

# Development Management Sub Committee

Wednesday 21 February 2018

**Application for Planning Permission 17/04206/FUL  
At 17A Hamilton Place, Edinburgh, EH3 5BA  
Proposal for single storey classroom annex to Stockbridge  
Primary School, containing two classrooms and ancillary  
spaces - WC's, a store and cloak spaces.**

<b>Item number</b>	4.3
<b>Report number</b>	
<b>Wards</b>	B05 - Inverleith

## Summary

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The proposal complies with the development plan although there is a minor infringement of Policy Env 6. The proposal will preserve the character and appearance of the conservation area and will have no detrimental impact on the setting of listed buildings, residential amenity, and traffic and road safety. There will be a minor negative impact on trees.

## Links

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<a href="#"><u>Policies and guidance for this application</u></a>	LDPP, LDES01, LDES04, LDES05, LDES06, LDES08, LEN03, LEN06, LEN12, LEN21, LEN09, NSG, NSLBCA, NSGD02, OTH, CRPNEW,
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# Report

## **Application for Planning Permission 17/04206/FUL At 17A Hamilton Place, Edinburgh, EH3 5BA Proposal for single storey classroom annex to Stockbridge Primary School, containing two classrooms and ancillary spaces - WC's, a store and cloak spaces.**

### **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 relates to the grounds of a listed stone built primary school dating from 1876-8 and set within a predominantly paved playground area. To the north of the listed building, and within the school grounds, is an unlisted three storey former house that fronts onto Dean Bank Lane, and that now forms part of the school's accommodation.

The development will be sited in the north east corner of the school playground. To the east of the proposed development are lockups, and to the north the site is bounded by the external wall of a dwelling.

The area is primarily residential in character with some commercial units at ground floor level.

The building was B listed on 14/12/1970 (ref. LB27988).

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

#### **2.2 Site History**

17 May 2012 - Consent granted to replace fire doors where necessary. (application ref. 12/00892/LBC).

23 April 2014 - Consent granted to install automated smoke vent to the main roof; replace existing timber walls of external store with masonry walls and alter existing window into a new fire escape door, (in retrospect). (application ref. 14/00971/FUL).

## **Main report**

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

The application is for a detached single storey classroom annex to the existing facilities at the school. The building will be sited in the playground to the north of the site adjacent to a boundary wall. The building is to be clad in metal standing seam roof with fibre cement feature panels and shallow pitched aluminium standing seam roof with aluminium glazing system. The building would accommodate two classrooms and associated toilets and store.

Two mature trees and three small trees are to be removed.

As part of this application the following documents have been submitted which are available to view on Planning and Building Standard's Online Services:

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

### **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;
- b) the proposals will preserve or enhance the conservation area;
- c) the proposals will impact on the setting of listed buildings;
- d) the proposals are of an appropriate scale, form, and design;

- e) the proposals will result in an unreasonable level of neighbouring residential amenity;
- f) the proposals will have any traffic or road safety issues;
- g) the proposals will have detrimental impact on flooding issues;
- h) the proposals will have detrimental impact on trees;
- i) any impacts of equalities and human rights have been addressed;
- j) and any other material considerations; and
- k) 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.

b) The Impact on the Character and Appearance of the Conservation Area

The New Town Conservation Area Character Appraisal notes that:

*The overwhelming retention of buildings in their original design form, allied to the standard format of residential buildings, strongly contributes to the character of the area.*

This part of the conservation area is characterised by stone built traditional buildings. However there are examples of modern buildings clad with alternative materials in the area, particularly on Dean Bank Lane, which runs to the rear of the site.

The proposed annex will be a contemporary intervention in modern materials that will contrast with the traditional building stock. However, as it is located to the rear of the site, it will be set back from the road and its impact will be reduced. As a single storey structure, it will not dominate the site. Its visual impact will be limited and the character and appearance of the conservation area will be preserved.

c) The Impact on the Setting of the Listed Buildings

The new building will be located to the northern boundary of the site, to the rear of and not in close proximity to the listed school, although it will be immediately adjacent to the unlisted building on site. The new building will not affect any views of the listed school and will not adversely impact its setting.

As the proposed development is set back from the street it will not impact the listed tenements on the opposite side of Hamilton Place.

There are no other listed buildings in close proximity to the site and proposed development will not adversely impact on the setting of any listed buildings.

d) Scale, Form and Design

The proposals are low lying and the dominant material is standing seam metal with small panels of fibre cement.

Although most buildings in the area are stone built, there are example of other, more contemporary, materials. The use of zinc, which is a quality material, is acceptable, especially as the building will be set back from the street. The areas of fibre cement are small and will add relief to what is a predominantly metal clad building.

The low rise form of the building is not obtrusive and its positioning on the site will minimise its visual impact.

The proposed design, form, scale and choice of materials are appropriate and acceptable.

e) Neighbouring Amenity

The proposed building will be situated adjacent to an external wall of a dwelling. However there are no windows in this wall and the proposals will not impact them in terms of daylighting or privacy. There will be no detrimental impact in terms of neighbouring amenity.

f) Traffic or Road Safety Issues

No issues of road safety or traffic have been raised and the proposals will have a neutral impact in this regard.

g) Flooding Issues

A Flood Risk Assessment and Drainage Strategy has been submitted and it has been demonstrated that the proposals will not cause any additional risk of flooding.

h) Impact on Trees

Policy Env 6 presumes that trees that contribute positively to the character of the conservation area are to be retained. Two mature trees are to be removed as part of this proposal and these cannot be retained if the school is to expand its accommodation. Due their location at the rear of the site, the loss of these trees and some minor vegetation will only have a minor impact on the character and amenity of the Conservation Area. A plan for planting in mitigation would more than compensate for the losses.

Proposals for replacement landscaping and planting is requested by condition. The loss of the trees is acceptable in this context.

### i) Any Other Material Considerations

#### Archaeology:

As there is potential for archaeological remains to exist on the site, a condition is attached to ensure appropriate investigation takes place prior to construction.

#### Contaminated Land:

A geo-environmental site investigation report has been submitted and conditions are added to this consent that would ensure that the land is free of any potential contaminants prior to occupation of the development.

### j) Equalities and Human Rights Issues

The proposals will have a neutral impact on equalities and human rights. An Equalities and Human Rights Impact Assessment has been completed.

### k) Public Comments

One letter of comment has been submitted by a neighbour which relates to matters which are non-material to the assessment of this planning application. Comments relate to allowing future access to property to the north for maintenance and past damage to stonework.

There have been no comments from the Community Council.

### Conclusion

In conclusion, the proposal complies with the development plan although there is a minor infringement of Policy Env 6. The proposal will preserve the character and appearance of the conservation area and will have no detrimental impact on the setting of listed buildings, residential amenity, and traffic and road safety. There will be a minor negative impact on trees. There are no other considerations which outweigh this conclusion and approval is recommended.

The recommendation is subject to conditions on landscaping, archaeology and contaminated land.

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

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

#### **Conditions:-**

1. No development shall take place on the site until the applicant has secured and implemented a programme of archaeological work (excavation, reporting and analysis, publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.
2. 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.
3. Before any works start on site, a scheme of landscaping indicating the siting, numbers, species and heights (at time of planting) of all trees, shrubs and hedges to be planted, and the extent and profile of any areas of level changes, shall be submitted for approval in writing by the Planning Authority. The scheme as approved shall be implemented within the first planting season following the date of this consent.
  4. All planting carried out on site shall be maintained by the developer to the satisfaction of this Planning Authority. Any plants, which are dead, damaged, missing, diseased or fail to establish shall be replaced annually

**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 the interests of visual amenity and to ensure a satisfactory standard of local environmental quality.
4. In the interests of visual amenity and effective landscape management; to ensure that adequate measures are put in place to protect the landscaping and planting in the long term.

**Informatives**

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.

3. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.

## **Financial impact**

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

There are no financial implications to the Council.

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

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

## **Equalities impact**

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

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

## **Sustainability impact**

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

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

## **Consultation and engagement**

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

Pre-application discussions took place on this application.

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

The application was advertised on 6 October 2017 and neighbours notified on 23 January 2018. There has been one letter of representation from a neighbour and no comments from the Community Council.

## **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 located within the Urban Area as defined by the Local Development Plan.

### **Date registered**

12 September 2017

### **Drawing numbers/Scheme**

1-10,

Scheme 1

## **David R. Leslie**

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Barbara Stuart, Senior Planning Officer

E-mail: [barbara.stuart@edinburgh.gov.uk](mailto:barbara.stuart@edinburgh.gov.uk) Tel: 0131 529 3927

## **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 Des 6 (Sustainable Buildings) sets criteria for assessing the sustainability of new development.

LDP Policy Des 8 (Public Realm and Landscape Design) sets criteria for assessing public realm and landscape 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 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 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** '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, parking, streets and landscape, in Edinburgh.

### **Other Relevant policy guidance**

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

# Appendix 1

## **Application for Planning Permission 17/04206/FUL At 17A Hamilton Place, Edinburgh, EH3 5BA Proposal for single storey classroom annex to Stockbridge Primary School, containing two classrooms and ancillary spaces - WC's, a store and cloak spaces.**

### **Consultations**

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#### **Archaeology**

##### *Stockbridge Primary School*

*Further to your consultation request I would like to make the following comments and recommendations in respect to this application for the construction of a single storey classroom annex, containing two classrooms and ancillary spaces.*

*The site lies on the eastern side of the Victorian Primary school at Stockbridge located close to the Southern bank of the Water of Leith. Nineteenth century accounts record the discovery in 1823 on or adjacent to this site of prehistoric (Bronze Age) burial cists and urns. Accordingly, this application must be considered therefore under terms the Scottish Government Historic Environment Policy (SHEP), Scottish Planning Policy (SPP), PAN 02/2011 and Edinburgh Local Development Plan (2016) 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.*

*Given the potential high archaeological sensitivity of the site, a pre-application archaeological evaluation was required. This was undertaken in 2017 by Wardell Armstrong. Although no prehistoric remains were encountered, per-school ground deposits were encountered suggesting that the site may contain remains associated with these prehistoric burials. Accordingly, it is recommended that a programme of archaeological work is carried out during ground breaking works associated with construction to fully excavate and record any significant remains that may be disturbed.*

*It is recommended that the following condition is attached to this consent to ensure that undertaking of the above archaeological work;*

*'No development shall take place on the site until the applicant has secured and implemented a programme of archaeological work (excavation, reporting and analysis, publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.'*

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

## **Flooding**

*Flood Prevention have received information below that addresses the comments in our email. We are now happy for this to proceed to determination without any further comment from Flood Prevention.*

## **Environmental Services**

*TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997*

*17/04206/FUL | Proposal for single storey classroom annex to Stockbridge Primary School, containing two classrooms and ancillary spaces - WC's, a store and cloak spaces. | 17A Hamilton Place, Edinburgh*

*Planning application 17/04206/FUL is for the construction of a single storey classroom annex to Stockbridge Primary School at 17A Hamilton Place, Stockbridge, Edinburgh. The proposed annex is to be located within the existing school grounds, in the north corner of the existing playground.*

*A geo-environmental site investigation report has been submitted as supporting documentation with this application. However, as the report is still to be assessed by our Contaminated Land Officer, a condition has been recommended.*

*Environmental Protection has no objection to this application subject to the following condition:*

### *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.*

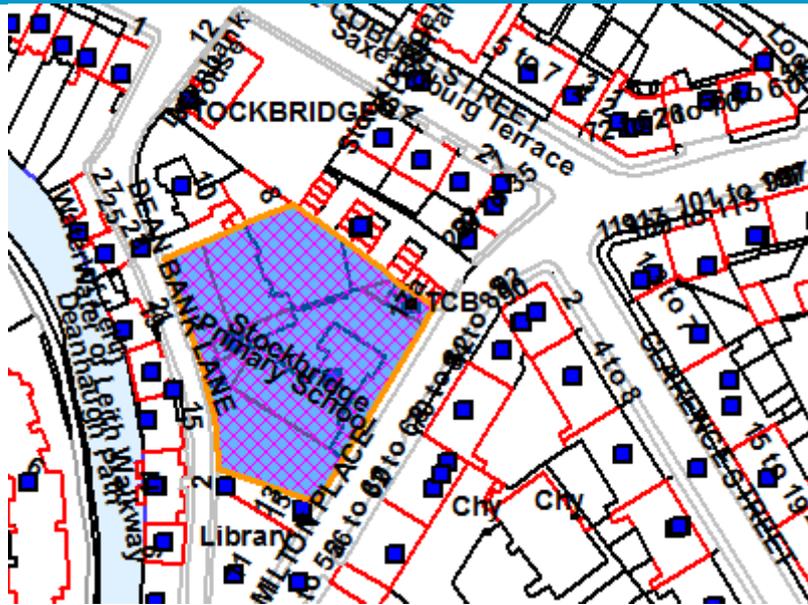
*ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.*

## Transport

*No objections to the application.*

## Location Plan

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