

# Development Management Sub Committee

Wednesday 23 January 2019

## Application for Planning Permission 18/09635/FUL At Craigentenny Primary School, 4 Loganlea Drive, Edinburgh

A proposal to construct a 2-storey nursery containing 3 playrooms, as well as ancillary accommodation and external garden, to serve 137 children.

Item number	4.3
Report number	
Wards	B14 - Craigentenny/Duddingston

### Summary

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Impact on open space is acceptable and the form and design of the proposed nursery are acceptable. Parking and road safety issues have been considered. The proposals comply with development plan policies and non-statutory guidelines.

### Links

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<a href="#">Policies and guidance for this application</a>	LEN18, LDES01, LEN12, LEN09, LTRA02, LTRA03, LDES05, NSG, NSGD02, LDPP,
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# Report

## **Application for Planning Permission 18/09635/FUL At Craigentenny Primary School, 4 Loganlea Drive, Edinburgh**

**A proposal to construct a 2-storey nursery containing 3 playrooms, as well as ancillary accommodation and external garden, to serve 137 children.**

### **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 lies within the existing school playground, to the south-west of the main school building. It is largely covered in tarmac and partly occupied (in its centre) by an enclosed junior basketball court (in the form of bespoke play equipment).

Semi-mature trees lie to both east and west. A public footpath reaching to Loaning Road runs along the west edge of the site.

The main school building dates from the 1930s and is two storey, brick-built, with a traditional pitched roof. The wider area is dominated by three storey Council (and ex-Council) housing blocks, in a low density layout, interspersed with small areas of public space, including a pocket park immediately south of the application site. The site to the immediate west is cleared of all buildings and is currently vacant.

#### **2.2 Site History**

There is no planning history within the designated site boundary.

It is noted that six flats were recently approved on former school ground to the north-west of the school (planning reference: 16/00570/FUL).

### **Main report**

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

The application proposes a new nursery building, linked to the existing primary school, but standing separately from the main school, in the south-west corner of the existing playground.

The proposed building is single storey, but will also include accommodation within the pitched roof. It will accommodate 137 children and forms part of the Scottish Government's programme for full nursery provision for all children.

The building was proposed in black cladding (both walls and roof) in the form of a corrugated fibre-cement panel. This has now been amended with the walls changing to grey cladding.

The proposal forms part of a group of similar proposals, each to create a nursery attached to an existing primary school, and all using the same design concept, regardless of location.

### **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 loss of open space is acceptable;
- b) the scale, form and design is appropriate to the area;
- c) tree loss is acceptable;
- d) parking and road safety issues are addressed;
- e) impact on neighbouring amenity;
- f) archaeological issues are addressed; and
- g) comments are addressed.

#### a) Loss of Designated Open Space

Local development plan (LDP) policy Env 18 considers loss of open space.

A 25m wide section at the east of the application site lies within that section of the existing school playground which is designated as Open Space in the LDP i.e. the designation covers a section of the operational school playground, but not the whole playground.

The bulk of the area involved will remain playground but will serve the nursery instead of the school. The physical loss of open space due to that section of building which stands on the designated open space totals around 200 square metres.

Policy Env 18 permits loss of open space under several criteria. Of these the proposal meets requirements (a), (b), (c) and (e):-

- (a) there is no significant impact on the quality or character of the local environment and
- (b) the open space forms a small part of a larger area or is of limited amenity or leisure value and there is a significant over-provision of open space serving the immediate area and
- (c) the loss is not detrimental to the wider open space network or to biodiversity and
- (e) the development is for a community purpose, the benefits of which outweigh the impact of the loss of open space.

The current tarmac playground area (outwith the designated Open Space) contains an enclosed basketball court, and is not of particular quality. The area of open space to be lost forms only a small part of the school playground. There is no adverse impact on the wider open space network and the benefits to the local community of this new nursery provision outweigh the loss of the open space. As criteria (e) is met, there is no requirement under the policy to meet criteria (d), which relates to local benefit and alternative provision.

The small basketball court (around 4 x 6 metres) does not constitute a playing field (in terms of LDP policy Env 19) and is simply a piece of play equipment within the school playground. This element is an ancillary use within the wider school use. The erection (or removal) of play equipment within the school playground does not require planning permission.

The overall use of the site will continue as Class 10 (non-residential institution) and the proposed loss of open space complies with policy Env 18.

#### b) Design and Materials

LDP policy Des 1 considers design quality and context. LDP policy Des 4 considers the impact of design on setting and whether new development makes a positive impact on its surroundings.

This site stands on the road edge but is set apart from nearby buildings (including the existing school). Although, there is dominance of the character of the surrounding 1930s housing, there is no strong reason to echo this character in either form or materials. In this context a modern form and design are acceptable. The proposed height, scale and proportions are compatible with the wider townscape, and, as a free-standing building, the structure will have no adverse impact upon its surroundings.

Whilst there is no objection in principle to the use of a standardised design (to be used on all proposed nursery sites within the current building programme), there were initial concerns regarding the primary building material and its colour. The scheme has now been amended, and a more appropriate palette of materials is now being utilised. However, a condition has been applied to reserve materials for further approval by the Planning Authority.

The proposals comply with policies Des 1 and Des 4.

#### c) Impact on Trees

LDP policy Env 12 considers tree loss.

The scheme includes a tree removal plan and a scheme for protecting remaining trees.

Whilst a number of trees will be lost due to the development, none of the trees are protected, and none are a species of significance. A total of 12 trees are lost. Eight of these are immature. Four (closer to the road edge) are semi-mature trees planted 20 to 30 years ago. All these trees lie within the area of designated Open Space.

The majority of existing trees, both within the application boundary and on the school grounds as a whole, are unaffected. The landscaped southern edge to the existing school will largely be retained, and the landscaped character of this southern edge will remain overall.

Tree losses are justifiable and comply with policy Env 12.

#### d) Parking and Road Safety

LDP policy Tra 2 considers car parking issues.

Current Council guidelines seek to discourage car trip generation. The absence of car parking within the site boundary meets Council objectives in this regard and complies with policy Tra 2.

Whilst it is accepted that a high number of parents may bring their child to nursery and school by car, the Council promotes various programmes encouraging walking and cycling to school.

The Roads Authority in conjunction with the Schools Liaison Officer have identified minor adjustments required to adjacent waiting restrictions. These will total £4000 which will be addressed through a Memorandum of Understanding.

LDP policy Tra 3 considers cycle parking.

No cycle parking is illustrated, but there is ample room for location of cycle racks. A planning condition is added requesting further details of cycle parking provision in accordance with current Council guidelines (15 spaces).

The proposals will comply with policy Tra 3 subject to this condition.

e) Impact on Neighbouring Amenity

LDP policy Des 5 and the Edinburgh Design Guidance consider daylight to neighbours.

The proposed structure will cause no loss of daylight to neighbouring buildings and policy Des 5 is complied with.

f) Archaeological Considerations

LDP policy Env 9 considers sites of archaeological importance.

The site lies adjacent to the old approach avenue to Craigentenny House (further to the north).

A condition is added requiring a desktop study and potential archaeological investigation prior to works commencing.

g) Public Comments

Comments

- loss of open space - addressed in section 3.3 a);
- black is an inappropriate colour - addressed in section 3.3 b);
- parking and road safety concerns - addressed in section 3.3 d); and
- loss of trees - addressed in section 3.3c).

**Non-material Comments**

- Loss of existing play equipment (basketball court) - Planning permission is not required for the erection or removal of existing school play equipment - This is considered in section 3.3 a).
- Loss of access to this area by other children - Rights of access to the area is a managerial concern and is not a planning consideration.

Conclusion

The loss of open space is acceptable and the provision of new nursery accommodation is acceptable in this location. The use of a standardised design, to be rolled out on all new nursery sites, is acceptable in principle. The proposal meets local 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. No development shall take place 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, having first been agreed by the City Archaeologist.
2. Details of cycle parking (minimum 15 spaces to meet Council standards) shall be submitted for the further approval of the planning authority and thereafter shall be implemented prior to the occupation of the development hereby approved.
3. 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 safeguard the interests of archaeological heritage.
2. To ensure cycle parking is provided.
3. In order to enable the planning authority to consider this/these matter/s in detail.

#### **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. A Memorandum of Understanding shall be entered to ensure a contribution of £4000 towards redetermination of traffic waiting restrictions on the adjacent carriageway.

## **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**

Four representations were received: one in comment and three in objection. These are addressed in section 3.3 g) 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 bulk of the site lies within the white Urban Area as shown in the Local Development Plan. A section on the eastern side of the site (containing trees) is designated Open Space, and is included in the Open Space Audit for the city.

### **Date registered**

1 November 2018

### **Drawing numbers/Scheme**

1-18,

Scheme 1

## **David R. Leslie**

Chief Planning Officer

PLACE

The City of Edinburgh Council

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## **Links - Policies**

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### **Relevant Policies:**

LDP Policy Env 18 (Open Space Protection) sets criteria for assessing the loss of open space.

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

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

### **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.

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

# Appendix 1

## **Application for Planning Permission 18/09635/FUL At Craigentenny Primary School, 4 Loganlea Drive, Edinburgh**

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### **Consultations**

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#### **City Archaeologist**

Further to your consultation request I would like to make the following comments and recommendations concerning the above proposal to construct a 2-storey nursery containing 3 playrooms as well as ancillary accommodation and external garden to serve 137 children.

Craigentenny Primary School lies to the immediate SW of the B-listed Craigentenny House which dates back to the 16th century, with significant additions in the 17th and also mid-19th centuries. The eastern end of this house was destroyed in 1942 by a Luftwaffe bomb. The Craigentenny House was developed from part of the earlier historic settlement and estate of Restalrig, centred upon the house and nearby medieval church. General Roy's 1750 Military survey (see figure below) shows the settlement of Restalrig as a small village running along Loaning Road, to the north of this site. However, by the mid-19th century this historic settlement had been cleared along Loaning Road towards the west to form the formals grounds for Craigentenny House. Archaeological investigations by CFA Archaeology in 2017 to the north of this site (NW corner of the school grounds) seem to confirm this history with no evidence for the early settlement. However, the site had been significantly affected by the construction of an earlier school building which may have removed any surviving remains.

Based on the historical and archaeological evidence the site has been identified as occurring within an area of archaeological potential. Accordingly, 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 ENV8 & 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.

## Buried Archaeology

The development will require significant ground-breaking works (e.g. construction & new services). Although the results of the earlier evaluation to the north of the site by CFA were largely negative these results could have been affected by the construction of a 20th century school building. As a result, this site is still regarded as having archaeological potential, all be it low, for containing significant archaeological remains associated with the development of the nearby estates and settlements of Restalrig and Craigentenny.

Accordingly, it is recommended that if consent is granted, that a programme of archaeological excavation is undertaken either prior to or during development, to fully excavate and record any significant remains which may be impacted upon. This programme of archaeological work should be secured by the following condition;

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

## Roads Authority

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

1. Contribute the sum of £2,000 to progress a suitable order to redetermine sections of footway and carriageway as necessary for the development;
2. Contribute the sum of £2,000 to progress a suitable order to introduce waiting and loading restrictions as necessary;
3. Alterations to the existing footpath accesses and road crossing points are required to promote and prioritise travel by sustainable means. (see note 4 for further information);
4. Detail of the proposed location of cycle and scooter parking to be submitted for further approval;

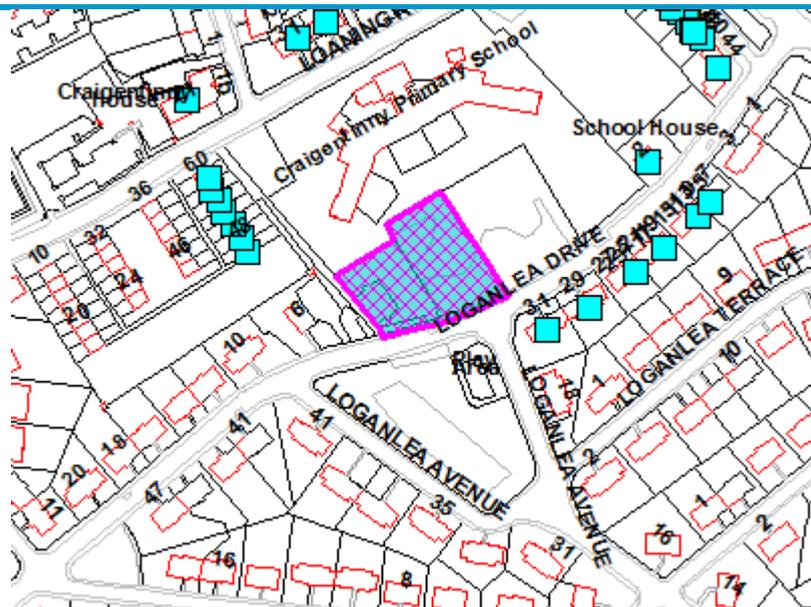
### Note:

1. The application has been assessed under the 2017 parking standards. These permit the following:
  - a. A maximum of 1 car parking space per 3 employees;
  - b. A minimum of 14 pupil cycle/scooter parking spaces, plus 1 cycle parking space per 7 members of staff;
  - c. A minimum of 1 motorcycle parking space per 25 members of staff;
2. In line with the promotion of active travel as preferred mode choice for staff and pupils of primary schools and nurseries, the proposed zero car parking associated with this development is considered acceptable;

3. It is understood that Craigtinny Primary School is currently in the process of developing a travel plan to promote sustainable travel to and from school, and that this will be extended to include the proposed Nursery;
4. The design of the alterations to the footpath accesses and road crossing points will require input from the appropriate Road Safety & Active Travel Liaison Officer and will also require approval from the Localities team under a Section 56;

## Location Plan

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