

# Development Management Sub Committee

Wednesday 21 February 2018

**Application for Planning Permission 17/04960/FUL  
At Trinity Primary School, 181 Newhaven Road, Edinburgh  
Single storey classroom annex to Trinity Primary School,  
containing two 60m2 classroom spaces and ancillary  
accommodation.**

<b>Item number</b>	4.7
<b>Report number</b>	
<b>Wards</b>	B04 - Forth

## Summary

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The proposed standalone development within the school grounds complies with the policies in the Edinburgh Local Development Plan and the Edinburgh Design Guidance. The proposal will not have a detrimental impact on the character and appearance of the conservation area and it will not impact on neighbouring amenity. It is recommended that the application is granted.

## Links

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<a href="#">Policies and guidance for this application</a>	LDPP, LDES01, LDES04, LDES05, LEN06, LEN12, LEN21, LTRA02, LEN09, NSG, NSGD02,
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# Report

## **Application for Planning Permission 17/04960/FUL At Trinity Primary School, 181 Newhaven Road, Edinburgh Single storey classroom annex to Trinity Primary School, containing two 60m<sup>2</sup> classroom spaces and ancillary accommodation.**

### **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 playground of Trinity Primary School, located on the west side of Newhaven Road. The existing primary school was constructed around 1968 and comprises a varied mixture of stone, brick and render facades with tile and standing seam roofs. The primary school is not listed.

The west boundary of the site backs on to Victoria Park and Trinity Academy is located on the northern boundary.

There are a number of Category B and C listed buildings surrounding the school site, including Victoria Park House and Lodge to the south, Trinity Academy and 1-4 Craighall Bank to the West and townhouses on Newhaven Road to the East.

This application site is located within the Victoria Park Conservation Area.

#### **2.2 Site History**

There is no relevant planning history for this site.

### **Main report**

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

The application seeks to erect a single storey, mono pitched build within the existing playground. This is to accommodate a two classroom facility. The development is to be located on the western section of the school grounds and it will have an approximate footprint of 234 square metres with an overall height between 3 and 4 metres.

The finish for the elevation on all sides is to comprise of face fixed fibre cement cladding panel system, in four colours (Equitone Tectiva Argent Grey, Equitone Natrura Fossil Grey, Green Mist and Beach Stone). The finish for the roof is to include aluminium standing seam cladding. Windows and doors, and rooflights are to be framed in aluminium with double glazing.

The following documents have been submitted in support of the application and are available to view on Planning and Building Standards online portal:

- Tree Survey;
- Flood Risk Assessment;
- Geo Environmental Site Assessment; and
- Design and Access Statement.

### **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 the development is acceptable;
- b) the proposal will detract from the character or appearance of the conservation area;
- c) the proposal will impact on neighbouring amenity;
- d) the proposal will impact on traffic or road safety issues;
- e) the proposal will impact on existing trees;
- f) the proposal will impact on flooding issues;
- g) any impacts of equalities and human rights have been addressed;
- h) any other material considerations; and
- i) any comments raised have been addressed.

#### a) The Principle of the Development

The proposal is to extend the accommodation of an existing school which is serving the local area. The principle of this use in this area is already established by the existing school. The facilities will enhance the existing facility and, as the site is in the 'urban area' the principle of an additional school building is acceptable in this area.

The proposal will not involve in the loss of designated open space or green playing fields.

#### b) Design and Impact on Conservation Area

The site is located within Victoria Park Conservation Area and the character appraisal states the following:

*The scale of the park, enhanced by the removal of railway lines, is a considerable and prominent feature and forms half of the Conservation Area...Large villas set in generous garden grounds are located around three sides of the Park...The Institutional uses namely Trinity Academy, Trinity Primary School and Victoria Park Children's Centre gives the area a busy feel on a daily basis... In essence, the area retains the charms of a Victorian suburb, secluded from the rest of the City... The majority of the buildings located within the Victoria Park Conservation Area, are Georgian or Victorian constructed in stone with slate roofs...*

The extension of the existing educational use is characteristic of this part of the conservation area.

The proposal, within the school grounds will be located to the rear of the main building and is subservient in scale. The standalone development will not be visible from Newhaven Road but it will be visible from public views in Victoria Park. The proposal is a modern intervention in terms of its design and materials. Whilst cement based panels are generally not appropriate in conservation areas due to their visual impact as a low/poor quality material, the main built context in and around the site comprises a mixture of stone, brick and render facades with tile and standing seam roofs. In these circumstance, the proposed cladding materials are acceptable. The 'green' cladding will read as a visual continuation of the background greenery from Victoria Park. The proposal will provide a suitable contrast between the surrounding main buildings on the site and it will not have an adverse impact on the visual amenity of Victoria Park. The proposal will not have a detrimental impact on the character and appearance of the conservation area in this location.

The proposal complies with Policy Des 1, Des 4 and Env 6 in the Edinburgh Local Development Plan (LDP) and the Edinburgh Design Guidance.

#### c) Impact on Amenity

The proposal will not impact on the amenity of neighbouring residents in terms of loss of privacy, sunlight or result in overshadowing.

The proposed development is ancillary to the use of the school and will not further exacerbate noise levels.

The proposal complies with Policy Des 5 in the LDP.

d) Traffic and Road Safety

The proposed development is modest in scale and is ancillary to the use of the school. No issues of traffic or road safety have been raised and the proposals will have a neutral impact.

e) Tree

Policy Env 12 Trees in the LDP states that development will not be permitted if likely to have a damaging impact on a tree that is worthy of retention unless necessary for good arboriculture reasons. Where such permission is granted, replacement planting of appropriate species and number will be required to offset the loss to amenity.

The submitted tree survey was carried out in July/Aug 2016. The proposed site plan shows one Whitebeam tree to be removed within the site. A site visit revealed that the tree had been removed. The tree was identified in the survey as being dead and a photograph of the tree's condition was provided. Given the condition of the tree, the proposal did not necessitate its removal. Therefore, a condition to replace the tree to offset its loss is not relevant to the assessment of this application.

The proposal complies with Policy Env 12 in the LDP.

f) Flooding issues

A Surface Water Management Plan was submitted. The proposal will not increase flood risk or be at risk of flooding itself.

The proposal complies with Policy Env 21 in the LDP.

g) Equalities and Human Rights

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

h) Additional Material Considerations

Archaeology

The location of the proposal will not impact on any known sites of archaeological significance.

i) Comments raised in representation

Material - Objection

- Concerned about the loss of playground space - Addressed in Section 3.3 (a).
- Impact on neighbouring amenity in terms of noise - Addressed in Section 3.3 (c).
- Impact on traffic congestion - Addressed in Section 3.3 (d).

## Non Material - Objection

- Impact on parking - Location of on-street parking cannot be controlled through planning.
- Foundation stability - Structural stability is not a planning matter.
- Security Lighting - Not development under Section 26 of the Town and Country Planning (Scotland) Act 1997 (as amended) and cannot be controlled through planning.
- Proximity of development to an unsafe nearby fence - This is a civil matter not resolved through the planning system.
- Prior consultation was not carried out before the application was submitted - This is a local development and pre-application consultation not required.
- Reference to large Fir tree on the site and anything in the plan to address - No proposal to remove this tree as part of the application.
- Associated nuisance arising from construction works - Cannot be conditioned or controlled through planning.
- Council should acquire land from Victoria Park to replace the loss of playground space - This request cannot be address through the current application.

## Material - Support

- Well designed;
- Will not be imposing on the surrounding building and views;
- Will not impinge on the visual amenity of the existing park; and
- Critical to support the rising rolls of pupils.

## **Conclusion**

In conclusion, the proposed standalone development within the school grounds complies with the policies in the Edinburgh Local Development Plan and the Edinburgh Design Guidance. The proposal will not have a detrimental impact on the character and appearance of the conservation area and it will not impact on neighbouring amenity. It is recommended that the application is granted.

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 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.

## **Financial impact**

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

There are no financial implications to the Council.

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

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

## **Equalities impact**

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

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

## **Sustainability impact**

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

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

## **Consultation and engagement**

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

Pre-application discussions took place on this application.

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

The application was advertised on 17 November 2017 and the proposal attracted 53 letters of support, 2 letters of objections and 1 general comment. The comments made are addressed in the Assessment Section of the 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**

The site is an urban area as designated in the Edinburgh Local Development Plan and Victoria Park Conservation Area.

### **Date registered**

25 October 2017

### **Drawing numbers/Scheme**

01-11,

Scheme 1

## **David R. Leslie**

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Laura Marshall, Planning Officer

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## **Links - Policies**

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### **Relevant Policies:**

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

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 5 (Development Design - Amenity) sets criteria for assessing amenity.

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

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

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

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 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.

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

**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, parking, streets and landscape, in Edinburgh.

# Appendix 1

## **Application for Planning Permission 17/04960/FUL At Trinity Primary School, 181 Newhaven Road, Edinburgh Single storey classroom annex to Trinity Primary School, containing two 60m2 classroom spaces and ancillary accommodation.**

### **Consultations**

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#### Archaeology

Further to your consultation request I would like to make the following comments and recommendations concerning this application for the construction of a single storey classroom annex to Trinity Primary School.

The site lies adjacent to the late 18th century house and estate of Bonnington Park (Victoria Park Children's Centre). Having assessed the application, given the sites modern development history it is concluded that although physical impacts will occur such ground-works are considered unlikely to have any significant archaeological impact.

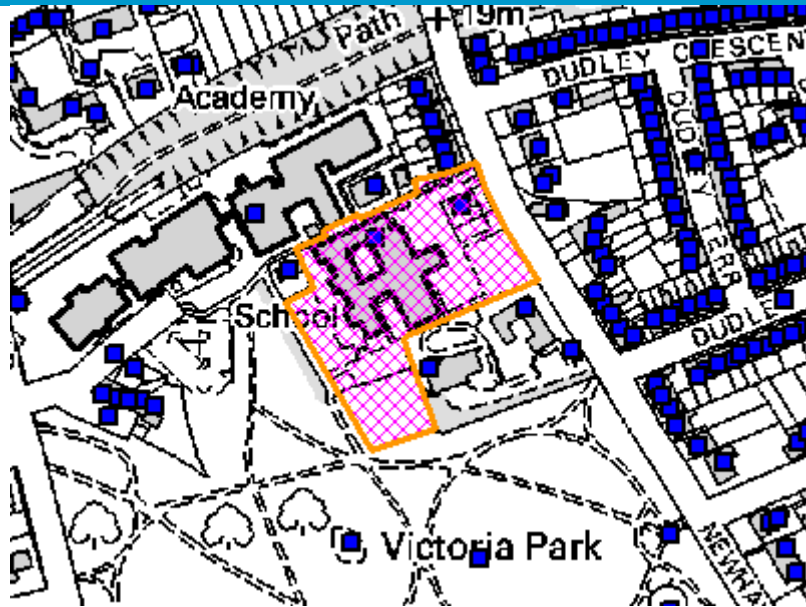
Therefore I have concluded that here are no known archaeological implications regarding this application.

#### Flood Prevention Team

I have reviewed the application data available on the portal and am happy to confirm that Flood Prevention have no further comments on this application and support its determination.

## Location Plan

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