - considered in section 3.3 d).
- Proposal does not benefit the conservation area/ is inappropriate - considered in section 3.3 b).

### **Non-material considerations**

- Loss of view - private views are not protected by planning policies
- Drawings are inadequate - Drawings are to scale and may be dimensioned using the online measuring tool. Additional dimensions are not considered critical to the understanding of the drawings.
- Neighbour notification issues - Neighbour notification was undertaken correctly.

### **i) Equalities and Human Rights**

The proposals do not give rise to any equalities or human rights concerns.

### **Conclusion**

The principle of housing on the site is acceptable and the scale, form and design have no adverse impact upon the character or appearance of the conservation area. Impact upon neighbouring amenity is acceptable. Car parking provision and access is acceptable. The proposals comply with development plan policies and non-statutory guidelines. No other considerations outweigh this conclusion.

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

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

#### **Conditions:-**

1. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Planning Authority before work is commenced on site; Note: samples of the materials may be required.

#### **Reasons:-**

1. In order to enable the Head of Planning to consider this/these matter/s in detail.

#### **Informatives**

It should be noted that:

1. Prior to the issue of consent the applicant shall enter into a suitably worded legal agreement with the Council to ensure a contribution of £27,450 towards educational infrastructure (index-linked).

2. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
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. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.

## **Financial impact**

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

There are no financial implications to the Council.

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

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

## **Equalities impact**

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

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

## **Sustainability impact**

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

This application meets the sustainability requirements of the Edinburgh Design Guidance.

## **Consultation and engagement**

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

Pre-application discussions took place on this application.

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

The application was advertised on 3 February 2017.

Fifteen representations were received. A summary of representations may be found in section 3.3 h) of the Assessment.

## Background reading/external references

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- 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**

The property lies within the Merchiston and Greenhill Conservation Area as shown in the Edinburgh Local Development Plan.

**Date registered**

24 January 2017

**Drawing numbers/Scheme**

1,2a,3-18,

Scheme 1

**David R. Leslie**

Chief Planning Officer  
PLACE  
The City of Edinburgh Council

Contact: Stephen Dickson, Senior Planning Officer  
E-mail:stephen.dickson@edinburgh.gov.uk Tel:0131 529 3529

**Links - Policies**

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**Relevant Policies:**

**Other Relevant policy guidance**

**The Merchiston & Greenhill Conservation Area Character Appraisal** emphasises the consistent domestic grain, scale and building mass; the high quality stone built architecture of restricted height, generous scale and fine proportions enclosed by stone boundary walls and hedges which define the visual and physical seclusion of the villas; the uniformity resulting from the predominant use of traditional building materials; and the predominance of residential uses within the area

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

LDP Policy Hou 1 (Housing Development) sets criteria for assessing the principle of housing proposals.

LDP Policy Hou 3 (Private Green Space in Housing Development) sets out the requirements for the provision of private green space in housing development.

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

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

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

**Non-statutory guidelines** 'LISTED BUILDINGS AND CONSERVATION AREAS' provides guidance on repairing, altering or extending listed buildings and unlisted buildings in conservation areas.

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



# Appendix 1

## **Application for Planning Permission 17/00253/FUL At 6 Bruntsfield Terrace, Edinburgh, EH10 4EX Three new Townhouse units to the rear of the site maintaining existing large Lime tree as per previously consented planning permission.**

### **Consultations**

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#### **Children and Families**

The Council has assessed the impact of the growth set out in the LDP through an Education Appraisal (Updated December 2016), taking account of school roll projections. To do this, an assumption has been made as to the amount of new housing development which will come forward ('housing output'). This takes account of new housing sites allocated in the LDP and other land within the urban area.

The Council's assessment has identified where additional infrastructure will be required to accommodate the cumulative number of additional pupils from development. Education infrastructure 'actions' are set out in the Action Programme and current Supplementary Guidance on 'Developer Contributions and Infrastructure Delivery'.

Residential development is required to contribute towards the cost of the required education infrastructure to ensure that the cumulative impact of development can be mitigated. To ensure that the total cost of delivering the new education infrastructure is shared proportionally and fairly between developments, Education Contribution Zones have been identified and 'per house' and 'per flat' contribution rates established.

#### Assessment and Contribution Requirements

Assessment based on: 3 Houses

This site falls within Sub-Area BJ-2 of the 'Boroughmuir James Gillespie's Education Contribution Zone'.

This assessment has been based on the cumulative impact of the three houses proposed by this application, along with the three houses and two flats proposed on a different part of the same site by application 16/04483/FUL. The development as a whole is expected to generate additional primary and secondary school pupils.

The Council has assessed the impact of the proposed development on the identified education infrastructure actions and current delivery programme, as set out in the Action Programme and Supplementary Guidance.

Appropriate education infrastructure actions to mitigate the cumulative impact of development now anticipated are identified. The required contribution will therefore be based on the established 'per house' and 'per flat' rate for the appropriate part of the Zone.

If the appropriate contribution is provided by the developer, as set out below, Communities and Families does not object to the application.

Total infrastructure contribution required: £27,450

Note - all infrastructure 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.

### **Roads Authority**

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

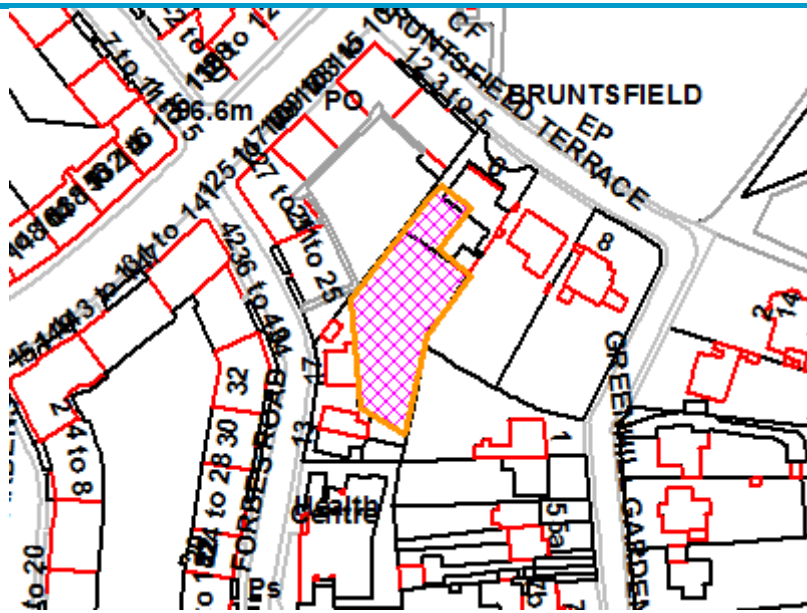
1. The applicant should be advised that as the development is located in the extended Controlled Parking Zone, they will be eligible for one residential parking permit per property in accordance with the Transport and Environment Committee decision of 4 June 2013. See [http://www.edinburgh.gov.uk/download/meetings/id/39382/item\\_7\\_7](http://www.edinburgh.gov.uk/download/meetings/id/39382/item_7_7) (Category D - New Build);
2. Any off-street parking space should comply with the Council's Guidance for Householders (see [http://www.edinburgh.gov.uk/download/downloads/id/704/guidance\\_for\\_householders](http://www.edinburgh.gov.uk/download/downloads/id/704/guidance_for_householders)) including:
  - a. Access to any car parking area is to be by dropped kerb (i.e. not bell mouth);
  - b. 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;
  - c. Any gate or doors must open inwards onto the property;
  - d. Any hard standing outside should be porous, to comply with 'Guidance for Householders' published in December 2012;
  - e. 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](http://www.edinburgh.gov.uk/downloads/file/1263/apply_for_permission_to_create_or_alter_a_driveway_or_other_access_point)
3. 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 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;

#### **Note:**

Current Council parking standards allow up to 2 spaces per unit for this area. The proposed 6 spaces for the 3 proposed units is considered acceptable.

## Location Plan

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**END**

# 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.**

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

## Summary

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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

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This application was previously considered by Committee on 22.03.2017.

## Links

<a href="#"><u>Policies and guidance for this application</u></a>	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**

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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 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**

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#### **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](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](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**

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

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

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

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

## **Equalities impact**

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

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

## **Sustainability impact**

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

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

## **Consultation and engagement**

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

Pre-application discussions took place on this application.

## 8.2 Publicity summary of representations and Community Council comments

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

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- 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**

Chief Planning Officer  
PLACE  
The City of Edinburgh Council

Contact: Mark Dunlop, Planning Officer  
E-mail: mark.dunlop@edinburgh.gov.uk Tel: 0131 469 3642

## **Links - Policies**

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### **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**

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#### **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](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](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.

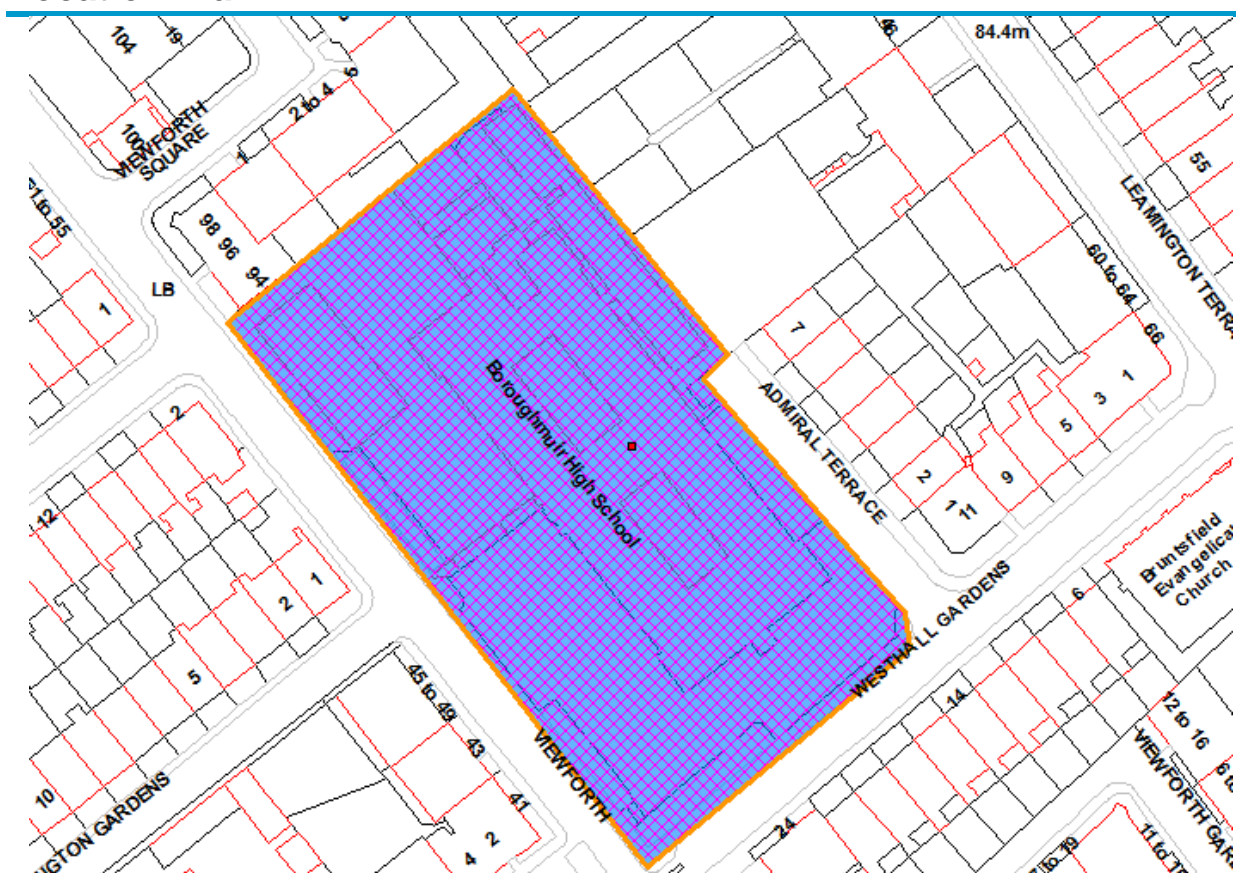
Assessment based on: 77 flats  
(38 one bed flats excluded from the assessment)  
Cost per unit Flats £1535.81  
Houses £8739.13  
Total contribution required  
£118,257

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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**END**

# Development Management Sub Committee

Tuesday 25 April 2017

**Application for Listed Building Consent 16/04580/LBC  
At Boroughmuir High School, 26 Viewforth, Edinburgh  
Conversion of Boroughmuir High School to form residential  
accommodation. Demolition of existing outbuildings and  
erection of new residential block (as amended).**

<b>Item number</b>	6.1(b)
<b>Report number</b>	
<b>Wards</b>	A10 - Meadows/Morningside

## Summary

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The proposal complies with Edinburgh Local Development Plan Policies Env 4 and Env 6 as it is justified, will not result in unnecessary damage to historic structures, and will not diminish the character of the listed building, or adversely affect the character and appearance of the conservation area.

## Outcome of previous Committee

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This application was previously considered by Committee on 22.03.2017.

## Links

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[Policies and guidance for this application](#) LEN04, LEN06, NSLBCA,

# Report

## **Application for Listed Building Consent 16/04580/LBC At Boroughmuir High School, 26 Viewforth, Edinburgh Conversion of Boroughmuir High School to form residential accommodation. Demolition of existing outbuildings and erection of new residential block (as amended).**

### **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 property is Boroughmuir High School. This is a category B listed building, reference 30040, listed on 12 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 planning permission to convert the school building to residential use, with associated works, reference 16/04579/CON and 16/04581/FUL.

### **Main report**

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

Listed building consent is sought for the conversion of the former school building to form residential accommodation, for external alterations to an existing annex building, and for the demolition of three existing outbuildings attached to the main building.

##### *Internal Alterations*

The removal of existing corridor walls and conversion of classrooms into 87 flats, including formation of mezzanines towards the rear of the respective spaces on all floors (i.e. away from the windows).

The existing annex building to the north of the school is to be converted to eight flats by the addition of partition walls.

### *External Alterations*

On the front elevation, it is proposed to increase the height of five windows on the front of the central bay at roof level. On the rear elevation, it is proposed to increase the height of three windows on the rear of the central bay at roof level, and three at ground level.

Ten window openings are to be re-instated on the rear elevation after the annex building is demolished.

Six windows are to be enlarged on the north elevation.

New window openings will be formed within the courtyard elevations, and rooflights will be added to the inward-facing roofplanes.

Steel and timber stairways are to be formed within the courtyards on each floor, and new stairs are to be formed within the annex building to facilitate the conversion to flats.

### *Demolition*

Three buildings are to be demolished within the curtilage of the school. One is a link between an annex and the main school building, and two are smaller annex buildings set behind the main school building, but attached to the listed building.

Demolition of the detached, single storey teaching building in front of the main building does not require listed building consent.

Existing roofs within the courtyards are to be removed.

Scheme 2 differs from Scheme 1 in respect of internal layout and addition of windows on internal elevations. These changes were made to incorporate internal protected stairs within the apartments. This necessitated realignment of bathrooms and bedrooms in certain flats.

## **3.2 Determining Issues**

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

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



### 3.3 Assessment

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

- a) The proposals will harm the architectural or historic interest of the listed building or adversely affect the special character or appearance of the conservation area;
- b) The representations raise any issues to be addressed; and
- c) Equalities and human rights impacts have been addressed.

#### a) Impact on the character of the listed building and the character and appearance of the conservation area

The adopted Edinburgh Local Development Plan (LDP) policy Env 4 states that "Proposals to alter or extend a listed building will be permitted where

- a) those alterations or extensions are justified;
- b) there will be no unnecessary damage to historic structures or diminution of its interest; and
- c) where any additions are in keeping with other parts of the building".

The alterations to the main school building to convert it to residential use are justified on the basis that they focus on the courtyards which are of secondary importance. The main facade is left largely unaltered. It is preferable to have the building converted to residential use than to be left vacant. The removal of the infill development within the courtyards and the addition of walkways to facilitate the residential use is an innovative use of space away from public views which will not diminish the interest of the building.

Non-statutory guidance for Listed Buildings and Conservation Areas states that window openings "play an important role in establishing the character of an elevation and they should not be altered in their proportions or details". The proposed minor increase in window heights on the facade and rear elevations can be satisfactorily absorbed by the scale and massing of the building, and is justified in allowing greater levels of natural light into what will be living space. The proposed window alterations and erection of an external stair on the rear annex building will not result in any loss of original fabric and will not diminish the interest of what is a smaller building which is subordinate in terms of importance and presence to the main school building.

The addition of mezzanines within the high-ceilinged classrooms allows the general retention of the floorplan, and their positioning away from the principal and rear elevations reduces their visual prominence.

The plan form of the building is generally retained, as the existing classrooms are used to dictate the form of the conversion. The corridors will be lost, but these are of considerably lesser significance in terms of the floorplan. The key elements of the floorplan, which are the main and secondary staircases and the classrooms, will be retained.

There will be no unacceptable loss of historic fabric in the main school building. The demolition of the existing outbuildings will be acceptable, as these are minor later additions to the school building which do not make a strong, positive contribution to its character. The removal of largely unsympathetic later additions from the courtyards will be beneficial in re-opening these parts of the building and improving its character without any adverse impact on its appearance.

The impact of the demolition of the outbuildings on the character and appearance of the conservation area is addressed in the application for conservation area consent, reference 16/04579/CON.

The external works to the listed building which will be publicly visible are generally restricted to window enlargements and re-instatements. These will preserve the appearance of the conservation area, in accordance with LDP policy Env 6. The formation of walkways within the courtyard areas will not harm the character of the conservation area.

Historic Environment Scotland has not objected to the proposal. Having regard to their concerns about the window alterations on the central bay, officer's are satisfied that these will have no adverse impact on the character of the listed building. Such is the imposing scale of the building that these minor interventions will reflect the changing nature of the use of the building without harming its character.

The proposal complies with LDP policy Env 4 as the work is justified, will not result in unnecessary damage to historic structures, will not diminish the interest of the listed building, and the proposed alterations are in keeping with other parts of the building.

The proposed works will preserve the character and appearance of the conservation area, as the buildings to be removed do not make a strong, positive contribution to the character or appearance. The extent of alterations to the main building is minimal, as the major interventions relate either to areas which are not publicly visible, to secondary parts of the building, or to modern elements. The proposal is compatible with LDP policy Env 6.

## b) Representations

### **Material representations in objection**

*The design and materials are not appropriate.* This has been addressed in part 3.3.a).

### **Non-material representations in objection**

It should be noted that more than half of the objections to the listed building consent application were made with reference to the erection of the affordable housing block and various issues arising from its erection, such as loss of privacy, overshadowing, and loss of view. The erection of the new affordable housing block does not require listed building consent, as it is not physically attached to the listed building. Therefore, these are grounds of objection which are non-material simply because they are not material to the assessment of a listed building consent application.

*Loss of amenity by reason of additional noise from occupied flats.* This does not form part of the assessment of an application for listed building consent.

*The new block will harm the setting of the listed building.* This is a matter for assessment as part of the application for planning permission, reference 16/04581/FUL.

*The proposal is overdevelopment of the site.* This is a matter for assessment as part of the application for planning permission, reference 16/04581/FUL.

*Loss of parking / Road safety issues.* This does not form part of the assessment of an application for listed building consent.

*The affordable housing provision is of low quality.* This does not form part of the assessment of an application for listed building consent.

*The proposal will harm property values.* This is not a planning matter.

*The historical legacy of the building should be preserved.* This has been addressed in part 3.3.a).

#### c) Equalities and human rights impacts

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

#### Conclusion

The proposal complies with the adopted Edinburgh Local Development Plan policies Env 4 and Env 6 as it is justified, will not result in unnecessary damage to historic structures, and will not diminish the character 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**

#### **Informatives**

It should be noted that:

1. The works hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.

### **Financial impact**

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

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

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

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

## **Equalities impact**

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

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

## **Sustainability impact**

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

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

## **Consultation and engagement**

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

Pre-application discussions took place on this application.

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

In total, 57 representations have been received, all objecting to the proposal. The matters raised in representations are addressed in part 3.3).

## **Background reading/external references**

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- 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, 13A-17A, 18, 19, 20A-25A, 26-38,

Scheme 2

## **David R. Leslie**

Chief Planning Officer  
PLACE  
The City of Edinburgh Council

Contact: Mark Dunlop, Planning Officer  
E-mail: mark.dunlop@edinburgh.gov.uk Tel: 0131 469 3642

## **Links - Policies**

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### **Relevant Policies:**

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

**Non-statutory guidelines 'LISTED BUILDINGS AND CONSERVATION AREAS'** provides guidance on repairing, altering or extending listed buildings and unlisted buildings in conservation areas.

# Appendix 1

## **Application for Listed Building Consent 16/04580/LBC At Boroughmuir High School, 26 Viewforth, Edinburgh Conversion of Boroughmuir High School to form residential accommodation. Demolition of existing outbuildings and erection of new residential block (as amended).**

### **Consultations**

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#### **Historic Environment Scotland**

*The opening of the new Boroughmuir High School in 2017 will result in the existing B-listed building at Viewforth becoming vacant, unless a new use is identified. We therefore welcome the preparation of these detailed proposals for conversion of the building to residential use.*

*Designed in a Renaissance style by the talented architect John Carfrae and built between 1911 and 1914, Boroughmuir is considered to be one of the most significant architectural achievements of Edinburgh's School Board.*

*A residential conversion scheme will inevitably require a range of alterations into the historic fabric and original internal plan-form of the building, some of which will be more impactful on the special interest of the listed building. Having undertaken a desk based assessment of the application and supporting material, we consider that overall these impacts do not raise significant issues for the historic environment.*

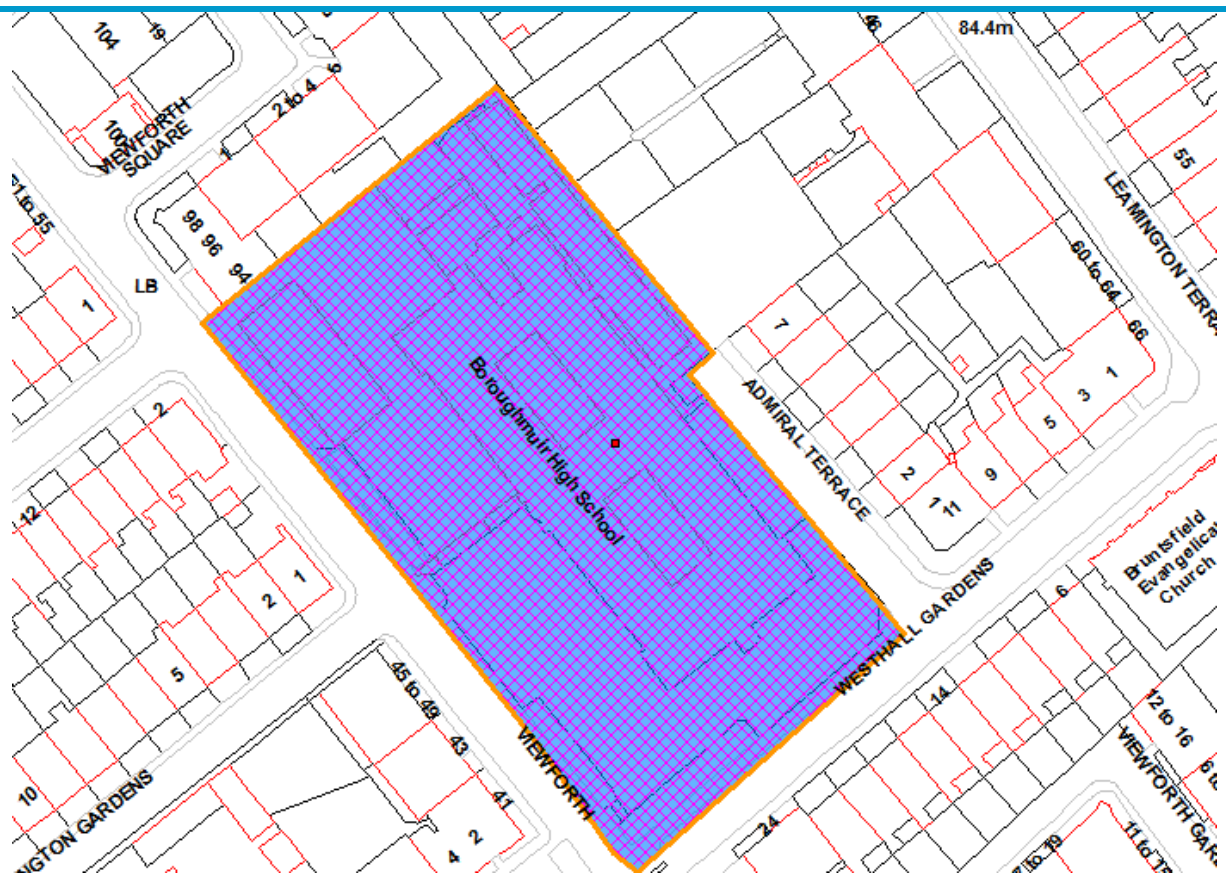
*In looking at some of the alteration in more detail, we have no issue with the removal of later additions and are pleased to see retention of the main staircases internally. We also recognise that the quantity of residential units proposed is high (including the use of mezzanine floors) and will result in the alteration of classrooms and loss of the original circulation space within the building. Access to a number of the new residential units will be achieved via walkways within the two central courtyards, post removal of later infill development, and general these areas will see the more alterations in terms of new openings. Due to the secondary importance of the courtyards, we consider that it is appropriate to focus intervention in these areas.*

*We can see that the alterations to the highly articulate external elevations have been restricted. These generally appear on the rear of the building at ground level, required, in part, due to the removal of later additions. Due to the quality of these elevations, the addition of openings at the top of the central bay to both Viewforth and Admiral Terrace will have more of an adverse impact. This appears to have been brought forward due to the high position of the windows compared to the floor level internally. We would encourage that alternatives are investigated, i.e. can internal modification be made to the design of the flats that will avoid the need for new openings? In other schemes we have seen a raised deck in front of the windows.*

Having had the opportunity to undertake a site visit, your Council will be able to undertake a more detailed assessment of the proposed alterations and assess any surviving internal features such as timber panelling and the War Memorial. We would also be happy to provide further advice on aspects of the alterations, i.e. new window openings, if this will be useful and help your Council reach a decision on the application.

Our advice can be used by you to inform your decision. The proposals do not raise issues of national significance. Our letter is advisory and is not an objection.

## Location Plan



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**END**

# Development Management Sub Committee

Tuesday 25 April 2017

## Application for Conservation Area Consent 16/04579/CON At Boroughmuir High School, 26 Viewforth, Edinburgh Demolition of existing outbuildings.

<b>Item number</b>	6.1(c)
<b>Report number</b>	
<b>Wards</b>	A10 - Meadows/Morningside

### Summary

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The proposal complies with the adopted Edinburgh Local Development Plan Policy Env 5 as the building to be demolished does not make a positive contribution to the character or appearance of the conservation area, and an application for planning permission for a replacement building which will preserve the character and appearance of the conservation area has been submitted.

### Outcome of previous Committee

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This application was previously considered by Committee on 22.03.2017.

### Links

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[Policies and guidance for this application](#) LEN02, LEN05, NSLBCA, CRPMAR,



# Report

## **Application for Conservation Area Consent 16/04579/CON At Boroughmuir High School, 26 Viewforth, Edinburgh Demolition of existing outbuildings.**

### **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 Boroughmuir High School. This is a category B listed building (reference 30040, listed on 12 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 listed building consent and planning permission to convert the school building to residential use, with associated works, reference 16/04580/LBC and 16/04581/FUL.

### **Main report**

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

Conservation area consent is sought for the demolition of four outbuildings within the school site. These buildings include a modern, free-standing single storey teaching block set in front of the main school building, a later dining room which appears to date from the 1980s, a linking corridor between an original annex building and the main building, and, to the rear, a boiler house.

Only the demolition of the free-standing teaching block requires conservation area consent. As the other buildings are not complete buildings, conservation area consent is not required for their demolition. However, as they are physically attached to the listed building, their demolition requires listed building consent, and is dealt with under the application for listed building consent (16/04580/LBC).

### 3.2 Determining Issues

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

### 3.3 Assessment

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

- a) The demolition of the building is justified;
- b) Public comments have been addressed; and
- c) Equalities and human rights have been addressed.

#### a) Justification for demolition

The adopted Edinburgh Local Development Plan (LDP) policy Env 5 states that "Proposals for the demolition of an unlisted building within a conservation area but which is considered to make a positive contribution to the character of the area will only be permitted in exceptional circumstances and after taking into account the considerations set out in Policy Env 2 above".

The essential architectural character of the Marchmont, Meadows and Bruntsfield Conservation Area is defined by *"well proportioned tenements planned in long blocks that take advantage of the gently sloping site"* and the Scottish Baronial style is the principal architectural form. The outbuilding to be removed is a small addition within the school grounds which does not make a positive contribution to the character or appearance of the conservation area.

LDP policy Env 5 also states that "Proposals for the demolition of any building within a conservation area, whether listed or not, will not normally be permitted unless a detailed planning application is approved for a replacement building which enhances or preserves the character of the area or, if acceptable, for the landscaping of the site". There is an application for planning permission for a new building on part of the area covered by the existing annex in front of the school building, to be determined at the same time as this application. Comments raised in relation to overshadowing, and to the design, materials, appearance and roof design of the proposed new building are addressed in the report for that planning application (16/04581/FUL). The proposed replacement building will preserve the character and appearance of the conservation area, and it is recommended to grant planning permission.

Historic Environment Scotland was consulted and offered no objection to the application.

#### b) Public Comments

Sixteen representations have been received, 15 of which are in objection.

## **Material representations in objection**

*The replacement building does not enhance the conservation area. This is addressed in part 3.3a).*

## **Non-material representations in objection**

None of the representations received which relate to the replacement purposes of the school building and to the erection of the new tenemental building is material to the application, as these matters are subject to a separate application for planning permission. However, it would be acceptable to demolish the building as proposed even if the school building were to remain in educational use, as the building to be demolished makes no positive contribution to the character or appearance of the conservation area.

*No demolition should be authorised until permission is granted for subsequent development. This is addressed in part 3.3a).*

*Criticising the design, materials and appearance of the new tenement block. This is addressed in part 3.3a).*

*The roof design is inappropriate. This is addressed in part 3.3a).*

*Overshadowing. This assessment forms part of the consideration of the application for planning permission.*

*Loss of view. The planning system does not seek to protect private views.*

### **c) 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 Policy Env 5 as the building to be demolished does not make a positive contribution to the character or appearance of the conservation area, and an application for planning permission for a replacement building which will preserve the character and appearance of the conservation area has been submitted.

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

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

#### **Conditions:-**

1. No demolition shall start until the applicant has confirmed in writing the start date for the new development by the submission of a Notice of Initiation.

#### **Reasons:-**

1. In order to safeguard the character of the conservation area.

## **Financial impact**

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

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

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

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

## **Equalities impact**

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

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

## **Sustainability impact**

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

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

## **Consultation and engagement**

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

Pre-application discussions took place on this application.

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

16 representations have been received, 15 of which are in objection. The matters raised are addressed in part 3.3).

## **Background reading/external references**

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- 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 - 03,

Scheme 1

### **David R. Leslie**

Chief Planning Officer  
PLACE  
The City of Edinburgh Council

Contact: Mark Dunlop, Planning Officer  
E-mail: mark.dunlop@edinburgh.gov.uk Tel: 0131 469 3642

## **Links - Policies**

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### **Relevant Policies:**

LDP Policy Env 2 (Listed Buildings - Demolition) identifies the circumstances in which the demolition of 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.

**Non-statutory guidelines** 'LISTED BUILDINGS AND CONSERVATION AREAS' provides guidance on repairing, altering or extending listed buildings and unlisted buildings in conservation areas.

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

# Appendix 1

## Application for Conservation Area Consent 16/04579/CON At Boroughmuir High School, 26 Viewforth, Edinburgh Demolition of existing outbuildings.

### Consultations

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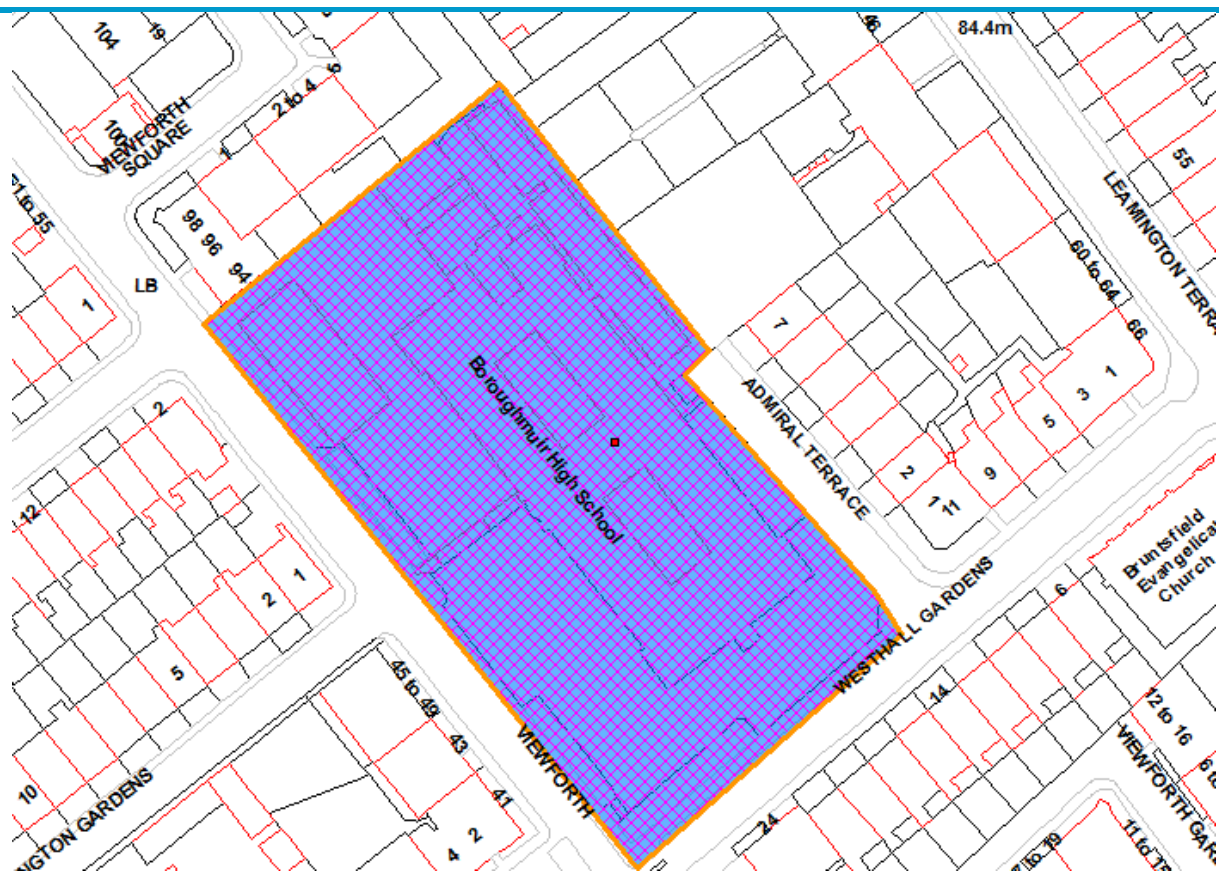
#### Historic Environment Scotland

*The demolition of these later and ancillary structures at Boroughmuir High School will not have a detrimental impact on Marchmont, Meadows & Bruntsfield Conservation Area. As the Boroughmuir High School is also B-listed, we will provide comments on the wider scheme of alteration for residential conversion in our response to the listed building consent application.*

*Our advice can be used by you to inform your decision. The proposals do not raise issues of national significance. Our letter is advisory and is not an objection.*

### Location Plan

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**END**