

# Development Management Sub Committee

Wednesday 25 April 2018

**Application for Planning Permission 17/05955/FUL  
At Newcraighall Primary School, 67 Whitehill Street,  
Musselburgh  
Installation of modular unit building to provide 3 no.  
classrooms and associated ancillary spaces. Demolition of  
existing temporary unit with area made good to form  
additional play area (as amended).**

Item number	4.23
Report number	
Wards	B17 - Portobello/Craigmillar

## 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 impact on the setting of the listed building and it will not detract from the character or appearance of the area. The proposal 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, LEN03, LEN09, LEN21, LTRA02, LTRA03, NSG, NSGD02,
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# Report

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## Recommendations

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

## Background

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### 2.1 Site description

The site is Newcraighall Primary School, located on the south side of Whitehall Street. The main centre building is Category C listed (date of listing 07/10/2003, reference: LB49520). The north east of the site comprises of an existing modular classroom unit within the playgrounds.

The site is located within an established residential street with the independent Regius School located adjacent to the site. The wider area around the site are designated sites for housing allocations in the Edinburgh Local Development Plan (LDP).

### 2.2 Site History

No relevant planning history.

## Main report

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### 3.1 Description Of The Proposal

The application seeks to demolish an existing standalone classroom unit within the playgrounds and erect a new standalone modular unit on the south west of the site. The new classroom facility will have an approximate footprint of 237 square metres (sqm) and it will be 3.5 metres high. The unit will be accessible by stairs and a ramp. The external materials will comprise of steel cladding with plywood for the skirting and fascia. The windows will be double glazed aluminium. The colours of the materials are to be confirmed.

The modular unit has been chosen to allow for a short construction programme to enable the works to be carried out in summer 2018.

The removal of the existing modular unit does not require planning permission.

## Scheme One

The application was revised to omit the inclusion of neighbouring land within the school grounds and the proposed alterations to the existing boundary walls.

### **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 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 impact on the setting of the listed building;
- c) the proposal is acceptable in scale, form and design and it will not detract from the neighbourhood character;
- d) the proposal will impact on neighbouring amenity;
- e) the proposal will impact on traffic or road safety issues;
- 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.

#### b) Listed Building Setting

Policy Env 3 Listed Buildings- Setting in the LDP states that development affecting the setting of a listed building will be permitted only if not detrimental to the architectural character, appearance or historic interests of the building, or to its setting.

The extension of the existing educational use is characteristic of the site and it will replace an existing modular unit in a more visibly discreet location. The proposal is for a typical modular construction that is modest in scale, form and design. The positioning of the proposal will not have an unacceptable impact on the setting of the listed building within the school playgrounds.

#### c) Design

Policy Des 1 Design Quality and Context in the LDP states that planning permission will be granted for development where it is demonstrated that the proposal will create or contribute towards a sense of place.

Policy Des 4 Development Design- Impact on Setting in the LDP requires development proposals to have a positive impact on its surroundings, including the character of the wider townscape and landscape, and impact on existing views.

The proposal is reflective of modular units to accommodate short construction periods and is for a similar replacement of the existing unit within the school playgrounds. The unit will be subservient in scale to the main building and the design will have a neutral impact on the character of the school playgrounds and the character of the wider area. The proposal will not form as an incongruous addition and it will not impact on important views.

The proposal is to be developed on an existing area of hard standing within the school playgrounds. Whilst the reduction of school playing areas is not a matter addressed through the planning system, the proposal will recoup and make good additional playing areas as a result of removing the existing modular unit.

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

#### d) 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 proposal complies with Policy Des 5 in the LDP.

#### e) 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.

As this is a replacement building there is no requirement for additional cycle parking.

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 site occurs within the historic mining village of Newcraighall, an area of industrial archaeological significance with mining in this area thought to date back to the 12th/13th century. Accordingly, this site has been identified as occurring within an area of archaeological potential.

The proposed scheme will require ground-breaking works relating to construction of the school building. In light of recent work at Newcraighall and across the neighbouring development to the south, it is likely that these works will disturb significant remains associated with the areas pre-industrial (pre-19th century) mining heritage and potentially earlier prehistory remains. Therefore, a condition is applied requiring that a programme of archaeological works is undertaken prior to/during development in order to fully excavate and record any surviving archaeological remains including those relating to the sites mining heritage. This is to safeguard the interests of archaeological heritage.

i) Comments raised in representation

Non-Material

- Reference to neighbouring land - This element of the proposal was later omitted from the current proposal.
- Requests to install a 2 metre high solid fence as a result of neighbouring land being included within school grounds - The inclusion of the neighbouring land was later removed from the current proposal.

**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 impact on the setting of the listed building and it will not detract from the character or appearance of the area. The proposal 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**

#### **Conditions:-**

1. No development shall take place within the site until the applicant has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Planning Authority.

#### **Reasons:-**

1. In order to safeguard the interests of archaeological heritage.

#### **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**

There is no pre-application process history.

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

Neighbours were notified of the application on 17 January 2018 and the proposal attracted one letter of objection and one 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 (LDP).

### **Date registered**

20 December 2017

### **Drawing numbers/Scheme**

01, 02A, 03 and 04.,

Scheme 2

## **David R. Leslie**

Chief Planning Officer

PLACE

The City of Edinburgh Council

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

### **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 17/05955/FUL At Newcraighall Primary School, 67 Whitehill Street, Musselburgh Installation of modular unit building to provide 3 no. classrooms and associated ancillary spaces. Demolition of existing temporary unit with area made good to form additional play area (as amended).**

### **Consultations**

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#### Flood Prevention

Flood Prevention are happy for this to proceed to determination with no outstanding issues.

#### Archaeology

Newcraighall Primary School 67 Whitehill Street

Further to your consultation request I would like to make the following comments and recommendations concerning this application for the installation of a modular unit building to provide 3no. Classrooms and associated ancillary spaces, demolition of existing temporary unit with area made good to form additional play area, alterations to existing boundary wall to form new openings to allow access to neighbouring land under council ownership and for neighbouring land, under council ownership, to be included within boundary of school with associated change of use.

The site occurs within the historic mining village of Newcraighall, an area of industrial archaeological significance with mining in this area thought to date back to the 12th/13th century. The scale of this pre-industrial mining is only just to coming to light due to recent (2014-16) excavations carried out by GUARD across the north and south of the village, where extensive areas of previously unknown late/post-medieval mine workings have been identified alongside more modern 19th and 20th century remains. In addition the site to the south of the school has produced evidence for early prehistoric occupation.

Accordingly, this site has been identified as occurring within an area of archaeological potential. This application must be considered therefore under terms the Historic Environment Scotland Policy Statement (HESPS) 2016, Scottish Planning Policy (SPP), PAN 02/2011 and Edinburgh Local Development Plan (2016) Policies ENV9.

The proposed scheme will require ground-breaking works relating to construction of the school building. In light of recent work at Newcraighall in particular across the neighbouring development to the South it is likely that these works will disturb significant remains associated with the areas pre-industrial (pre-19th century) mining heritage as well potentially earlier prehistory remains. Accordingly it is essential that programme of archaeological works is undertaken prior to/during development in order to fully excavate and recording any surviving archaeological remains including those relating to the sites mining heritage. This will also include analysis of any mine remediation works carried out to determine depth and extent of such workings.

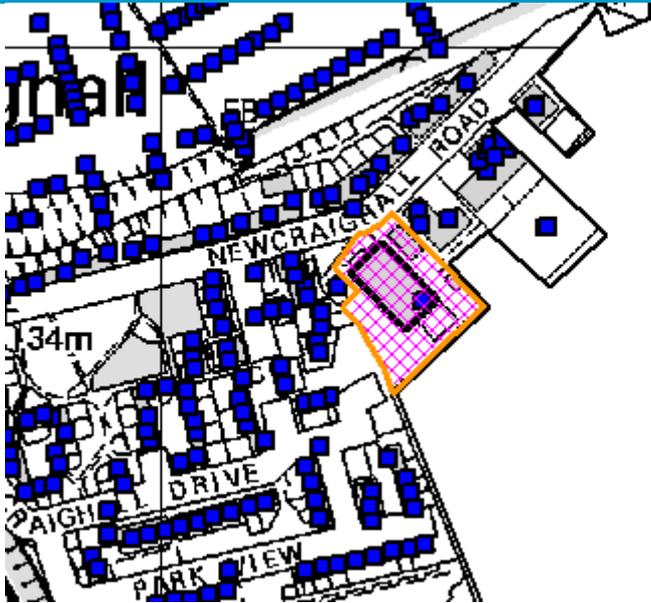
It is recommended that the following condition is attached in order fully record these important industrial buildings but also any associated buried remains as follows;

'No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, recording 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.

Please contact me if you require any further information.

### Location Plan



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