

Development Management Sub Committee

Wednesday 24 April 2019

**Application for Planning Permission 18/04657/FUL
At 35 - 36 St Andrew Square, Edinburgh, EH2 2AD
Erection of music and performing arts venue with licensed
café/restaurant and bar facilities, and related arrangements
for infrastructure, demolitions, and other works. (See Cover
Letter for full statutory description) (amended).**

Item number	6.1(b)
Report number	
Wards	B11 - City Centre

Summary

The proposed music and performing arts venue would make a valuable contribution to the city's cultural infrastructure and provide opportunities for its use by the wider community. The proposed development, which forms an important cultural strand within the City Deal, will contribute to Edinburgh's strategic aspirations in terms of culture, tourism and the economy. The location of a cultural, leisure and entertainment venue at this accessible city centre site, accords with LDP Policies Ret 1, Ret 7 and Del 2. The proposed use also complies with the relevant principles of the St James Quarter Development Brief.

The proposed venue contributes positively to the formal planned alignment of the First New Town by terminating the axial view along George Street, cleaning the backdrop to Dundas House and contributing towards the symmetry of the street. The development is, however, considered to have an adverse impact on the setting of Dundas House when seen from some of the public viewpoints within St Andrew Square. On the immediate approach to Dundas House, this effect will be noticeably diminished as a result of its set back position within the site. The height, scale and massing of the extension expands beyond Dundas House. However, it has been sensitively designed to reflect its immediate context and mitigate some of these impacts. It is considered that the proposed development does not comply fully with the provisions of LDP Policy Env 3 and Env 4 in terms of impact on the setting of Dundas House. However, in considering the provisions of the Development Plan as a whole and other material considerations, the positive support for other aims, objectives and policies outweighs this negative impact. The considerable benefits to the culture of the city and wider community, including the Old and New Towns of Edinburgh World Heritage Site off-set any adverse impact.

The proposal has been designed to minimise any potential negative impact on its neighbours and raises no issues in respect of privacy, outlook, noise and odour. It is accepted that the proposal will infringe LDP Policy Des 5a) with respect to levels of daylight and sunlight into the neighbouring tenement building and garden space. However, this is considered to be a minor infringement given the unique urban historic context, neighbouring property relationship and the proposed public/civic use. An infringement can be justified given the existing context and wider benefits of this case.

The proposed design of the building is based on a strong concept which draws upon the positive characteristics of the surrounding area. The design seeks not to compete with the historic and distinctive built features of the New Town but rather to complement and enhance them through a positive engagement with the architecture and urban morphology of its historic setting. The overall height and form create a subtle and positive addition to the skyline, appropriate for a civic building. Likewise, through its coordinated and high quality public realm design, it makes a significant contribution to the delivery of placemaking within the St James Quarter area, as defined in the Local Development Plan and St James Quarter Development Brief. The proposals comply fully with LDP Policy Des 1, Des 2 and Des 4.

There are no identified impacts on equalities or human rights and no material considerations that outweigh this conclusion.

Links

<u>Policies and guidance for this application</u>	CRPNEW, CRPWHS, LDEL01, LDEL02, LDES01, LDES02, LDES03, LDES04, LDES05, LDES06, LDES07, LDES08, LDES11, LDES12, LEN01, LEN03, LEN04, LEN06, LEN07, LEN08, LEN09, LEN12, LEN16, LEN21, LEN22, LRET01, LRET07, LRET11, LTRA01, LTRA02, LTRA03, LTRA04, NSGD02, NSLBCA,
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Report

Application for Planning Permission 18/04657/FUL At 35 - 36 St Andrew Square, Edinburgh, EH2 2AD Erection of music and performing arts venue with licensed café/restaurant and bar facilities, and related arrangements for infrastructure, demolitions, and other works. (See Cover Letter for full statutory description) (amended).

Recommendations

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

Background

2.1 Site description

The application site lies within the city centre and covers an area of 0.77ha. It is located to the east of St Andrew Square, south of Multrees Walk and west of the residential tenements at St James Square and the new Edinburgh St James development beyond. New Register House and General Register House are located to the south. The Royal Bank of Scotland (RBS) branch, registered office and existing car park are currently located on the site. Existing access to the site is from St Andrew Square through Dundas House forecourt or from Register Place, to the south of the site. Elder Street to the east of the site comes to an end at a wall along the boundary of the site.

The site comprises Dundas House, a Category A listed building and its 1960's office extension and associated car park to the rear (Listed Building Reference: LB29705). In addition, the rear garden and associated boundary walls of the Category A listed 35 St Andrew Square (Listed Building Reference: LB29704) are located on the site along with the Category A listed Monument to John 4th Earl of Hopetoun in the forecourt of Dundas House (Listed Building Reference: LB27862). There are several other listed buildings and monuments in proximity to the site.

The application site is located within the Old and New Towns of Edinburgh World Heritage Site.

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

2.2 Site History

There is significant history relating to 35-36 St Andrew Square, for specific works, signage, flagpoles, disabled access ramps, satellite dish and metal shutter. The applications below are for more substantive works:

- October 2005 - Works to listed building including construction of covered link building within the existing external basement area, erection of a traditionally finished outbuilding to house goods lift and refuse bins, reinstatement of original astragal configuration to window openings to south elevation, erection of external escape stairs to rear, and landscaping of existing car park area on bunker roof (all as amended) (application reference numbers: 05/02086/FUL and 05/02086/LBC) - Granted and constructed.
- January 2015 - Internal and external alterations including installation of new ATM, ATM surround and associated signage, advertisement signage, doors, lighting, new entrance lobby, new automation, removal of existing counters and replacement with new banking hall layout, as well as proposed painting and new flooring and other associated works (as amended) (application reference number: 14/04727/LBC) - Granted and constructed.
- Applications submitted by TH Real Estate for the alterations to rear boundary wall to Elder Street to form vehicular access, use of part existing car park as construction site lay down area and other ancillary works for temporary period (application reference numbers: 18/01052/FUL and 18/01053/LBC) - awaiting determination.

Main report

3.1 Description Of The Proposal

The application proposes the removal of the 1960s extension located to the rear of Dundas House and the erection of a new extension to accommodate a music and performing arts venue and related infrastructure, access, servicing, and public realm/landscaping works. The retained structures will continue to operate as a bank. An occasional route through the bank to the new music venue will be provided. The application also includes alterations to the rear of number 35 St Andrew Square, including the demolition of the existing boundary wall, associated modern basement kitchen, small outbuilding and extension, to enable the regrading of land for public access. The removal of the wall currently dividing the existing car park from the hammerhead at Elder Street to the east of the site is also proposed.

The proposal will have a gross floor space of 11,347sqm with five storeys above ground. The proposed venue is organised around the oval form of the concert hall volume raised above the ground floor entrance foyer. The elevated volume contains the main concert hall with its stage platform at first floor level. The main concert hall has 1,000 seats and can accommodate all types of music, performance, recording and conferences. At the other levels, the building provides foyers, bars and other flexible front of house functions. A continuous corridor wraps the scalloped acoustic form of the hall to provide access, egress and an acoustic buffer to the space with multiple access points on each level. A 200 seater studio space, designed to accommodate a flexible range of performance types, recordings and rehearsals, is located within the three storey basement, 14.05m below ground.

Two external rooftop terraces are located at fourth floor level to the north and south. Foyers will provide access to the building from the north, south, east and west, providing an area that can accommodate an all-day cafe/bar and range of informal performances. A range of multi-purpose spaces are also provided for educational use, practice and meetings. The auditorium has been designed to have a flawless acoustic to attract both national and international performers. It is this world class acoustic criteria that has determined its overall height, scale and massing.

The proposed development comprises three main volumes; the main concert hall and two orthogonal side volumes. The oval form of the main concert hall, with a curved form and domed roof sits on axis with George Street. The height of the dome at the top is 13.425m higher than the ridge of Dundas House and 6.985m higher than the St James Square tenements.

The application proposes to use grit blasted and honed concrete as the primary material, standing seam metal roof, and glazing with metal frames. The application proposes new publically accessible routes throughout the site, connecting St Andrew Square, Register Lanes and the Edinburgh St James development. Vehicular access will primarily be from Elder Street into a designated and integrated loading bay, with more occasional service access from St Andrew Square. The main access into the building will be from the northern elevation.

Scheme one

A number of amendments have been brought forward during the assessment of the proposals. The main changes relate to:

- Amendments to the façade design and window size/detailing;
- Removal and repositioning of window openings on the eastern elevation;
- Detailed refinement to the parapet of the crown through the removal of the metal spandrel panel and replacement with a honed concrete fascia;
- Continuation of the pavement surface along the St Andrew's Square frontage, with dropped kerbs at the two access points;
- Demarcation of the curtilage of 35 St Andrew Square within the landscape design by a change in texture on the surface of the Yorkstone paving;
- Increasing the number of cycle parking stands in the public realm; and
- Reduction in the number and type of proposed trees.

An EIA Report was submitted to support the application, which scoped in three topic specific assessments; Cultural Heritage, Socio-Economics and Culture, and Townscape and Visual. Many of the visualisations illustrating the appearance of the proposal have been revised following some elevational design changes. In this regard, an addendum to the EIA Report was submitted in February 2019.

Supporting information

The following documents were submitted in support of the application:

- Design and Access Statement;
- Planning Statement;
- Heritage Statement;

- Socio-Economic and Cultural Statement;
- Pre-application Consultation Report;
- Transport Statement;
- Daylight, Sunlight and Privacy Assessment;
- Noise Impact Assessment;
- Bat Survey; and
- Drainage Impact Assessment.

These documents can all be viewed on the Planning and Building Standards Online Service.

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.

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states - special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states - 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 principle of development is acceptable;
- b) The proposal will have a detrimental impact on the character and setting of any listed buildings;
- c) The proposal will preserve the character and appearance of the New Town Conservation Area;

- d) The proposal will have a detrimental impact on the character of the New Town Gardens and Dean Historic Garden Designed Landscape Inventory Site;
- e) The proposal will preserve the outstanding universal value of the Old and New Towns of Edinburgh World Heritage Site;
- f) The design is acceptable and will contribute towards a sense of place;
- g) The proposal will have social, cultural and economic impacts;
- h) The proposal raises any issues in respect of transport and road safety;
- i) The proposal will have a detrimental impact on the amenity of nearby residents;
- j) The proposals are sustainable;
- k) There are other material considerations;
- l) Environmental Impact Assessment Report;
- m) Impacts on equalities and rights are acceptable; and
- n) Public representations have been addressed.

a) The principle of development is acceptable

The application site is located within the City Centre, as defined on the Edinburgh Local Development Plan (LDP) Proposals Map. In this regard, LDP Policy Del 2 is relevant. It states that development will be permitted which retains and enhances its character, attractiveness, vitality and accessibility and contributes to its role as a strategic business and regional shopping centre and a capital city.

The proposal seeks to create a diverse, thriving, welcoming and successful place which is integral to Edinburgh's role and functioning as a capital city, a regional service centre and major tourist destination. In order to maintain an intensively developed, vibrant city centre character, a wide range of uses are encouraged, including commercial leisure use, offices, community and cultural facilities and where appropriate libraries, education and healthcare facilities. Leisure, community, cultural and education uses are all provided for in the proposed development and all appropriate to the location of the site, its accessibility characteristics and the character of the surrounding area, thus complying fully with LDP Policy Del 2b). The benefits of these uses are assessed further in section 3.3g).

LDP Policy Del 2c) requires, where practicable, that offices be provided as part of major mixed use developments. Although this is not considered a major mixed use development, the applicant (IMPACT Scotland) and other associated parties will occupy the existing office building at 35 St Andrew Square and RBS will retain their bank branch and associated office space within Dundas House. These existing office uses will complement the proposal and contribute to the overall mix on the site.

LDP Policy Del 2a) supports comprehensively designed proposals which maximise the potential of the site in accordance with any relevant development principles, development brief and/or other guidance. The proposals provide a comprehensive design which maximises the potential of the site in accordance with the principles set out in the St James Quarter Development Brief. Within this context, the Development Principles for Proposal CC1 in the LDP include reference to how the current St James development will contribute to the regeneration of this part of the city centre. In particular, reference is made to the opportunity for a new civic space and public pedestrian routes to strengthen links with St Andrew Square. The proposed development supports this aspiration through the delivery of a high quality public realm, making the entire area between the new Edinburgh St James development and St Andrew Square accessible and permeable to pedestrians and cyclists, adding to the vitality of the city centre. The creation of new traffic-free civic spaces and pedestrian routes complies with LDP Policy Del 2d).

LDP Policy Ret 1 applies a sequential approach to the identification of preferred locations for retail and other uses (including cultural facilities) which generate a significant footfall. The location of the site is in accordance with the town centre first approach, thus complying with LDP Policy Ret 1. Likewise, LDP Policy Ret 7 supports the principle of high quality, well designed arts, leisure and entertainment facilities and visitor attractions in the city centre provided that they make a positive contribution in terms of the type of use and quality of design, are in accessible locations and do not produce unacceptable noise and late night disturbance. The benefits of the proposed use, quality of the design, transport and amenity issues are assessed in greater detail in the sections below. Nevertheless, it can be concluded that the principle of the proposed land use is in accordance with the LDP.

b) Impact on the character and setting of any listed buildings

A detailed assessment of the proposed alterations to the listed buildings on site is provided in the two separate listed building consent applications for the site (application reference numbers: 18/07730/LBC and 18/07127/LBC).

The following sections will more generally address the impact on the listed buildings that the proposed development will have. LDP Policy Env 4 states that proposals to alter or extend listed buildings will be permitted where such works are justified, will not cause any unnecessary damage to historic structures, or diminish its interest, and where any additions are in keeping with other parts of the building.

There are two main aspects to the consideration of the impact on listed buildings which are assessed in turn:

- Impact on the character and setting of Dundas House; and
- Impact on the setting of other neighbouring listed buildings.

Impact on the character of Dundas House

Dundas House is highly important as one of the first and grandest villas of the New Town, designed by a nationally important architect, Sir William Chambers. It comprises a freestanding symmetrical villa, in set-back position on St Andrew Square in an axial position to George Street, behind a front forecourt and oval carriage drive, giving the impression of a country mansion. It originally had extensive rear garden grounds, an open skyline, and wider landscape setting behind, although this was disturbed by the building of St James Square shortly afterwards.

Dundas House was built contrary to James Craig's planned First New Town, which intended a landmark church (St Andrew's Church) to terminate the eastern axial view along George Street, corresponding to an equivalent landmark church (St George's Church) at Charlotte Square, on the western axial view. Nevertheless, Dundas House is established as an outstanding neo-classical centrepiece, which together with the two framing front pavilions at 35 and 37 St Andrew Square, (the latter designed to be symmetrical with the earlier number 35), remains one of the few surviving original architectural compositions on the square.

The proposed demolition works primarily involve the 1960s office block by Glasgow architects, Gratton & McLean. The maximum AOD level of the office block is 89.04m to the plant room/lift overrun and 85.03m AOD to the principal parapet height. Although it only rises 2.78m above Dundas House, it does not contribute to the special interest and character of Dundas House, justifying its removal. The new music venue will connect with the rear facade of the banking hall, itself a mid-19th century extension to the original villa. In this regard, the original Dundas House villa has been extended several times throughout its history. However, in contrast to the relatively concealed 1960s block it would replace, the new structure would rise above the listed building, and expand beyond it to the rear and to the north.

Dundas House is relatively modest in size at 87.260m AOD to ridge height. The proposed extension would sit 13.425m above the ridge height of Dundas House and double its floor plan. The Heritage Statement acknowledges that the building is "the minimum possible whilst still enabling the provision of an auditorium that meets the acoustic and performance requirements of the brief". The requirement of this brief has resulted in a building of significant size. This is contrary to Historic Environment Scotland's Managing Change guidance note on 'Extensions', which states that extensions should ordinarily be subordinate in both scale and form. While the building would read as a new building, not an extension, in the longer views, the reality is that the integrity, composition and character of Dundas House would be compromised by such a significant extension to the rear. However, this needs to be understood within the context of the neighbouring building heights as set out in section 3.3c).

Although, the extension will have an adverse impact on the composition of Dundas House by virtue of its scale, mass and form, its design seeks to mitigate this impact by responding to the classical order of the New Town, with the proportions and materials representing a contemporary, high quality architectural response to the character of the conservation area. The central oval volume containing the concert hall reflects the cluster of domed volumes of significant cultural and civic buildings within and to the south east of the site. Furthermore, due to the depth of Dundas House and the fact that the building has a forecourt and is set back from the street edge by approximately 32m, the impacts are reduced in closer views.

Furthermore, careful consideration has been given in the design to the relationship and interface of the new building with Dundas House. The physical junction between the new structure and the old has been minimised, exposing the entirety of the historic facade at ground floor level. The 122sqm of the blank portion of the existing building to the rear of the banking hall abuts to the new building by a non-structural connection to weatherproof the new foyer space. The new building steps back from the east facade of the south wing of Dundas House, resulting in a shadow gap, which will be louvered to allow for ventilation and for the historic cornice and corbel details of the wing to remain undisturbed. The design, therefore, preserves the architectural integrity of Dundas House.

In addition, as detailed further in section 3.3g), the proposed cultural use is an important consideration which can justify any adverse impacts. It would form an important strategic development in the city's cultural infrastructure and create a vital stimulus for live music, musicians and audiences. As well as strengthening Edinburgh as a 'Festival City', the venue would become a focal point for engagement, learning and outreach. In this regard, the proposal complies with LDP Policy Env 4 a).

It can be concluded that, although the direct physical interventions would not unduly diminish historic structures and architectural character, as required by LDP Policy Env 4b), there would be an adverse impact on its special interest as defined by its compositional setting. Impact on setting is assessed further in the section below. This view is also reflected by Historic Environment Scotland in its consultation response.

Impact on the setting of Dundas House

LDP Policy Env 3 provides that development within the curtilage or affecting the setting of a listed building will only be permitted if not detrimental to the appearance or character of the building or its setting. Historic Environment Scotland's document 'Managing change in the Historic Environment - Setting' states that "'Setting' is the way the surroundings of a historic asset or place contribute to how it is understood, appreciated and experienced".

The existing setting of Dundas House is much changed from when it was originally constructed. One of the first buildings in the First New Town, it was set against the back drop of a significant garden area and placed in a set-back position on the square. The twinned flanking pavilion townhouses to the north and south were built shortly after the main listed building, clearly defining the relationship to St Andrew Square and providing a set-piece on the principal George Street axis. This arrangement provides a unified, distinct, architectural composition that is clearly legible on both site and plan. In this regard, Dundas House makes an important contribution to the formal grid plan of the First New Town and this arrangement remains legible today.

This set-piece can be appreciated in a range of axial views to and from Dundas House from St Andrew Square, including Cultural Heritage (CH) Viewpoint 3, 5 and 6, where the symmetry of Dundas House and its pavilions on the axis can be observed. It is acknowledged, however, that views of St Andrew Square along George Street have never been static. There are a number of taller structures both beside and behind the building. These include 19th and 20th century buildings, including Harvey Nichols, the demolished St James Centre and its replacement which is currently under construction. The A listed tenement on St James Square can also be seen behind Dundas House in more distant views of the site. The early 19th century A listed Melville Monument also sits directly in front of Dundas House as a key landmark in the east axial view. For these reasons, besides its three-storey scale, Dundas House is generally not dominant in views along George Street.

Dundas House now forms part of a dense urban context. The present surroundings and baseline for the assessment of impact on setting is the Edinburgh St James Development, currently under construction. Taking the above context into consideration, the key aspects of setting that have been assessed in this section are impacts on longer views, the understanding of the flanking pavilion townhouses and the spatial relationship with Dundas House. The assessment has been informed by the series of verified views included in the Cultural Heritage section of the EIA Report.

Impact on longer views

The changing pattern of visibility and visual focal points that are experienced as a sequence when moving from west to east along George Street have been well considered. This gives rise to complex changes in how the proposal is perceived.

In the longer views down George Street from the junctions with Hanover Street (CH Viewpoint 9) and Frederick Street (CH Viewpoint 10), the new building would be seen as an additional layer in a wider context of higher buildings which form the backdrop to Dundas House, notably the new Edinburgh St James development and the rear of the tenement buildings on St James Square. All these buildings create a setting that, when viewed from a distance, results in a lack of clarity to Dundas House. This results in it becoming lost within the dense urban environment. In this regard, the addition of the proposed building would not significantly alter this element of Dundas House's setting.

The design of the scheme has sought to create a simpler, more cohesive, backdrop to Dundas House, against which its profile can still be read. The choice of materials in the scheme has sought to complement the traditional stonework and roofing of Dundas House and other buildings in the New Town. The classical architectural language and use of one contrasting material to the rear creates a symmetrical canvas against which Dundas House once more becomes a clear feature appearing to project forward in these views.

Undoubtedly, the new building will have a significant impact on the setting of Dundas House when considered in isolation. However, against the baseline of the Edinburgh St James development and existing buildings, the proposed concert hall is beneficial to the understanding, appreciation and experience of Dundas House, in these longer views along George Street.

Impact on the pavilion townhouses

Of great importance to the setting of Dundas House is its relationship with the two flanking pavilion townhouses. In certain views from St Andrew Square, on axis with Dundas House (CH Viewpoint 3), and from the inner path south (CH Viewpoint 6), the relationship between these buildings will be affected in an adverse manner by the new building. It is from these views that the profile of Dundas House can be seen more clearly against the skyline, rather than against the backdrop of existing higher buildings. The new building increases the solid mass, filling in some of the sky space, which currently creates a strong relationship between the three buildings and affords Dundas House a degree of prominence. The skyline behind Dundas House and some of the surviving qualities of the building, as a set-piece within a landscape, will be altered, visually detracting from the principal elevation of Dundas house. This has an adverse effect on the setting of Dundas House. Although the EIA Report states this to be a localised significant effect, it is acknowledged that the effect is not widespread. This is agreed.

When Dundas House and the pavilions are viewed from the adjoining pavement beside the front entrance railings and gateways (CH Viewpoint 1), the new building sits below the roofline of Dundas House with a partial section of the new building appearing as an additional setback on the north side. This section of the new building is deferential to the principal elevation, appearing recessive to the main Dundas House. This has a beneficial effect, as concluded in the EIA Report.

Impact on the spatial relationship with Dundas House

The existing immediate setting within the perimeter of the site is detrimental to the significance of the building and its overall architectural character and appearance. The former rear garden area has been gradually eroded through the 19th and early 20th centuries with subsequent bank developments until it was comprehensively redeveloped in the 1960s with the construction of the office block, lower ground parking, surface and decked car park and access ramps. In this regard, the original setting of Dundas House has already significantly changed. The proposed development and the new public realm will improve the experience of the main building and consequently improve its immediate setting. Furthermore, due to a plan depth of about 24m of the existing banking hall, the new building will be separated from the original villa, reducing the impact on the principal elevation and forecourt to Dundas House.

Historic Environment Scotland (HES) does not object to this application or the corresponding listed building application. It is content that the central relationship Dundas House has with St Andrew Square would be sufficiently preserved and there would be no impact on its distinct set-back position and compositional relationship with its front forecourt and flanking pavilions. They do, however, consider that there would be an adverse impact on the setting of Dundas House from the eastern side of St Andrew Square. Nevertheless, they consider the proposals represent the changing urban townscape of the city and read as interventions to an already compromised backdrop.

Conclusion - Setting of Dundas House

The relationship of the new building with the setting of Dundas House is complex and will change depending on the point of reference and experience of the view. In views from the eastern and southern sides of St Andrew Square where the development will have an adverse impact on its setting, the elevational design and form, including the set-back and oval form, goes someway to mitigate some of these.

The EIA Report states that the overall significance of the effect on Dundas House is minor/moderate (adverse). This is agreed, taking into account some significantly adverse impacts, along with aspects of the building's setting which are considered to experience a lesser degree of change. Whilst Dundas House is most prominent in local views from the south side of St Andrew Square and on axis from within St Andrew Square garden, the impact on more distant views along George Street is less significant. This reduces its overall effect to some extent. In this regard, although the application does not fully comply with LDP Policy Env 3 or LDP Policy Env 4, the wider community and cultural benefits of the proposed development, as outlined within section 3.3g), are compelling reasons for approving the proposals.

Impact on the setting of adjacent listed buildings

Melville Monument

The 45m high A listed Melville Monument (Listed Building Reference: LB27816) dominates the long axial views along George Street from the west and is visible more widely in the city. The Melville Monument is set within the centre of a large enclosed open space, meaning that its dominance within the centre of St Andrew Square and on axial views along George Street will be preserved with the proposed development. The new building will sit on axis with the monument and the St James Central Hotel behind. This axial composition contributes positively to the complex layering of this view. The Melville Monument will continue to dominate and be at the forefront of these views. The EIA report concludes that the magnitude of the impact of the proposed development is negligible. This is agreed.

Monument to John, 4th Earl of Hopetoun

The A listed Hopetoun Monument (Listed Building Reference: LB27862) is an equestrian statue located in the lawn forecourt of Dundas House. The public realm works for the new venue will retain the statue in the oval lawn in its current position. Improvements to the surrounding surfaces and the introduction of a high quality public realm throughout the site will enhance the setting of the listed monument. The overall significance of the effect of the proposed development on the setting of the Hopetoun Monument is positive. The EIA report concludes that the magnitude of the impact of the proposed development is negligible. This is agreed.

The pavilion buildings - 35 and 37 St Andrew Square

As stated previously, number 35 and 37 are two A listed flanking pavilion townhouses at the entrance to the Dundas House forecourt (Listed Building Reference: LB29704 and LB29706). Together they create a group composition with Dundas House as they frame its forecourt. The relatively low scale of the buildings, against the larger scale and more-dominant surrounding development, including trees and planting on St Andrew Square mean that they are neither prominent nor visible in longer or medium distance views. The setting of 35 St Andrew Square in the baseline condition is compromised by trees and the coffee pavilion in the foreground that obscure views to the principal elevation. The proposed development will not affect key views or the framing effect to the open court to Dundas House that the townhouse pavilion provides. In views from the west side of St Andrew Square the new domed roof form of the proposed development is apparent to the sides of the roof profile of number 35, but this does not affect the ability to understand the asset.

Although the principal elevation of number 37 matches that of number 35, the flanking elevation to the north flanking Dundas House forecourt did not follow the same detail and is without the pilasters between the bays. However, this property has planning consent to be extended which will strengthen the enclosing effect around the court of Dundas House. The proposed development does not alter the character or appearance of the principal elevation or built form of number 37, nor the group composition of the building as it frames the entrance to Dundas House with number 35.

The proposed removal of the historic boundary wall of number 35 would alter the layout of the plot of Dundas House, affecting its symmetry to some degree. However, this impact has been effectively mitigated by demarcating this historic curtilage through alterations in surface treatment. Historic Environment Scotland is supportive of this change.

The EIA report concludes that the overall significance of the effect of the proposed development on the setting of 35 and 37 St Andrew Square is negligible/minor. This is agreed.

38-39 St Andrew Square

The proposed new building sits comfortably to the north of this A listed building (Listed Building Reference: LB29707) and is comfortably set back and lower. The EIA Report concludes that the overall significance of the effect of the proposed development on the setting of 37 St Andrew Square is negligible. This is agreed.

42 St Andrew Square

This A listed building (Listed Building Reference: LB29708) dominates views from the west along the south side of St Andrew Square as well as Dundas House and buildings on its immediate north side. The proposed development will not alter the dominance of this building nor its architectural character or presence at this part of St. Andrew Square. The EIA Report concludes that the overall significance of the effect of the proposed development on the setting of 42 St Andrew Square is neutral. This is agreed.

23-26 St James Square

The four-storey A listed tenement property at 23-26 St James Square is one of an isolated pair of tenements that had stood at the northwest corner of St James Square and survived the demolitions to create the St James Centre in the 1960s (Listed Building Reference: LB29728). A small garden court is located in front. The setting of this block has been severely compromised by the loss of St James Square in the 1960s and substantial large scale developments to the north and east associated with Multrees Walk and the Central Bus Station.

The outer-most face of the new building facade is 2.95m from the nearest corner of the A listed tenement. Despite its proximity to the proposed development it does not have an associative relationship with the former garden plot of Dundas House or notably overlook the Dundas House plot. Furthermore, the spatial relationship between Dundas House and the tenement has been substantially altered by the later banking hall addition and the 1960s office block. In this regard the proposed development will not substantially change that spatial relationship. Whilst Edinburgh World Heritage considered there to be an adverse impact on the setting of 23-26 St James Square, the EIA Report concludes that the overall significance of the effect of the proposed development on the setting of 23-26 St James Square is negligible. This is agreed.

General Register House

The back dome to the A listed General Register House (Listed Building Reference: LB27636) sits within a public garden, the Archivist's Garden, connecting New Register House, General Register House and Sasine Office. The back dome is in the centre of the garden which extends up to the outer edge of the boundary wall of the former garden plot of Dundas House. Whilst the proposed concert hall is a more substantial building than the existing 1960s office block, the choice of materials and façade details complement the context. It does not compromise the grouping of the records office buildings as experienced at the rear and side of these buildings centred on the back dome and the Archivists Garden. Nor does it compromise the relationship of the back dome to the General Register House to which it is attached. The EIA Report has concluded that the overall significance of the effect of the proposed development on the setting of the General Register House, circular record hall is negligible. This is agreed.

New Register House, Princes Street

The rear of this A listed building faces the southern elevation of Dundas House and is plain in style (Listed Building Reference: LB27641). Whilst the proposed extension will be noticeably close to New Register House and the garden court from the view along Register Place, the new building does not appear as a solid masonry elevation. The façade detail, the vertical colonnade with slender columns and cornice line, complement the classical geometry of the existing building. The EIA Report concludes that the overall significance of the effect of the proposed development on the setting of New Register House is negligible.

James Craig Walk, Scottish office (formerly 27-31 St James Square), and, James Craig Walk, Princes Street, General Register House, Sasine office

These properties form a grouping within the street context and are connected so have been assessed together. The proposed development will not affect the setting of the Sasine Office to General Register House. The rear of these properties overlook the Archivist's Garden and are oriented towards General Register House. Whilst the south west gable of the former 27-31 St James Square now overlooks the former garden plot rising above the rubble boundary wall, this elevation is heavily altered from the original, former side elevation to the block and is not a significant part of the character of the listed building. The proposed development will be set a distance away within the former garden plot. Furthermore, the materials choice and vertical proportion of the south orthogonal block will complement those of the surrounding buildings to the rear. The EIA Report concludes that the overall significance of the effect of the proposed development on the setting of James Craig Walk, Scottish Office is neutral/negligible (beneficial) and the setting of General Register House, Sasine Office is neutral. These are agreed.

Conclusion - setting of adjacent listed buildings

The proposals would not have an adverse impact on the setting of neighbouring listed buildings. Most of these A listed buildings have a classical composition and elevational treatment. The architecture and form of the proposed development reflects the classical forms, composition and architecture of the surrounding buildings. Furthermore, the axial arrangement in views along George Street and the symmetrical plan and elevational composition of the concert hall volume contribute to the setting of neighbouring listed buildings.

c) The proposal will preserve the character and appearance of the New Town Conservation Area

LDP Policy Env 6 supports development within a conservation area or affecting its setting which preserves or enhances the special character and appearance of the conservation area and is consistent with the relevant character appraisal, preserves trees, hedges, boundary walls, railings, paving and other features which contribute positively to the character and demonstrates high standards of design and utilises materials appropriate to the historic environment.

The site is located within the New Town Conservation Area. The essential characteristics of the New Town Conservation Area Character appraisal include:

- the formal plan layouts, spacious stone built terraces, broad streets and an overall classical elegance.
- views and vistas, including axial views along George Street.
- terminated vistas have been planned within the grid layouts, using churches, monuments, buildings and civic statutory, resulting in an abundance of landmark buildings. These terminated vistas and the long distance views across and out of the Conservation Area are important features.
- the generally uniform height of the New Town ensures that the skyline is distinct and punctuated only by church spires, steeples and monuments.
- grand formal streets lined by fine terraced building expressing neo-classical order, regularity, symmetry, rigid geometry, and a hierarchical arrangement of buildings and spaces.
- within the grid layouts, there are individual set pieces and important buildings that do not disturb the skyline.
- the New Town can also be viewed from above at locations such as the Castle and Calton Hill, which makes the roofscape and skyline sensitive to any modern additions.
- the setting and edges of the New Town and Old Town
- the First New Town is characterised by a general consistency of overall building form, an almost exclusive use of sandstone, natural slate roofs and cast and wrought iron for railings, balconies and street lamps.
- the extensive collection of statues, monuments, historic graveyards and national memorials in the Conservation Area make a significant contribution to the historic and architectural character of the area. They also provide a focus and punctuation points for many views.
- boundaries are important in maintaining the character and quality of the spaces in the New Town. They provide enclosure, define many pedestrian links and restrict views out of the spaces. Stone is the predominant material.
- new development should be of good contemporary design that is sympathetic to the spatial pattern, scale and massing, proportions, building line and design of traditional buildings in the area
- any development within or adjacent to the Conservation Area should restrict itself in scale and mass to the traditionally four/five storey form.

Although the EIA Report has assessed the effects on the Conservation Area as a whole, this assessment has had regard to the essential characteristics of the First New Town. In this regard, the five key aspects that are assessed below are impacts on formal planned alignment of the First New Town, height and skyline, setting and edges, material palette, design quality and landuse. A detailed visual impact assessment in the EIA Report has informed an understanding of the distant and local views that contribute to the character and appearance of the Conservation Area. The Edinburgh St James development to the east of the proposed development has been included in the baseline visualisations.

Formal planned alignment of the First New Town

The established spatial hierarchy of the First New Town plan is a key characteristic of the conservation area. The historic plan forms, allied to the dramatic topography, results in important, terminated and long vistas with landmark features.

It is the views along George Street towards St Andrew Square that contribute to the clarity of the urban structure of the planned First New Town and alignment of key buildings. One of the most relevant of the Council's Protected Views is viewpoint C11d at the junction of George Street and Frederick Street looking east to St Andrew Square. The Edinburgh Skyline Study notes that the 'skyline beyond St Andrew Square is degraded and needs improvement in a way symmetrical with street'. It is acknowledged that the removal of the former St James Centre and its replacement with the new St James Central Hotel clearly contributes to this aspiration. This is further enhanced by the proposed development, with its crown element sitting symmetrical to the axis of George Street, Dundas House and the Melville Monument.

Although the new building is centrally aligned with this axis and symmetrical with George Street, its prominence behind Dundas House and between the Melville Monument and the new St James Central Hotel, means that it will have an impact on the character and appearance of the conservation area by contributing to the layering within this view experience. The changing pattern of visibility and visual focal points that are experienced as a sequence when moving from west to east along George Street has been considered in the EIA Report. This gives rise to complex changes in how the proposed development is perceived.

From both the western end of George Street at Charlotte Square (Townscape and Visual Impact Assessment (TVIA) Viewpoint 1) and Castle Street (TVIA Viewpoint 2), the Melville Monument dominates the view. This is because, although the proposed development would rise significantly above Dundas House and enclose more open sky space, an open backdrop to the top third of the Melville Monument will still be retained. The EIA Report concludes that the effect on these views would be beneficial. This is agreed and not considered to be significant. It is recognised that there are often intervening elements in the foreground of these views, particularly TVIA Viewpoint 2. However, these are impermanent features and public consultation has taken place on the redesign of George Street, Hanover Street, Frederick Street and Castle Street that seeks to improve the pedestrian experience and appreciation of heritage along these streets.

Whilst the Melville Monument also obscures some of the view to Dundas House from the Frederick Street junction (TVIA Viewpoint 3), there is a reduction in the open sky space to the north and south of Dundas House. This creates the impression that the new building spans beyond the building lines of George Street, creating a flatter skyline that fully encloses the backdrop of the vista, reducing the elliptical nature and recessive form of the building. In this regard, the effect is considered adverse, contrary to conclusions set out in the EIA Report.

This discordant spanning effect appears to diminish at Hanover Street (TVIA Viewpoint 4) from which Dundas House becomes more prominent as the sky space opens out to the north and south, creating a more positive and symmetrical effect. In this regard, out of the five axial views used to assess impact on the character of the First New Town, on balance, only one does not have a beneficial effect.

It is the proposed façade design of the building, including the selection of materials, and softly curved form of the upper tier of the concert hall that has helped to assimilate the new venue into the surrounding townscape and mitigate the apparent changes along the George Street vista. Furthermore, whilst the venue rises above Dundas House in these views, the setback depth within the plot itself helps to alleviate the perception of scale and align it closer to the AOD levels of the larger surrounding development. Height is assessed further under the next heading.

From the closer range view at the junction of St Andrew Square and George Street (TVIA Viewpoint 6), the Melville Monument forms the main focus of the view and obscures most of Dundas House. At St Andrew Square inner path north (TIVA viewpoint 7), the sense of depth, set-back and the building's elliptical form are revealed. Unlike in the views along George Street, the elliptical path within St Andrew Square gardens does not channel views towards the proposal in the same way. Despite being closer to the development, some of the visual effects are also diminished by the presence of larger scale developments, Melville Monument and the arrangement of trees within St Andrew Square. Whilst the loss of sky space around Dundas House from St Andrew Square (CH Viewpoint 6) has an adverse impact on the setting of Dundas House, as set out in section 3.3b), in terms of the wider character and visual amenity, there is an opening up of views in this location. This contrasts to the channelled views along George Street. The overall effect on these views is, therefore, considered to be neutral. This is contrary to the EIA Report which states these as beneficial.

The detailed elements of the new building are most visible in the closer views from Register Place (TVIA Viewpoint 8), Elder Street (TVIA Viewpoint 9) and the Archivists Garden (TVIA Viewpoint 7). As concluded in the EIA Report, due to the proximity of the proposed development to these existing buildings and spaces, there would be a significant adverse effect in these views. Although this is agreed, it is considered that the design of the existing office block does not currently make a positive contribution to these spaces. Furthermore, the proposed development does not detract from the enjoyment of the Archivist Garden and the opening up of a new welcoming public route from the Elder Street hammerhead is positive.

Setting and edges

North Bridge and the Mound are the original links between the Old and New Towns. The core of the new building will appear only partially above New Register House within the view from the eastern footpath of North Bridge (TVIA Viewpoint 19). The effect of the proposed development would, however, not alter this planned vista along North Bridge. There would be no visibility of the proposed development from Viewpoint 20 at Market Street/Mound Place. In views from the Castle ramparts (TVIA Viewpoint 10), the elliptical architectural form and gentle curve of its domed roofline integrates with the city. In this regard, despite its scale and central location, the visibility of the proposal is relatively contained by the scale of the surrounding urban blocks within the New Town. The EIA Report assesses a long term neutral impact from the Castle ramparts. This is agreed.

Height, skyline and views

The Conservation Area Character Appraisal identifies the importance of a cohesive, historic skyline and its contribution to the character of the conservation area. It also highlights the need to avoid incremental skyline erosion through increased building heights.

This is supported by LDP Policy Des 11 which only permits development which rises above the prevailing building height where a landmark is to be created that enhances the skyline and surrounding townscape, the scale of the building is appropriate to its context, and there would be no adverse impact on important views of landmark buildings, the historic skyline, landscape features in the urban area or the landscape setting of the city, including the Firth of Forth. Likewise, LDP Policy Des 4 supports development where it is demonstrated that it will have a positive impact on its surroundings, including the character of the wider townscape and landscape, and impact on existing views, having regard to height and form, scale and proportions, including the spaces between buildings and position of buildings and other features on the site and materials and detailing. This is assessed within the context of the conservation area.

The general height of buildings prevailing in the surrounding area is of a characteristic general height of between 94 and 95m AOD, as defined in the Edinburgh Skyline Report. The eaves of the crown is at 96.685m, which projects above the bottom of the agreed skyspace by 1.685m. The building has been designed with a lower symmetrical massing either side of a central oval volume. In this regard, the main body of the building sits at a maximum AOD range of between 89.470m and 94.260m. The design has mitigated its maximum height by locating the plant, kitchen, stores and studio space below ground level.

In this regard, the new building sits comfortably alongside the datum and height of the surrounding buildings, with Harvey Nichols at 93.870m AOD, St James Square tenement building at 92.7m AOD, New Register House at 88.415m AOD and The Edinburgh Grand (42 St Andrew Square) at 101.950m AOD. Rising above all these heights is the Edinburgh St James Central Hotel at 122.790m AOD to ridge, which is still visible in the skyline and within a number of the tested key views. The upper crown element of the new building, which is 99.685m AOD at the top, relates to and reflects the cluster of domed volumes of significant cultural and civic buildings within and to the south east of the site associated with the developments around Register Place. In this regard, within this wider townscape, the new building sits comfortably, representing an effective use of the site, complying with the principles of LDP Policy Des 4.

In medium and longer range views, it will mainly be the domed roof of the new building that would be observed, but this would not generally break the skyline in views from the south, east and west of the city. The elliptical architectural form and the gentle curve of its domed roofline integrates with the city in views from Calton Hill (TVIA Viewpoint 11) and Salisbury Crags (TVIA Viewpoint 12). In doing so, it creates a subtle addition to the city's silhouette that does not compete with important skyline features, having a neutral effect that would not be significant, as stated in the EIA Report. When visible, only its colonnaded crown can be seen as an identifiable open and welcoming gesture to the city. This is a positive design solution for a public building and complies with LDP Policy Des 11.

From further south at Blackford Hill (TVIA Viewpoint 15), the proposal is blocked by intervening built form, and from Corstorphine Hill (TVIA Viewpoint 16) in the west, the proposal sits below the skyline and would have no effect. A number of closer range viewpoints also show no or limited visibility of the proposed development: Market Street/Cockburn Street junction (TVIA Viewpoint 18) and East Market Street (TVIA Viewpoint 21).

It is from the north of the city where the proposal will be more prominent on the new skyline. From the Royal Botanic Gardens (TVIA Viewpoint 14) the proposed development obscures part of Salisbury Crags. From Inverleith Park (TVIA Viewpoint 13) and Ferry Road (TVIA Viewpoint 17), the new building will break the skyline, rising to a similar height to the main part of the Edinburgh St James development. In these views, the proposal will be visible as a new city monument, adding to the distinctive punctuation of the skyline. The elliptical form of the proposal reduces to some extent the magnitude of change. The EIA concludes that all these views will have a neutral effect that would not be significant. This is agreed.

There is limited information available to assess the impact of the proposal on locations where night time views of the city centre would be experienced, or the impact of solar glare. The solid-to-void relationship of the proposed backdrop created by the development will be important, however, there are no practical means to control levels of internal lighting. In this respect, the window apertures on the main body of the building may stand out if brightly lit. Likewise, the lighting to the upper colonnade level could also stand out in city wide views and views along George Street as a horizontal banding. Given the lack of feature lighting in St Andrew Square, including the Melville Monument and subtle lighting of Dundas House, any external lighting to the concert hall will need to be carefully considered. Two conditions are included which secure the detail of external light fittings and specification of the proposed glazing.

It is concluded that the overall height and form of the new building will create a subtle, but positive addition to the skyline, appropriate for a civic building, complying with LDP Policy Des 4 and Des 11.

Material palette

The application proposes to use honed concrete as the primary material, a technique which captures the tones of the surrounding stonework, without imitating or replicating it. The concrete will be made from selected stone aggregates of varying scales, exposed through a refined honing process. Based on an analysis of the origins and colour of surrounding stonework within St Andrew Square, it will effectively blend into the richness of the conservation area. The material palette, along with the quiet composition will complement the A listed Dundas House.

Whilst it is acknowledged that sandstone is the characteristic building material of the conservation area, the mineral quality, texture and tone of the honed concrete will reflect the surface layering, articulation and variation in colour and tones of the surrounding stone buildings. This high quality material selection is an appropriate contemporary response to blend in with the richness of the sandstone of its immediate neighbours and the prevailing material within the New Town. The quality, porosity and detailing of the panels will enable the building to absorb and shed water evenly. The applicant has engaged in an extensive sampling process to ensure material quality, composition, finish and detailed design, leading to the installation of an on-site sample panel, which has been taken into consideration in the determination process.

Likewise, the design of the public realm will preserve and enhance the setting of the conservation area. The carriage drive and external spaces around the venue are proposed to be resurfaced with sandstone setts, replacing the asphalt to circulation and car parking spaces, with a high quality and robust surface appropriate to its setting. Permeability will be created through the site, contributing to the planned hierarchy of streets, spaces and gardens associated with the New Town.

Design quality

The New Town Conservation Area Character Appraisal states that new buildings should be a stimulus to imaginative, high quality design and seen as an opportunity to enhance the area. Direct imitation of earlier styles is not encouraged, but rather new buildings should be designed with respect for their context. In this regard, the Council supports contemporary designs that are sympathetic and complimentary to the spatial pattern, scale and massing, proportions, building line and design of traditional buildings in the area.

The proposed façade details, proportions and materials of the new building respond to the classical order, proportions and materials of the New Town. The solid base and lighter crown with colonnade ameliorates its impact on many of the views, whilst its symmetrical arrangement and shallow dome respond to the formality of the New Town composition. From views along George Street, the proposal creates a new visual composition with the backdrop of the St James Central Hotel that is not part of one architectural set piece but rather a design response to reconcile the relationship between two contemporary forms. In this regard, its gentle dome and crown are a logical and positive response. More detailed aspects of the design are assessed in section 3f).

Land use

The proposed development will provide a new cultural venue in the heart of the city, which would add a new civic building within a predominantly commercial area, thus supporting the importance of the First New Town as the heart of the capital. The northern fringe of the Conservation Area is included in the Old and New Towns of Edinburgh World Heritage Site. As set out in section 3.3e) and 3.3g), the proposed development is closely aligned with the cultural attributes of the Outstanding Universal Value of the World Heritage Site. In this regard, the proposed use would make a positive contribution to the cultural, social and educational provision in the New Town and is aligned with the existing character.

Conclusion

Whilst the proposal does not impact adversely and significantly on city-wide views and townscape character, the mass and scale of the new building will affect the spatial characteristics of the planned First New Town. The proposal seeks to form a new planned alignment. The result is a layering of separate elements, and the extent to which these elements are visible varies as part of the sequence of views along George Street.

However, it is the simplicity of the architectural form and materials corresponding to the classical proportions and rhythm of the immediate context that would appear as a new simple backdrop to Dundas House. This contributes to the visual alignment on axis with George Street by providing a more cohesive backdrop to Dundas House that achieves an effective terminating effect to a significant planned vista.

Therefore, on balance, and taking its proposed use into consideration, it is considered that the proposed development does not remove or detract from key characteristic components of the conservation area that gives the area its special interest. It will contribute to the architectural quality of the area with a contemporary high quality building designed to respond to its historic and modern urban environment. The proposal's gentle domed roof, symmetry to the axis of George Street, glazed colonnade and elliptical form of the hall assist in mediating between the scale of the neo-classical Dundas House and the contemporary Edinburgh St James development. In this regard, the special character and appearance of the New Town Conservation Area will be preserved and enhanced, complying with LDP Policy Env 6.

d) The proposal will have a detrimental impact on the character of the New Town Gardens and Dean Historic Garden Designed Landscape Inventory Site;

The site is located within the New Town Gardens and Dean Inventory designated Garden and Designed Landscape (GDL). St Andrew Square is the closest New Town garden and the one most likely to be affected by the proposed development. The original 'pleasure garden' was laid out in 1772, with the design centering around the landmark feature of the 45m high Melville Monument. In 2008, the gardens were redesigned to create a publicly accessible and modern space. Calton Hill is another important part of the GDL. Views from Calton Hill have been assessed in section 3.3c) and considered to not impact on the character and views from this part of the GDL.

A key attribute of the GDL is the relationship between the open spaces and the enclosing buildings. In respect of St Andrew Square, the buildings are of varying architectural styles. The proposed development continues this pattern of changing urban form and associated uses. Although there will be localised visual impacts from St Andrew Square as considered in sections 3.3b) and 3.3c), and a higher footfall as a result of the expanded network of public realm and new cultural activity, it is not considered that the proposed development will impact on the balance of characteristics that contribute to the GDL status. In this regard, the proposed development complies with LDP Policy Env 7.

e) The proposal will preserve the outstanding universal value of the Old and New Towns of Edinburgh World Heritage Site

LDP Policy Env 1 states that development will not be permitted which would have a harmful impact on the qualities which justified the inscription of the Old and New Towns of Edinburgh World Heritage Site, or would have a detrimental impact on the Site's setting.

The Old and New Towns of Edinburgh World Heritage Site (WHS) was inscribed on the World Heritage List by UNESCO World Heritage Committee in 1995. It was accepted at the point of inscription that the 1995 baseline was, in this particular area, going to change as a result of potential change to the St James Centre. These changes are ongoing with the construction of its replacement. In this regard, this sets a new baseline from which to manage the Outstanding Universal Value (OUV) in this area. Likewise, there have been other significant changes in the area since 1995, including the construction of the bus station, Harvey Nichols, the Standard Life building on the south of the square, the Registers development, the addition of the tram infrastructure and the re-imagining of the square itself. The WHS Management Plan, by its very nature, accepts that inevitably change will occur within the WHS. An EIA Report has been submitted with the application to assess the effects of this change.

Chapter 4 of the 2011-2016 Management Plan sets out an interpretation of the key attributes of the OUV which are further explained in Appendix D.3 of the 2017-2022 Management Plan. These are grouped under headings assessed in the section below. The proposed development has the potential to impact on some of these attributes. The attributes that may be affected include both physical built environment considerations and more intangible attributes relating to the cultural life of the city. The EIA Report considers the impacts of the proposed development on these attributes. Given the numerous and overlapping factors that contribute to the OUV of the WHS, the assessment has also been informed by other sections of the report, notably impacts on the New Town Conservation Area in section 3.3c), character and setting of listed buildings in section 3.3b), and the wider social, cultural and economic impacts in section 3.3g).

The remarkable juxtaposition of the Old and New Towns

As considered in section 3.3d), the proposed development would not be visible across the majority of the WHS, with actual visibility being greatly reduced by the enclosure of built form and mature tree cover. The proposed development would, therefore, be well recessed from the transition between the Old and New Towns. Although visible from the Castle Ramparts (TVIA Viewpoint 10), the proposed building would appear commensurate with the size and scale of the existing and under construction buildings. In this regard, the proposed development would have little influence on this attribute.

Old Town

From elevated parts of the Old Town for example the Castle Ramparts, where some visual influence may arise, the proposed development would appear commensurate with the size and scale of the existing buildings and would not stand out as a prominent feature in relation to the skyline. In this regard, the proposed development would have little influence on this attribute.

New Town

The built form and composition of the proposed development will bring about a notable change within the New Town, its prominence accentuated by its position at the end of the axial vista along George Street, as considered in section 3.3c). While its scale would be larger than that of Dundas House, the proposed development will contribute to the axial arrangement and symmetry of the New Town, providing a terminating effect to the axial view along George Street. In this regard, it will add positively to the town planning components, giving clarity to the urban structure of the New Town that contribute to the integrity of the WHS. This is supported by Edinburgh World Heritage Trust, who consider there to be a neutral impact on the layout of the New Town and a positive impact on the clarity of urban structure.

Architectural Quality

The design quality is considered in section 3.3c) and 3.3f). While the proposed development is a modern intervention in the Georgian New Town, the façade details, proportions and materials of the building have been selected to respond to the classical order, proportions and materials of the New Town. This produces a contemporary high quality building that responds to the New Town character.

Topography, planned alignments and skyline

The dramatic topography of the Old Town combined with planned alignments of key buildings in both the Old and New Town, result in spectacular views and an iconic skyline. The impact on topography and skyline is assessed in section 3.3c).

The planned view along George Street towards Dundas House also contributes to the clarity of the urban structure of the New Town and alignment of key buildings, as set out in Section 3.3c). Dundas House is aligned on the key axis of the New Town, but generally not dominant in views along George Street. Whilst Edinburgh World Heritage Trust consider there to be a neutral impact on the planned alignments of key buildings, they conclude there would be a negative impact on the classical set piece around Dundas House and Dundas House itself as the finest free-standing house in the New Town. Although the garden space has already been altered, the proposals would make this clearly evident in a way in which it has not previously been appreciated. This is reflected in section 3.3b) where it is concluded that there would be an adverse impact on the alignments of these key buildings in certain views from the south of St Andrew Square (CH Viewpoint 6). However, taking all the viewpoints into consideration, it is considered that this is not significant. This conclusion is supported by Historic Environment Scotland.

Furthermore, key elements of this architectural set-piece would not be affected; the layout of Dundas House on its plot, its front forecourt and flanking pavilions. CH Viewpoint 1 demonstrates that there would also be little impact when viewed from the pavement directly in front of the building, with Dundas House remaining readable as a free-standing house, set back from the urban square. Therefore, on balance, the central relationship Dundas House has with St Andrew Square and associated planned alignment would be sufficiently preserved.

Influence of urban planning

The First New Town is characterised by its formal urban plan. The proposed development reflects the pattern by terminating the axial view along George Street and contributing to the symmetry of this planned alignment. Therefore, as assessed in section 3.3c), the new building will strengthen the sense of a planned layout. However, although the proposed development will be located to the rear of the primary frontage around St Andrew Square, there will be an adverse impact on the setting of the A listed Dundas House, recognised in the WHS nomination gazetteer as 'the finest free-standing house in the New Town'. The impact on its setting is assessed in section 3.3b).

Culture and activities

In addition to the physical attributes of the OUV, the proposed development relates directly to the OUV of 'Culture and Activities'. The city has a predominant position within the Scottish arts scene, across a full spectrum of activities, and plays host each year to the highly regarded and world renowned Edinburgh International Festival. The Management Plan states that sustaining a living capital city centre is a balance between protecting the environment, strengthening society and supporting a vibrant cultural scene. The magnitude of change as a result of the proposed development would be high, as the development would provide a new cultural and civic venue in the heart of the city, adding to the character of the city and supporting its vibrant cultural scene. The assessment and consideration of the cultural benefits is set out in section 3.3g). The proposed development has the potential to have a positive impact on this attribute. This is supported by the consultation responses from Historic Environment Scotland and Edinburgh World Heritage Trust.

Conclusion

The effect of the proposed development on the WHS is complex, reflecting both adverse and beneficial impacts on different attributes of the OUV. The four attributes with potential to be affected include those associated with the New Town, its Architectural Quality, its Topography, Planned Alignments and Skyline, and its Culture and Activities. There would be a localised adverse effect due to the changes the new building would introduce to the perception of the attributes from within St Andrew Square and along George Street. Nevertheless, there is potential for beneficial effects on the cultural life of the city, an important attribute of the OUV of the WHS. In this regard, it is considered that overall the effect of the proposed development on the OUV of the WHS as a whole would be beneficial. Historic Environment Scotland consider that the conclusions of the EIA Report have been reasonably supported by the information provided.

In this regard, the application complies with LDP Policy Env 1.

f) The design is acceptable and will contribute towards a sense of place

LDP Policy Des 1 provides that the design of a development should be based on an overall concept which draws upon the positive characteristics of the surrounding area, to create or reinforce a sense of place, security and vitality. It further provides that planning permission will not be granted for poor quality or inappropriate design, or for proposals which would be damaging to the area's character or appearance, particularly where this has a special importance. Likewise, LDP Policy Des 3 supports development where it is demonstrated that the existing characteristics and features worthy of retention on the site and in the surrounding area have been identified, incorporated and enhanced through its design.

The detailed view analysis in the EIA Report has informed our understanding of distant and local views and the setting of listed buildings, monuments, conservation area, garden and designed landscape and World Heritage Site, as mentioned in sections 3b), 3c), 3d) and 3e), all of which contribute to character and sense of place. This section will consider the more detailed aspects of the design.

The Edinburgh Urban Design Panel was consulted at the pre-application stage. Their full report is contained within Appendix 1. The Panel were supportive of the principle of a music venue in this location and acknowledged that it represented an exciting opportunity to enhance activity and permeability in the surrounding public realm. The Panel's report encouraged a coherent, high quality public realm which enhances legibility through the site, maximises barrier-free pedestrian movement and minimises conflict with service vehicles. The Panel also advised that the proposal's relationship to its special historic setting and its impact on important axial and oblique views, particularly the view of Dundas House from George Street, is critical and requires to be carefully considered. They questioned the then asymmetric form of the building behind Dundas House and expressed a concern about the positioning of the concert hall, studio and public foyer as separate elements across the site. These concerns have been addressed within the application.

Elevational composition and materials

A contemporary façade is proposed that reflects its sensitive context. The façade design relates to and re-interprets the architecture of the First New Town in both its order and materiality. The ordered expression of a base, body and crown, found on other neoclassical buildings in the surroundings, is reflected in the composition of the proposed building's massing.

The ground floor reads across the whole building and will be made of bespoke in-situ concrete that is grit blasted to provide a robust texture and coloured to a hue that complements the aged sandstone facades of the neighbouring buildings. The ground floor frames the entrance foyer, a space defined by a series of large columns that support the oval form of the concert hall. The foyer continues the external public realm into the interior of the building. The external east-west passage below the northern volume of the building doubles as an enclosed loading bay that can be secured with simple metal gates, while remaining open for the majority of the day as a public route through the site. The overhangs of the façade volumes above the ground floor layer to the north and south define the main entrances into the building.

The central portion of the venue's façade is more refined and introduces additional depth, relief and verticality across its surfaces. A simple rebated profile of honed concrete is applied across their surface. The proud surfaces will be a honed finish, whilst the recessed surfaces will be grit blasted. This composition embraces the verticality of neoclassical facades found throughout the New Town. The application of a continuous façade treatment to this central portion provides a consistently calm backdrop to Dundas House and its flanking pavilions. The addition of a horizontal base and parapet detail adds refinement and definition to these volumes.

The curved solid volume is punctuated by windows. These are positioned to relate to the internal geometry of the curved volume and the colonnaded crown above. The windows are in keeping with the scale and proportion of existing openings around the site. Some are paired or consolidated to form larger groups of openings that balance their size within the extent of the solid façade and provide excellent light conditions to the interior spaces. The additional definition provided by a lintel and sill to each window aperture provides a further layer of shallow articulation to the façade, reflecting the neighbouring façades without replicating them. In the amended scheme, the arrangement of window openings has reduced in number on the east façade to improve privacy conditions to the neighbouring residential building.

The expressive crown of the building manifests itself as an open, welcoming crown that announces the public nature of the new building. Formed by an oval colonnade of honed concrete columns, there is a clear continuation, but also a strong differentiation, to the rhythm and verticality of the façade below. A continuous line of curved glazing is set back behind the crown and relates it with the prominent metal domes of other civic buildings around the city.

The material selection reinforces the defined orders of base, body and crown. The robust base is formed from grit blasted concrete recessed below the main body of the building above. Large format glazing is proposed for the building's public foyer at ground floor level. The principal facades and crown are made from a bespoke honed concrete as described above. The domed roof is formed from a standing seam metal roof in keeping with the roofscape and materials of the city centre. As an extension to an A listed building, it is considered appropriate for the proposed material to be different and distinguishable from Dundas House. The use of honed concrete allows for a sculptural approach which is central to the overall design approach to create a solid robust building with a fineness of detail. The proposed use of high quality materials which complement the main building is positive, complying fully with LDP Policy Des 4d).

Overall, the design of the development is based on a strong concept which draws upon the positive characteristics of the surrounding area. The high quality of design complies fully with LDP Policy Des 1 and Des 3.

Public realm

LDP Policy Des 7 supports development which enhances community safety and urban vitality and provide direct and convenient connections on foot and by cycle. The proposed development opens up the entire site to the public, creating extensive civic space and a new publically accessible primary east-west route to the north of the new building, and a secondary route to the south. The design of the public realm within the site connects a sequence of three current or planned public spaces; St Andrew Square, the reimaged St James Square and the more intimate spaces at Register Lanes.

LDP Policy Des 8 supports development where all external spaces and features have been designed as an integral part of the scheme as a whole. Continuity is provided within the site through the creation of a unified surface material, extending from the forecourt of Dundas House to the eastern entrance at Elder Street. Sandstone is proposed which is traditionally used throughout the New Town and the St James Quarter. The small unit size adapts to the gradient changes and provides inherent strength for vehicular use, whilst also being slip resistant in all weathers. In the south east corner of the site on the more secondary circulation route, a series of more informal terraces are proposed using compacted self-binding gravel. The proposed materials not only reinforce the New Town character, but also allow for ease of movement by disabled users. Six new trees are proposed in combination with lines of mature beech hedges to form green edges to the new civic spaces.

To enable level access and to widen the pedestrian access into the site, the existing stone boundary wall to the curtilage of 35 St Andrew Square will be removed. It is acknowledged that, although this wall is not original, it demarcates the original historic feu. Instead of proposing an alternative physical boundary, the amended scheme proposes a change in material finish to the sandstone paving. A picked finish will help to subtly delineate the historic feu of 35 St Andrew Square whilst also enabling a seamless surface for drainage, vehicle overrun and pedestrian movement. Linear benches are located on the main approaches and clusters of fixed individual seats are located elsewhere. These seats are inclusive for members of the public with pushchairs or those who are wheelchair users.

To minimise the height of the building, the plant has been incorporated into the external landscape behind a screened enclosure to the north of the building. The existing substation on the southern boundary will be retained and redesigned to include six secure cycle racks providing 12 parking spaces for staff and an additional substation dedicated to the building.

Lighting to the public realm is to be achieved from a variety of sources which include feature lighting to trees and planting, wash lighting low light bollards and refurbished existing historic lanterns on the perimeter of the site. The lighting has been designed to provide visual clarity to principal routes, safety and security, integration with the landscape design and a high quality night time experience. Section 3.3c) considers the impact on the wider lighting strategy of the building.

The proposed development complies with LDP Policy Des 7 and Des 8.

g) The proposal has social, cultural and economic impacts

The aims and strategy of the LDP include supporting the growth of the city economy and helping to create strong, sustainable and healthier communities, enabling all residents to enjoy a high quality of life. In doing so, the LDP supports Edinburgh's role as Scotland's capital city and recognises its importance as a key driver of the Scottish economy.

Social and cultural impacts

The applicant has submitted a Socio-Economic and Cultural Impact Assessment to support the application, a topic which was also scoped into the EIA Report. These impacts have been assessed and form a material consideration in the determination of the application.

The proposed concert hall will be the first new mid-sized facility of its kind to be built in Edinburgh for 100 years and is the culmination of a 25 year search by the Council and the Scottish Chamber Orchestra (SCO). The need for a new venue has arisen due to the existing physical challenges and constraints associated with the Queen's Hall, the existing home of the SCO. The new venue completes the task of equipping all the national performing companies with modernised working conditions. Being the new permanent home to the SCO, the new venue will be equipped with the highest quality acoustics, clear sightlines, services and foyers. With flexible settings for stage and seating, it is also designed to accommodate a wide variety of music types, including traditional and contemporary, acoustic, pop, jazz and world music, as well as other chamber orchestras, ensembles and solo classical artists.

Creative learning and inclusive outreach will also have a prominent position in the new venue, offering wider community benefits to the city. This will build on the substantial experience of SCO's Creative Learning team, as well as facilitate the development of new strands of engagement with other partners. National Youth Choir of Scotland (NYCOS) will join IMPACT Scotland in their offices at 35 St Andrew Square. Their proximity to the new venue allows them to establish a regional training choir and an ambitious singing programme for communities across Edinburgh. A school for traditional music is also proposed. It is planned that all these initiatives will be designed to complement existing provision in the city and surrounding area. By being able to work with new partners, the design of the whole venue will address audience development and promote inclusion through the diversity of the musical offering and an audience focused approach to programming. The building's architectural appeal, its welcoming internal and external public spaces and central location will attract a wide range of people.

Through the delivery of a wide ranging educational and community programme, the new venue will also develop opportunities to involve those socio-economic groups currently under-represented as participants or audiences. A key aspect of this programme will be to engage people through lifelong learning, addressing the needs of all age groups through different stages of life. This work ranges from early-years music-and-movement to dementia care, covering education and community residencies (nursery, primary and secondary), special concerts for young people, Vibe (youth-music fusion initiatives), creative projects with children, university residencies and special-needs programmes. The proposed development creates the opportunity to present existing activities in a new city centre base that is able to utilise all the resources of the partners, the building, the auditorium, rehearsal hall and the studios, increasing overall effectiveness and efficiency. New digital facilities will also greatly increase the SCO's ability to reach out to wider audiences and retain contact with the more distant communities within Scotland.

The above activities will be supported by the appointment of a full time Education Officer and the letting of rehearsal space for educational outreach activities at no or little cost. These key aspects of the scheme are to a large extent, exemplified by the experience of the Royal Scottish National Orchestra (RSNO) in Glasgow. In 2015 the RSNO moved to a new custom built rehearsal hall, providing new facilities that allowed them to embark on a series of initiatives that had not been possible in their previous accommodation. This resulted in their new venue attracting and engaging some 30,000 additional people per year.

The proposed development also supports the inclusive growth framework set out in the City Deal. Two of the five framework themes are pertinent to the current proposals. These are 'a significant programme of construction' and 'social benefit through innovation'. With regard to the first theme, IMPACT Scotland will, in the construction and subsequent operating phase of the venue, use agreed City Region Deal procurement Community Benefit clauses to support inclusive employment practices and other opportunities to meet inclusive growth targets. With respect to the second theme, consideration has been given to how the project can make a positive contribution to inclusive growth by influencing and supporting the cultural sector in building audiences that reflect the true, diverse nature of the City Region.

The Council's Culture Plan (2015) outlines a number of key objectives to develop the culture of the city. Three of these are particularly relevant for the proposed development:

- Support greater partnership working in the cultural and creative sectors and maximise resources available to help them thrive all year round;
- Develop and support the infrastructure which sustains Edinburgh's cultural and creative sectors; and
- Invest in artist and practitioner developer and support and sustain the local artistic community.

Through a close working partnership with the Edinburgh International Festival, the new venue will provide a world class venue for supporting and developing the Festival. IMPACT Scotland has also established early relationships with other music and performing arts companies who would use the venue for performances and rehearsals. These include the National Youth Choir of Scotland, Red Note Ensemble, Celtic Connections, BBC Scottish Symphony Orchestra, as well as identifying community engagement projects with the SCO. As the first substantial new performance venue to be built in Edinburgh for 100 years, it reflects the city's ambitions and achievements as a Festival City with an expanding role in the creative and cultural industries. A 10 year strategy for Edinburgh titled 'Edinburgh Festivals: Edinburgh Hooves 2.0' prepared in 2015 by BOP Consulting and Festivals and Events International highlighted the importance of supporting proposals for new venues in order to achieve this ambition of Edinburgh as 'The Festival City'. In this regard, the proposed development aligns with the City's strategic aims with regards to culture, by creating additional infrastructure to reinforce and rebalance the creative sector and engage with the wider community.

However, it is acknowledged that there will be an issue around displacement of activity with the proposed venue. With a capacity of 1,000 plus a smaller 200 seat performance space, it will divert some performance activity away from existing venues such as the Usher Hall and Queen's Hall. Both of these venues host performance, rehearsal and recording activity by the SCO, which would all move to the new venue. It is anticipated that the Queen's Hall would experience the most impact due to the similar capacity levels, and it is currently generating revenues from being the principal box office for the SCO. To mitigate this impact and ensure a strategic and co-ordinated approach to the future programming of key music venues in the city, the Council will chair a working group including representatives from IMPACT Scotland, the Queen's Hall, Leith Theatre and the Usher Hall. The working group will ensure that a balanced and co-ordinated diary of events is planned and marketed for the city. The supporting information suggests that discussions with existing venues have confirmed that the new venue will be complementary to existing provision and welcome the competition and dynamism that the new venue offers in building and enhancing Edinburgh's reputation as a great city for live music.

The proposed development is fully endorsed by the Council's Culture Service. It also forms an important cultural strand within the City Deal, unlocking £25million of strategic match funding from all levels of government and has significant financial backing and under-pinning from a private philanthropic donor. As the first new performance venue to be built in Edinburgh in a century, this new development will represent a significant addition to the city's cultural infrastructure, and will signal Edinburgh's success as a Festival City and its ambitions in the creative and cultural industries.

The cultural and wider community benefits to the city, region and nation, brought about as a result of the proposed development and the opportunities for advancement it provides, are acknowledged and supported in the EIA Report. The proposed use would make a positive contribution towards the city's cultural, social and educational provision, in accordance with the aims and strategy of the LDP, as well as LDP policies Ret 1, Ret 7 and Del 2.

Economic impacts

The application proposes the removal of the office block to the rear of Dundas House. The Council's Economic Development Service were consulted on the application, estimating that, if fully occupied, the existing building could directly and indirectly support a total of 388 FTE jobs and £32.6m of GVA per annum (2016 prices). The Socio-Economic and Cultural Impact assessment provided by the applicant for the proposed use suggests that the development would, once operational, support 204 headcount jobs and £7.1m of GVA per annum. Although the development of a new performance venue is expected to have strong social and cultural impacts, as outlined in the section above, the Socio-Economic and Cultural Impact Assessment and EIA Report demonstrates more limited economic impacts.

However, it is considered that the economic impacts of the new venue are more indirect, being closely related to tourism. The interaction between cultural venues within the city and the relationship of the new venue to the festivals means that the economic benefits could be greater than would normally be expected in most other locations. The two main aims of Edinburgh's Tourism Strategy are to increase the value of tourism to the city and to its tourism industry, and to enhance the city's image and reputation. To achieve these aims, the strategy outlines three objectives to be achieved by 2020. These are to:

- Increase the number of visits to the city by one third, from 3.3 million to 4.4 million visits;
- Increase the average spending of visitors to the city by 10%; and
- Reduce seasonality across the sector, by achieving half of the increased visits from the first objective in the months from October to March.

The strategy also identifies the lack of a suitable venue for live performances as a key challenge in improving the city's tourism appeal. The proposed venue will make a significant contribution to filling an identified gap.

The Council's Economic Strategy aims to deliver growth for everyone and sets out 10 steps Edinburgh needs to take in order to achieve this aim. One of these is to deliver sustainable and inclusive growth in Edinburgh's world leading culture and tourism sectors. The Strategy recognises the importance of culture and tourism to Edinburgh's global reputation and success as a city. It suggests there is a need to take new approaches to ensure the growth of these sectors is sustainable in the long term and provides a good balance between the needs of residents and the needs of visitors. It also highlights the need to make new investment in facilities in order to maintain Edinburgh's position as a world leading city. It specifically cites the delivery of a new world-class performing arts venue in the heart of Edinburgh as a key action and an example of investment it supports, making specific reference to the Impact Centre by name.

The site forms part of the wider Register Lanes area. The aspiration is that developments such as Edinburgh St James, The Registers and this site will enliven this area. The proposed development would be accessible by pedestrians from Register Place, adding considerable additional footfall to this area.

Conclusion - social, cultural and economic impacts

The proposal creates a positive social and cultural impact and will play an important role in supporting the growth and success of Edinburgh's tourism, cultural and education sector, thus being aligned with the Council's Economic Strategy, Culture Plan and City Deal framework.

h) The proposal raises any issues in respect of transport and road safety

LDP Policy Tra 1 supports major development comprising offices, retail, entertainment, sports, leisure and other non-residential uses, which would generate significant travel demand, on suitable sites in the City Centre. It is stated that these developments should be accessible by a choice of means of transport. The central location of the proposed development makes it ideally suited to make use of established public transport connections, as well as utilising walking and cycling provision and is therefore, aligned with LDP Policy Tra 1.

Pedestrian access

LDP Policy Des 2 supports a comprehensive and integrated approach to the layout of buildings, streets, footpaths and cycle paths as provided for in an approved development brief or strategy. The new venue is accessible by pedestrians from three directions; St Andrew Square, Elder Street and Register Place. Demolition of the rear wall to the Elder Street hammerhead is required to enable this and for this reason, is secured through condition. The site will, therefore, contribute to the objectives of the St James Quarter Development Brief and the Council's Registers Lane Study by improving footfall and pedestrian flow, adding value, creating a new place and destination, and improving the character of the area. The Registers Lane area has been identified by the Council as a key location within the city centre, connecting Princes Street, Edinburgh St James and St Andrew Square within the immediate vicinity of the tram stop. The north and east of 36 St Andrew square, in particular, has been identified as one of the four main areas of development. The application complies with LDP Policy Des 2.

LDP Policy Des 7 supports development which enhances community safety and urban vitality and provide direct and convenient connections on foot and cycle. The Transport Statement demonstrates that the available footway within the site will be able to accommodate the high level of pedestrian activity associated with the proposed use, with the northern route being the same scale as Multrees Walk. Furthermore, the level change of two metres from north to south on the east boundary has been overcome by creating a new walking route with a gradient of 1:22. This enables the public realm to be fully accessible for all users. The applicant is proposing to further enhance pedestrian movement along St Andrew Square through the provision of a continuous footway and dropped kerbs, built to full carriageway construction to accommodate a range of service vehicles. The delivery of this is secured through a condition. The application complies with LDP Policy Des 7.

Vehicular access

Elder Street will be the main vehicular access and servicing point into the site. All the paved surfaces will be designed for vehicular overrun to enable fire and maintenance access to all facades of the building.

Vehicle access is required into the forecourt for the RBS branch operation. A consolidated waste strategy for the new venue, 35 St Andrew Square and the RBS branch is provided. Twice a year, international touring orchestras require secure access via larger articulated vehicles. These will be able to enter and leave the site via St Andrew Square and also leave via Elder Street. To enable vehicular access into the site from St Andrew Square, dropped kerbs are proposed directly in front of the two front gates. Through the provision of swept path diagrams, it is demonstrated that these arrangements are acceptable, subject to suitable management. Furthermore, the diagrams indicate that the articulated vehicles will pass into the prohibited tram zone. An informative has been included which requires the applicant to arrange for the necessary permits and authority from Edinburgh Trams.

The loading bay for the new building is located and integrated within the back-of-house technical core to the north. It is directly linked to the main performance spaces and dedicated storage areas. The loading bay can be accessed via Elder Street with vehicles up to 10m in length, which comprise the vast majority of all vehicles servicing the new building throughout the year. It can also fit the detached wagon of an articulated lorry with the doors closed. When not in use the loading bay will be fully opened to extend the public realm through the building and further improve the public permeability through the site. Through the design development, the applicant explored a number of potential underground service arrangements. However, these options were not operationally or financially viable.

Parking

The existing office development has 95 parking spaces. The proposed development does not propose dedicated on-site car parking. The Edinburgh Design Guidance could permit up to 42 car parking spaces. However, the development is proposing zero parking due to the city centre location. Two disabled spaces are provided within the forecourt to Dundas House for the use of the bank branch only. Access is managed by bollards at the entrance of the forecourt. These have been located to allow vehicles to wait within the site without blocking the footway, minimising potential conflict with pedestrians. It is acknowledged that there is a large public car park consented as part of the Edinburgh St James development, which will be available for all uses within the wider area. This complies with LDP Policy Tra 2.

The Edinburgh Design Guidance stipulates that cycle parking should be provided at a minimum of one stand per 50 seats, providing a minimum provision of 24 cycle parking spaces. The application proposes 12 uncovered Sheffield cycle parking stands within the public realm opposite the main entrance, providing space for 24 bicycles. Additionally, six undercover secure cycle stands are provided in the south east of the site to the rear of the sub-station building, providing spaces for 12 bicycles. This provision exceeds the requirements set out in the Edinburgh Design Guidance and complies with LDP Policy Tra 3 and Tra 4.

Transport infrastructure

Policy Del 1 states that proposals will be required to contribute to the existing and proposed tram network. The site is located in Zone 1. In this regard, the Roads Authority have advised that the applicant will be required to contribute the net sum of £200,507 to the Edinburgh Tram in line with the approved Tram Line Developers Contributions report. This amount will be secured by a legal agreement prior to the issuing of a formal consent.

i) The proposal will have a detrimental impact on the amenity of nearby residents

LDP Policy Des 5 relates to the amenity of existing and future occupiers and seeks to ensure that amenity is not adversely affected by new development. Representations have been made concerning the development's impact on residential amenity to St James Square. The application site is within close proximity to a number of residential properties and on the boundary of their existing communal garden space. The Edinburgh Design Guidance informs compliance with LDP Policy Des 5.

Daylight

A daylighting study has been submitted by the applicant which applies the Council's recommended Vertical Sky Component (VSC) approach to assessing impact of development on the ratio of daylight available to existing properties. The Edinburgh Design Guidance requires that the amount of daylight reaching an external wall must be more than 27%, or 0.8 of its former value. For those windows that failed the VSC assessment, these have been re-assessed using the Average Daylight Factor analysis (ADF) which assesses internal spaces using assumed internal plan form. As the room types behind these windows are unknown and might vary between apartments, the analysis has been run for bedrooms (ADF of 1%), kitchens (ADF of 2%) and living rooms (ADF of 1.5%), which are protected. The new buildings under construction as part of the Edinburgh St James development have not been included within the baseline condition.

The detailed study tested 76 residential windows on the west gable and northern and southern elevations of the existing residential building at St James Square, as well 104 windows on the two consented residential blocks within the Edinburgh St James development. The results show that, depending on the usage of the room within the St James Square tenements, there may be 18 windows on the west gable and northern elevations of the existing tenement where daylighting levels will be reduced below the targets set out in the Edinburgh Design Guidance. This is a result of the building's height and proximity to the windows. These were assessed using the ADF analysis.

On the west gable elevation, all five rooms tested using the ADF analysis fail in the existing and proposed condition for all room types. However, gable and side windows are generally not protected under the provisions of the Edinburgh Design Guidance.

Out of the 13 rooms on the northern elevation assessed using the ADF analysis, eight rooms fail as bedrooms (six of these fail under the existing conditions), 12 rooms fail as living rooms (eight of these fail under the existing conditions) and 13 rooms fail as kitchens (all of which fail under the existing condition). The difference in ADF percentages between the existing and proposed is marginal at between 0.15% and 0.51%, based on the percentage criteria for each room type as set out above. In this regard, whilst the development does reduce light levels to the neighbouring residential tenement, the existing context and window geometry demonstrate that this location already has minimal access to daylighting under the existing conditions.

The Edinburgh Design Guidance states that the layout of buildings in an area will be used to assess whether the proposed spacing is reasonable. In some parts of the New Town, for example mews lanes buildings come close together similar to that proposed. It is evident that, dependent on the use of the rooms on the northern elevation, between eight and 13 rooms of the 13 rooms assessed fall under the targets set out in the Edinburgh Design Guidance. In this regard, they have a reduction in daylight of greater than 27% and they do not achieve the required ADF percentage. However, because of the unique historic and urban context of the New Town, this infringement of the guidance and LDP Policy Des a) is not significant enough to merit refusal of planning permission.

Sunlight to existing spaces

The applicant has conducted a sunlight impact assessment on existing gardens and spaces for each hour of the day on the spring equinox (21st March), as required by the Edinburgh Design Guidance. If a space is used all year round, the equinox is the best date for which to prepare shadow plots as it gives the average level of shadowing. The study demonstrates that of the three garden spaces tested, there will be a reduction in sunlight to the communal garden space of the residential tenement at St James Square as a result of the proposal.

The level of sunlight into this space on 21 March remains the same between 0700 and 1200 hours. However, sunlight is significantly reduced between 1300, 1400 and 1500 hours. At 1300 hours the garden drops from 40% of the area experiencing direct sunlight to 20%. At 1400 and 1500 hours the garden no longer receives any direct sunlight, reducing from 60% at 1400 hours and 25% at 1500 hours. This is a significant reduction in sunlight, which would impact on the quality of useable amenity space for existing residents. However, because of the unique historic and urban context of the New Town and giving due consideration to all other material issues, this infringement of guidance and LDP Policy Des 5a) is not significant enough to merit refusal of planning permission.

Sunlight to new spaces

The applicant has also assessed the potential sunlight hours with respect to all new civic spaces within the development. The study demonstrated that 55.03% of the proposed new public spaces receive three or more hours of sunlight during the spring equinox. These areas relate to the proposed seating areas. This complies with the Edinburgh Design Guidance.

Privacy and outlook

An assessment of the impact on privacy and outlook to the neighbouring residential tenement at St James Square was submitted with the application. Revisions were made to the design to limit exposure of the existing residential building to the windows on the eastern façade. The amended scheme not only reduces the overall number of windows on this elevation, but also relocates them away from the window openings of the existing residential building. In this regard, the majority of the venue's façade across its lower four floors is opaque with selected window openings placed away from the residential building or screened by the interlocking massing of the design.

The venue's glazed crown on its fourth floor faces the shorter, solid gable end of the existing residential building. The crown is separated by its difference in height to the residential accommodation. Furthermore, the arc of its colonnade of columns curves away from the existing residential building in both directions. This offers a high level of privacy.

Two external terraces are proposed at level four to the north and the south of the crown. The north terrace faces non-residential buildings and is screened from the existing residential apartments by the new building itself. The south terrace faces non-residential buildings and will be screened from the existing residential buildings to the east by the solid higher form of the proposed buildings circulation volume.

The scale, mass and form of the proposed building has been carefully designed to ensure the existing privacy and outlook of existing residential units is not compromised. There is no impact on privacy.

Although private views are not protected, immediate outlook of the foreground of what can be seen from within a building can be. As a result of the height, scale, massing and proximity of the new building, the immediate outlook of the western gable of the existing tenement building at St James Square will be blocked out. However, this tenement is hard on the boundary of private land, outlook is not protected in this case. Nevertheless, it is considered that this will be an improvement on the existing outlook to the existing office block and associated car park.

Noise

A revised Noise Impact Assessment was submitted with the revised scheme. It demonstrates that the design of the building meets expected standards for protecting the amenity of nearby residents in terms of music, operational and plant noise from the premises. The performing spaces have been designed to provide a high sound insulation performance, in order to allow simultaneous use with minimal mutual disturbance. This consequently provides effective control of noise emissions to neighbouring buildings.

Two external terrace areas are proposed at level four at the north and south of the building. They will be used for patrons during daytime and evening events. It is not intended that these spaces will be used after performances, and no music or other amplified sound is proposed here. They are positioned on elevations away from, and largely screened from the nearest residential use on St James Square.

Noise from loading has also been assessed. The enclosed loading dock has been positioned to the north of the building, with the loading side of the vehicle positioned on the west of the loading dock, so that loading activities will be significantly screened from the neighbouring noise sensitive buildings. The need for vehicle manoeuvring and use of audible alarms has been minimised, with vehicles driving directly into the site via Elder Street, with a short reverse into the loading dock, and departing with a single forward movement. No night time (2300 to 0700) loading activities are proposed. Where vehicles need to reverse within the site during late evenings, banksmen will be employed to direct reversing without the use of audible alarms. The applicant intends to create a noise management plan for loading activities, outlining the required loading protocol to ensure noise from such activities to neighbouring buildings is minimised.

Predictions have been provided of likely crowd movement and noise levels generated by entrance and egress from the venue, taking account of the Edinburgh St James development. The design proposes several access routes to help maximise the speed with which people exit an event. It is anticipated that the majority of patrons will access the venue via the main entrance which faces west, with patrons arriving and leaving via St Andrew Square where public transport and taxis are located. The study demonstrates that, taking account of the anticipated frequency, duration and timing of the events, there will be minimal impact on the amenity of nearby residents. It is stated that an Event Management Plan will be prepared by the operator, which will cover noise control from patrons.

The Council's Environmental Protection Service is satisfied with the measures proposed in the assessment and raise no objection.

Odour

In accordance with the Council's Environmental Protection Service guidance, a condition relating to the kitchen ventilation, to ensure that it is capable of achieving 30 air changes per hour to avoid cooking odours escaping into any neighbouring sensitive premises, is recommended.

Conclusion - neighbouring amenity

The proposal has been designed to minimise any potential negative impact on its neighbour and raises no issues in respect of privacy, outlook, noise and odour. It is accepted that the proposal will infringe LDP Policy Des 5a) with respect to levels of daylight and sunlight into the neighbouring tenement building and garden space. However, this is considered to be a minor infringement given the unique urban historic context, neighbouring property relationship and the proposed public/civic use. An infringement can be justified given the wider benefits of this case.

j) The proposals are sustainable

The applicant has completed an S1 Form in support of the application, which confirms that the required sustainability criteria have been achieved. In addition to the essential criteria, the applicant has provided a commitment to further sustainability measures as set out in the desirable elements sections, including the provision of Air Source Heat Pumps. The development is also targeting BREEAM Good Certification under the BREEAM 2014 New Construction Scheme.

In addressing the requirements of LDP Policy Des 6 a), applicants for major developments within the opportunity areas identified in the Heat Opportunities Mapping Supplementary Guidance must demonstrate the approach taken to identify whether a heat network is viable. The applicant has submitted a district heating analysis for the proposed development. The Scottish Government Heat Map illustrates that the development is in a high heat density area, with the closest district heating network 350m away at the Balmoral Hotel on Princes Street. This network is currently under development. The applicant has confirmed that, within the next stages of design, consideration is being given to providing the facilities to allow future connection into this district heating network.

k) There are other material considerations

Flooding and drainage

LDP Policy Env 21 ensures development does not result in increased flood risk for the site being development or elsewhere. A Drainage Impact Assessment and Flood Risk Assessment was submitted with the application. No significant current risks of flooding or sewer capacity issues were identified in the local area based on an initial desktop assessment. However, a number of residual flood risks have been identified, associated with flooding from blockage/pump failure/surcharge of public sewers, site drainage and burst water supply pipes, groundwater and intense rainfall in excess of the capacity of the drainage. Subject to a number of mitigation measures to be incorporated at the next stage of design, the proposed scheme is considered appropriate for the hydrological setting and acceptable in flood risk terms. The Council's Flood Planning Service were consulted and are satisfied that it addresses the Council's requirements. The application complies with LDP Policy Env 21.

Sustainable Urban Drainage Systems (SUDS) will be incorporated in the design. This will be achieved through utilising a combination of storage systems, soft landscaping and permeable hard landscaping. A condition has been recommended which secures the detail design, location, size and maintenance of the SUDs.

Archaeology

In order to safeguard the archaeological interests of the existing building and the earth below, the use of a condition is recommended to ensure compliance with LDP Policy Env 9. This would require a site survey to be undertaken to secure the recording of historic buildings and excavations, before development commences on site.

Ecology and trees

LDP Policy Env 16 supports development that would not have an adverse impact on species protected under European or UK law. A Bat Survey of the site has been undertaken and bat activity within the site was recorded to be very low, indicating the site has negligible importance for commuting or foraging bats, likely due to its city centre location. In the unlikely event that a bat is discovered during the proposed development, contactors have been made aware of what action to take.

LDP Policy Env 12 states that development will not be permitted if likely to have a damaging impact on any tree worthy of retention, unless necessary for arboricultural reasons. Where such permission is granted, replacement planting of appropriate species and numbers will be required to offset the loss to amenity. There is one existing tree within the site. The species is Swedish Whitebeam. A tree survey has been submitted, which identifies the tree as having internal decay and a life expectancy of less than five years. It is therefore, recommended that the tree is removed. In its place, the application is proposing six new trees in combination with lines of mature beech hedges. Four disease resistant Dutch Elm semi mature trees are located along the northern east-west route, and two Honey Locust trees are proposed within the secondary circulation space to the east. The planting conditions for these trees will be optimized through the use of proprietary tree cells to provide 30 cubic metres of growing space below ground for each tree. The ecological potential of the site is enhanced through the introduction of new trees, hedges and climbers, plus a limited amount of green roof on the bin store, substation and cycle store.

Air quality

LDP Policy Env 22 supports development where there will be no significant adverse effects for health, the environment, amenity, air, and soil quality, the quality of the water environment or on ground stability. There is considered to be no impact on Air Quality as a result of there being no car parking on site, no public vehicular access through the site and it being located on a site with high public transport accessibility. An Air Quality Impact Assessment was not required as part of the application. This was based on the fact that the proposed development provides no significant new combustion plant and the changes in operational traffic flows predicted did not reach the threshold for likely significant air quality effects from vehicle traffic. The application complies with LDP Policy Env 22.

l) Environmental Impact Assessment Report

An EIA Report has been provided alongside the application. This provides an assessment of the impact of the development in environmental terms, covering Cultural Heritage, Socio-Economics and Townscape and Visual. An addendum to the EIA Report was also submitted in February 2019 which included revisions to a selection of the verified views. The scope of the EIA Report is acceptable, the content comprehensive and the methodologies used for the landscape/townscape and visual assessment are considered appropriate. Sufficient information has been submitted in the EIA Report to allow a balanced judgement to be made regarding resulting impacts. Therefore, this report not only provides an assessment of the proposal in planning terms, it has also considered the conclusions of the EIA Report.

m) Impacts on equalities and rights are acceptable

An Integrated Impact Assessment (IIA) has been carried out and raises no overriding concerns. This is a significant public venue with wide ranging community benefits. The IIA is viewable on the Planning and Building Standards Online Services.

n) Public representations have been addressed

Material representations raised in support

- Edinburgh lacks a mid-size concert hall and a fit-for-purpose home and venue for the Scottish Chamber Orchestra, Edinburgh International Festival and other cultural events. This is assessed in section 3.3g);
- The development will add vitality and cultural activity to the east part of the New Town. This is assessed in section 3.3c), 3.3.e), 3.3f) and 3.3g);
- Integrates with other neighbouring developments through the provision of new public spaces and permeable pedestrian links through the site. This is assessed in section 3.3f) and 3.3h);
- It is a well-considered high quality design (externally and internally) that integrates sensitively with the surrounding context, becoming a positive addition to Edinburgh's skyline. This is assessed in section 3.3c), 3.3e) and 3.3f);
- The new venue will bring significant cultural, economic and tourism benefits to the city. This is assessed in section 3.3g);
- The site is well located in the city centre within close proximity to a range of public transport choices. This is assessed in section 3.3h);
- Supports the demolition and replacement of the unattractive existing 1960s office annexe to the rear of Dundas House. This is assessed in section 3.3b) and 3.3f); and
- The design would positively contribute towards the character and setting of the World Heritage Site and New Town Conservation Area. This is assessed in section 3.3c) and 3.3e).

Material representations - objection

- Question the need for a new cultural venue in the city. This is addressed in section 3.3a) and 3.3g);
- Inappropriate height, scale, massing and materials. This is addressed in section 3.3c) and 3.3f);
- There will be an adverse impact on the character and appearance of the New Town Conservation Area and Outstanding Universal Value of the Old and New Towns of Edinburgh World Heritage Site. This is addressed in section 3.3c) and 3.3e);
- There will be an adverse impact on the axial key views along George Street. This is addressed in section 3.3c);
- There will be an adverse impact on the character and setting of the A listed Dundas House including the interface with the new building and existing boundary walls, and the setting of other A and B listed buildings adjacent to the site. This is addressed in section 3.3b);
- Increased noise levels from the operations of the new venue, including the loading bay. This is addressed in section 3.3h) and 3.3i);
- Reduced daylight, sunlight and privacy into neighbouring properties. This is addressed in section 3.3i);
- Objects to the inclusion of Dutch Elm as the predominant tree species. This is addressed in section 3.3k);

- Concern over the health of the Dutch Elm Tree located between the tenement and the concert hall due to lack of sunlight - A condition is included to ensure replacement planting should any trees or plants die, are removed or become damaged or diseased. This will ensure a high standard of landscaping is achieved;
- Concern over the proposed servicing arrangement from Elder Street and St Andrew Square, existing parking situation and safety for pedestrians. This also includes the removal of the bollards located directly adjacent to number 37 St Andrew Square as they currently provide building protection against vehicular movement. - The bollards do not appear to have consent. The application proposes to replace these with a high quality public realm. This is addressed in section 3.3h);
- Concern that the application has not been tested in a wind tunnel to ensure pedestrian safety. - The Council's Environmental Protection service has reviewed the extent of the proposal and its impacts and has not requested any information on this matter. It is not considered to have a significant effect in the same way as a high rise urban block might;
- Concern over potential flooding of neighbouring properties as a result of the new development, including its proximity. This is addressed in section 3.3k);
- Concern over the management of the construction stage including structural damage to Dundas House and neighbouring listed buildings, traffic, noise, vibration and dust. This is particularly the case given the proximity of the new development with its neighbours. - Such controls are not regulated under planning legislation. These are regulated under the Control of Pollution Act 1974, which gives environmental health officers the powers to control noise and vibration pollution from construction sites. Construction issues will be managed and controlled through a Construction Management Plan that will be developed with the appointed contractor at the appropriate time. An informative relating to the Construction Management Plan has been included. The vast majority of construction vehicles will access the site from Elder Street;
- The application fails to identify the consented hotel at number 37 St Andrew Square as a noise sensitive receptor in the context of this proposed use. - Hotels would not be considered a noise-sensitive receptor in the context of this proposed use, given the relative amount of transience in their guests and short periods of exposure. The impact on nearby residents is assessed and reflected in the consultation response from Environmental Protection contained in Appendix 1;
- There would be an adverse impact on key views to the Edinburgh St James Central Hotel - the outline consent for the Edinburgh St James development supported a new feature building in this location, now known as the Central Hotel. This development, currently under construction, has been included within the baseline context for the Townscape and Visual Impact Assessment. In this regard, the effect on this has been considered and it has been concluded that it can still be seen clearly in key views along George Street and in the skyline within wider city views.

- It is understood that there will be refuse bins located on Elder Street. Concern that the interaction between the articulated vehicles mounting the pavement and these bins is not clarified. - The hammerhead at Elder Street was previously identified as a potential site for the relocation of the refuse bins for the St James Square tenements. The Council's Waste Services has since confirmed that they are not supportive of residential refuse bins in this location and are currently working with the developers of the Edinburgh St James development to find an alternative location; and
- The entrance should be through Dundas House. - The application includes an entrance route through Dundas House into the foyer of the new building for occasional access. RBS will continue to use Dundas House as their branch and office.

Non-material issues raised - objection

- There will be an increase in anti-social behaviour. Noise associated with the development is assessed in section 3.3i) but anti-social behaviour is not controlled by the Planning Authority;
- Suggests alternative sites, for example Shrubhill depot, are more appropriate locations for a concert hall. - This is not relevant to the planning assessment;
- There will be an increase in litter as a result of the increase in people within the area. - This issue is not relevant to Planning;
- Suggest instead that the Council purchase the site and develop it as a public garden. - This is not relevant to Planning;
- The triangle of land and ramp access to 23-26 St James Square, south of Elder Street, is absent from the wooden architectural model. - The model does not form part of the material submitted with the application. All the plans for approval are accurate and include the triangle of land;
- No reference has been made in the Noise Impact Assessment to the potential fire/emergency alarm testing or the paging announcements prior to recitals and at the end of intervals. - These are issues relating to the operation of the venue and not relevant to the planning assessment; and
- The height of the proposed concert hall will have a detrimental effect on the amenity of guests at the St James Central Hotel. - Private views and daylight levels into hotels and other commercial uses are not protected.

Non-material issues raised - support

- There is funding largely in place to deliver the new venue. - This is not relevant to the planning assessment;
- It makes sense to convert the nearby former Royal High School building to a music school. - This site is subject to a separate planning application and therefore, not relevant to the determination of this application; and
- The plans have been consulted on widely throughout the immediate local community as well as the wider network of interest groups within the city. - Public engagement is an essential part of the planning application process and its results help to inform the finalised proposals. However, quality of the engagement process is not a material consideration in the assessment of the finalised proposals.

Other material comments - general

- Appropriate to acknowledge the stone context, advocating that a sample panel is erected on site before a final decision is taken - A sample panel has been erected on the site and taken into consideration in the determination of the application. A condition referencing this has been included.
- The origin of the single mature beech tree on the site is worthy of consideration if this is a remnant of the former garden landscape. - The Tree Survey identified this tree as having internal decay and needed to be removed. This is addressed in section 3.3k).

Conclusion

The proposed music and performing arts venue would make a valuable contribution to the city's cultural infrastructure and provide opportunities for its use by the wider community. The proposed development, which forms an important cultural strand within the City Deal, will contribute to Edinburgh's strategic aspirations in terms of culture, tourism and the economy. The location of a cultural, leisure and entertainment venue at this accessible city centre site, accords with LDP Policies Ret 1, Ret 7 and Del 2. The proposed use also complies with the relevant principles of the St James Quarter Development Brief.

The proposed venue contributes positively to the formal planned alignment of the First New Town by terminating the axial view along George Street, cleaning the backdrop to Dundas House and contributing towards the symmetry of the street. The development is, however, considered to have an adverse impact on the setting of Dundas House when seen from some of the public viewpoints within St Andrew Square. On the immediate approach to Dundas House, this effect will be noticeably diminished as a result of its set back position within the site. The height, scale and massing of the extension expands beyond Dundas House. However, it has been sensitively designed to reflect its immediate context and mitigate some of these impacts. It is considered that the proposed development does not comply fully with the provisions of LDP Policy Env 3 and Env 4 in terms of impact on the setting of Dundas House. However, in considering the provisions of the Development Plan as a whole and other material considerations, the positive support for other aims, objectives and policies outweighs this negative impact. The considerable benefits to the culture of the city and wider community, including the Old and New Towns of Edinburgh World Heritage Site off-set any adverse impact.

The proposal has been designed to minimise any potential negative impact on its neighbours and raises no issues in respect of privacy, outlook, noise and odour. It is accepted that the proposal will infringe LDP Policy Des 5a) with respect to levels of daylight and sunlight into the neighbouring tenement building and garden space. However, this is considered to be a minor infringement given the unique urban historic context, neighbouring property relationship and the proposed public/civic use. An infringement can be justified given the existing context and wider benefits of this case.

The proposed design of the building is based on a strong concept which draws upon the positive characteristics of the surrounding area. The design seeks not to compete with the historic and distinctive built features of the New Town but rather to complement and enhance them through a positive engagement with the architecture and urban morphology of its historic setting. The overall height and form create a subtle and positive addition to the skyline, appropriate for a civic building. Likewise, through its coordinated and high quality public realm design, it makes a significant contribution to the delivery of placemaking within the St James Quarter area, as defined in the Local Development Plan and St James Quarter Development Brief. The proposals comply fully with LDP Policy Des 1, Des 2 and Des 4.

There are no identified impacts on equalities or human rights and no material considerations that outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. Prior to commencement of works above ground, full details of the proposed external light fittings on the existing and proposed building elevations shall be submitted to and approved in writing by the Planning Authority, and shall be implemented on site, in accordance with the approved details.
2. The approved hard landscaping scheme shall be fully implemented prior to occupation of the new music venue or a suitable timescale agreed in writing with the Planning Authority.
3. The approved soft landscaping scheme shall be fully implemented within the first planting season of the occupation of the new music venue. Any trees or plants which, within a period of five years from the first planting, die, are removed, or become seriously damaged or diseased, shall be replaced with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme, as may be submitted to and approved in writing by the Planning Authority.
4. Prior to the commencement of construction works on site:
 - a) A site survey (including intrusive investigation where necessary) must be carried out and submitted and approved in writing by the Planning Authority. The purpose of the survey is to confirm whether 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 should be undertaken to bring the risks to an acceptable level in relation to the development; and
 - b) Where necessary, a detailed schedule of any remedial and /or protective measures, including their programming, must be submitted to and approved in writing by the Planning Authority.

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 to the satisfaction of the Planning Authority.

5. The proposed kitchen ventilation system shall be capable of achieving 30 air changes per hour, to ensure that no cooking odour escapes or is exhausted into any neighbouring sensitive premises, as detailed in approved drawing number 105, dated February 2019, all to the satisfaction of the Planning Authority.
6. The manufacturing technique of grit blasted and honed concrete, as detailed in the Design and Access Statement and the selection of stone aggregate, as illustrated by the sample panel seen on site on 28 March 2019 and illustrated in the document titled 'Concrete Sample Panels March 2019', shall be fully implemented. Any alteration to the colour of the concrete or aggregate shall be submitted and approved in writing by the Planning Authority.
7. Prior to occupation of the new music venue, the applicant must implement the continuous footway and dropped kerbs along the east side of St Andrew Square directly in front of the site, as identified in drawing 53A. This must be built to withstand HGV movements. The detailed design and construction details/specification shall be submitted to and approved in writing by the Planning Authority prior to any works being carried out.
8. Prior to commencement of above ground works, a detailed specification, including trade names where appropriate, of all the proposed external materials (including the public realm), except the proposed concrete, shall be submitted to and approved in writing by the Planning Authority before work is commenced on site. Samples of the materials may be required.
9. Prior to commencement of above ground works, full details and specification of the glazing and any coatings (including explanation of the impact of the glazing and coating on the visual effects that this creates in a worst case scenario condition when viewed from the viewpoints set out in the EIA Report), must be submitted to and approved in writing by the Planning Authority.
10. Prior to commencement of above ground works, full details of the Sustainable Urban Drainage System, including location, design and maintenance of the underground storage tanks, shall be submitted to, and approved in writing by the Planning Authority.
11. Prior to commencement of above ground works, demolition of the rear wall onto the Elder Street hammerhead must be implemented as per drawing 99A.
12. 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, excavation, analysis, reporting and publication & interpretation) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.

Reasons:-

1. In order to safeguard visual amenity.
2. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
3. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
4. To safeguard public safety.
5. In order to safeguard the amenity of neighbouring residents and other occupiers.
6. In order to safeguard the character of the conservation area.
7. In order to safeguard the interests of road safety.
8. In order to enable the planning authority to consider this/these matter/s in detail.
9. In order to understand the visual effects of reflectivity across the townscape
10. In order to enable the planning authority to consider this/these matter/s in detail.
11. In order to deliver the public routes through the site
12. In order to safeguard the interests of archaeological heritage.

Informatives

It should be noted that:

1. Consent shall not be issued until a suitable legal agreement has been concluded in relation to transport infrastructure:
 - Contribute the sum of £200,507 (based on the proposed 11,347sqm concert hall and existing 1,610sqm office use in Zone 1) to the Edinburgh Tram in line with the approved Tram Line Developer Contributions report.

The legal agreement should be concluded within 6 months of the date of this notice. If not concluded within that 6 month period, a report will be put to committee with a likely recommendation that the application be refused.

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

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.
4. 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.
5. This consent is for planning permission only. Work must not begin until other necessary consents, e.g. listed building consent, have been obtained.
6. The EIA Report has been taken into consideration in the making of this decision, as required under the Environmental Impact Assessment (Scotland) Regulations 2017.
7. Noise from new plant must not exceed NR25 within the nearest noise sensitive receptors, with windows slightly open for ventilation.
8. Music and occupational noise within the venue must not exceed NR15 within the nearest noise sensitive receptors, with windows slightly open for ventilation.
9. Any works affecting an adopted road 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
10. 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 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 2002 regulations or British Standard 8300:2009 as approved by the Head of Planning.
11. The applicant is aware of the potential impact of the proposed servicing arrangement on the Edinburgh Tram and the arrangement for the necessary permits and authority to work. Liaison with Edinburgh Tram will be required (see website <http://edinburghtrams.com/information/atw>).
12. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of a high quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities) and timetables for local public transport.
13. To minimise the level of construction noise to which sensitive receptors will be exposed, the construction work will be conducted in accordance with a Code of Construction Practice (CoCP). It should be noted the local authority has powers under the Control of Pollution Act (1974) to control noise from construction sites.

14. All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed.
15. The archaeological 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.
16. External light fittings on the existing building will require Listed Building Consent
17. Any proposed signage requires advertisement consent and depending on the location, may require Listed Building Consent.
18. All construction works shall be undertaken in accordance with the Construction Management Plan.

Financial impact

4.1 The financial impact has been assessed as follows:

The application is subject to a legal agreement for developer contributions.

Risk, Policy, compliance and governance impact

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

Equalities impact

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

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application. As part of the pre-application process, the proposal was also presented to the Edinburgh Urban Design Panel on 27 September 2017. The comments have been considered in the assessment of this application and are contained in full within Appendix 1.

8.2 Publicity summary of representations and Community Council comments

Neighbours were notified of the planning application on 10 September 2018 and the application was advertised on 14 September 2018, with 21 days allowed for comments. The application also appeared in the Weekly List on 11 September 2018. The EIA Report was advertised on 14 September 2018. Due to an administration and technical error, neighbours were notified of the EIA Report on 24 January 2019 and it was decided to re-advertise the EIA Report on 25 January 2019, with 30 days allowed for comments.

The proposals that formed scheme one received 12 letters of objections, 38 letters of support and one general/neutral comment. This included comments from the following amenity bodies:

- The Cockburn Association
- The Architectural Heritage Society of Scotland
- Edinburgh Access Panel

The New Town and Broughton Community Council were treated as a statutory consultee and provided a neutral representation. This is contained in Appendix 1.

All the interested parties who previously commented on scheme one were re-notified on 27 February 2019, with 14 days allowed for comments. An EIA Report Addendum for scheme two was also submitted and advertised on 1 March 2019, with 30 days allowed for comments. Four representations were received objecting to scheme two, plus an additional objection from a party who hadn't previously commented on scheme one.

All of the comments received have been considered in the assessment of the application. An assessment of these representations can be found in the main report in section 3.3n).

Background reading/external references

- 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 application site is shown to be within the City Centre as defined in the Edinburgh Local Development Plan (LDP).

Date registered

10 September 2018

Drawing numbers/Scheme

1,2,3A,4A,5,6,7A-17A,18-20,21A-28A,29,30A-40A,41-50,51A-56A,
57,58A,59A,60-66,67A,68A,69-71,72A,73,74,75A,76,77A-81A,82,
83A-87A,88,89A,90,91A,92A-95A,96,97,98A-102A,105-111,

Scheme 2

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Emma Fitzgerald, Senior Planning Officer

E-mail:emma.fitzgerald@edinburgh.gov.uk Tel:0131 529 3794

Links - Policies

Relevant Policies:

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.

World Heritage Site

The historic centre of Edinburgh, including the medieval Old Town and the Georgian New Town, was inscribed on the United Nations Education, Scientific and Cultural Organisation's (UNESCO's) List of World Heritage Sites in December, 1995. This represents international recognition that the Site is of outstanding universal value.

The organic plan form of the medieval Old Town and the clarity of the geometrically planned neo-classical New Town together with the outstanding historic buildings are fundamental characteristics of the World Heritage Site. All proposals affecting the plan form or historic buildings, including their setting, will be considered for their impact on their design integrity.

LDP Policy Del 1 (Developer Contributions and Infrastructure Delivery) identifies the circumstances in which developer contributions will be required.

LDP Policy Del 2 (City Centre) sets criteria for assessing development in the city centre.

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 2 (Co-ordinated Development) establishes a presumption against proposals which might compromise the effect development of adjacent land or the wider area.

LDP Policy Des 3 (Development Design - Incorporating and Enhancing Existing and Potential Features) supports development where it is demonstrated that existing and potential features have been incorporated into the design.

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 7 (Layout design) sets criteria for assessing layout design.

LDP Policy Des 8 (Public Realm and Landscape Design) sets criteria for assessing public realm and landscape design.

LDP Policy Des 11 (Tall Buildings - Skyline and Key Views) sets out criteria for assessing proposals for tall buildings.

LDP Policy Des 12 (Alterations and Extensions) sets criteria for assessing alterations and extensions to existing buildings.

LDP Policy Env 1 (World Heritage Site) protects the quality of the World Heritage Site and its setting.

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

LDP Policy Env 7 (Historic Gardens and Designed Landscapes) protects sites included in the national Inventory of Gardens and Designed Landscapes and other historic landscape features.

LDP Policy Env 8 (Protection of Important Remains) establishes a presumption against development that would adversely affect the site or setting of a Scheduled Ancient Monument or archaeological remains of national importance.

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 Env 22 (Pollution and Air, Water and Soil Quality) sets criteria for assessing the impact of development on air, water and soil quality.

LDP Policy Ret 1 (Town Centres First Policy) sets criteria for retail and other town centre uses following a town centre first sequential approach.

LDP Policy Ret 7 (Entertainment and Leisure Developments - Preferred Locations) identifies the City Centre, at Leith and Granton Waterfront and town centres as the preferred locations for entertainment and leisure developments.

LDP Policy Ret 11 (Food and Drink Establishments) sets criteria for assessing the change of use to a food and drink establishment.

LDP Policy Tra 1 (Location of Major Travel Generating Development) supports major development in the City Centre and sets criteria for assessing major travel generating development elsewhere.

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.

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.

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 Planning Permission 18/04657/FUL At 35 - 36 St Andrew Square, Edinburgh, EH2 2AD Erection of music and performing arts venue with licensed café/restaurant and bar facilities, and related arrangements for infrastructure, demolitions, and other works. (See Cover Letter for full statutory description) (amended).

Consultations

Edinburgh Urban Design Panel - 27/09/2017

1 Recommendations

1.1 The Panel was supportive of the principle of a music venue in this location and acknowledged that it represented an exciting opportunity to enhance activity and permeability in the surrounding public realm.

1.2 The Panel advised that the proposal's relationship to its special historic setting and its impact on important axial and oblique views, particularly the view of Dundas House from George Street, is critical and requires to be carefully considered. The Panel also agreed that a coherent, well designed and high quality public realm would be essential to the success of this development and its integration with the surrounding area.

1.3 In developing the proposals, the Panel suggests the following matters should be addressed:

- o Ensure that the development relates appropriately in position, scale, massing and design to the site's special historic character and key views;*
- o Develop a coherent, high quality public realm which enhances legibility through the site;*
- o Maximise barrier-free pedestrian permeability into and through the site and minimise conflict with service vehicles;*
- o Develop an architectural response which feels part of Edinburgh and can stand the test of time; and*
- o Incorporate security measures through early engagement with security advisors.*

2 Introduction

2.1 The site is located to the east of St Andrew Square, south of Multrees Walk and west of St James Centre. The site comprises of the A Listed Dundas House (36 St Andrew Square), its rear extension (circa 1960s) and car park. Dundas House is a three storey building of relatively modest scale and it contributes to the very high quality historic townscape of Edinburgh's New Town. It is positioned on axis with George Street where axial views are critical to its setting.

2.2 The site is located in the City Centre Retail Core and City Centre, as defined in the Edinburgh Local Development Plan (LDP). It also sits within the New Town Conservation Area and Edinburgh World Heritage Site. The site is located close to several listed buildings and structures. The site also sits in a number of key views as set out in the Edinburgh Design Guidance.

2.3 The site is also located within the St James Quarter Development Brief, where it identifies new opportunities for pedestrian permeability through the site.

2.4 One declaration of interest was made by Adam Wilkinson from Edinburgh World Heritage Trust (EWHT), who confirmed that he had met previously with the agents/developers regarding this proposal. This was not considered to be conflicted interest.

2.5 This report should be read in conjunction with the pre-meeting papers.

2.6 This report is the view of the Panel and is not attributable to any one individual. The report does not prejudice any of the organisations who are represented at the Panel forming a differing view about the proposals at a later stage.

3 Position, Scale, Massing and Design

3.1 The Panel welcomed the use of the model to demonstrate the proposal's potential scale and massing and agreed that its impact upon the site's special historic setting and key views, particularly the long view from George Street, was a critical consideration.

3.2 The Panel was concerned about the proposal's scale and massing particularly given the limited size of the site. The Panel recognised that the design concept is still at an early stage and may have an adverse impact on the character of the area and the amenity of adjacent buildings. The Panel agreed that further work is needed to ensure the proposal sits comfortably on the site.

3.3 The Panel discussed whether the proposal should be viewed as currently proposed in an asymmetric form from behind Dundas House, or whether the proposal should be visible at all above Dundas House when viewed from George Street. Dundas House is part of the 'set piece' of buildings along George Street and the proposal should not detract from this. The Panel suggested that one option could be that the proposal may be sunk down to minimise its visual impact. The Panel concluded that further assessment work was needed to explore how the development will impact on key views, particularly eye level views, and the setting of listed buildings, particularly Dundas House.

3.4 The Panel suggested that distant and unexpected views of the proposal should be explored including those from oblique angles.

3.5 The Panel was concerned that the positioning of the concert hall, studio and public foyer in separate blocks (albeit connected by access links), could result the site appearing fragmented. There is precedent for this in the character of the immediate area but the coherence of the buildings, public realm and links in-between will be critical. Further work is needed to ensure this is delivered. The Panel was also keen to see the site linking logically into adjacent sites.

3.6 The Panel was sceptical about the indicative classical coliseum-style architecture with arcade detailing for the concert hall as this style does not initially resonate with the character of the New Town. However, the Panel was not averse to a contemporary response with a take on classical architecture so long as it is respectful to the site and its context. The Panel confirmed that the detailing and materials will be critical to achieving this aim.

3.7 The Panel felt that the link building could be better concealed as this looked to clash with the rest of the proposal and Dundas House.

3.8 The Panel agreed that lighting of the buildings and their setting would be an important consideration.

3.9 The Panel advised that sandstone should be used if masonry is proposed and glazing would help to lighten the built form.

3.10 The Panel wishes to see a robust design which can stand the test of time.

4 Public Realm

4.1 The Panel strongly emphasised that the discovery of the development as a 'jewel' from the surrounding lanes should be enhanced by a coherent and high quality public realm which links seamlessly (physically and visually) to its context.

4.2 The Panel was supportive of the increased activity that would be created from the proposal and encouraged the use of ground floors to maximise this. The Panel advised that the public realm should create an engaging setting for the surrounding buildings.

4.3 The Panel considered that the built form could come out of a beautiful 'carpet' of materials set out in the public realm. The Panel stated that the use of simple, elegant and high quality materials will be key to creating a coherent, welcoming and active public realm. Careful use of hard and soft materials will also be critical.

4.4 The serviceability of the site needs to be carefully considered and the Panel was supportive of using an underused unit space within Multrees Walk as a service area for the development to separate service vehicles from the pedestrian environment.

4.5 The Panel noted that public and private spaces should be appropriately delineated.

4.6 The Panel emphasised the importance of maintaining the 'set piece' of Dundas House, railings and gates, and noted its significant contribution to the proposal's setting therefore cautioned against any substantive changes.

5 Permeability

5.1 The Panel was supportive of the aim to increase pedestrian permeability into and through the site. The Panel stated that links should be barrier-free and accessible for all users. The Panel stated that the emphasis should be placed on routes through rather than buildings across.

5.2 The Panel suggested that the space under the linked overhead walkway between the concert hall and ancillary buildings could be enlarged, creating strong views into the site and encouraging pedestrian use.

6 Use

6.1 The Panel was supportive of the use of the site for a music venue and suggested that further links could be made with University of Edinburgh's School of Music.

6.2 The Panel was concerned that the proposal may displace existing residents if it impacts negatively on the amenity of neighbouring housing. This needs to be carefully considered.

7 Security

7.1 The Panel advised that early discussions with security advisors should be held to build in any counter-terrorism elements to the proposal.

7.2 The Panel stated that a good security strategy including requirements for lighting/CCTV/passive surveillance should be built into the proposals at an early stage.

Archaeology - response dated 22/10/2018

Further to your consultation request I would like to make the following comments and recommendations concerning these linked FUL + LBC applications for the erection of music and performing arts venue with licensed café/restaurant and bar facilities, and related arrangements for infrastructure, demolitions, and other works.

The site occurs within the former gardens and curtilage of the A-listed RBS HQ (Dundas House, 36 St Andrew Square). Originally designed by Sir William Chambers this building was constructed in 1771 for Sir Laurence Dundas, becoming the HQ for the RBS in 1825. The site has seen several extensions since the mid- 19th century, most notably the construction of the banking hall & library wing (by Peddie and Kinnear) in 1858 and the 1960's rear extension and carparking. Located at the heart of James Craig's Georgian New Town the site is also surrounded by a number of A & B listed buildings including New Register House, 2425 James Craig Walk, 37-39 St Andrew Square & 27-31 James Craig Walk

As such this site and it's listed buildings are recognised as one of the key elements within the New Town section of Edinburgh's UNESCO World Heritage Site. Accordingly, this application must be considered therefore under terms the Scottish Government Historic Environment Policy (SHEP), Scottish Planning Policy (SPP), PAN 02/2011 and also Edinburgh Local Plan (2016) policy ENV1, ENV3, ENV4, ENV8 & ENV9.

Historic Buildings

The removal of the 20th century additions to Dundas House will it sin agreed have a beneficial impact upon the setting both of this A-listed Georgian Mansion and also its immediate setting. That said the scale of the proposed new Arts Venue must be considered as having an immediate significant adverse impact as it will be seen overlooking Dundas House from several key view points along George Street. Not only will it have significant impacts upon the immediate setting of this building, but it must also be considered to have similar impacts upon the adjacent listed buildings on James Craig Walk and also New Register House. That said although adverse, in archaeological terms such impacts are regarded as being moderate low, given the Urban context.

In terms of physical impacts, the proposals will require the demolition of several 20th century buildings, a section of the listed (A) boundary wall and works to both 36 & 35 George Square. Having assessed these impacts it is considered that these works are acceptable having an overall low significant impact in archaeological terms. That said it is recommended that a programme of archaeological historic building recording (annotated plans, photo and written description) is undertaken of the modern buildings and rear wall prior to their demolition in order to provide a permanent record of these buildings due to their overall contribution to the history of the sites development. In addition, it is recommended that a programme of historic building recording is undertaken during works to No 36 George Square during any downtakings/alterations which could reveal evidence for the development of the Banking Hall and Georgian Mansion.

Buried Archaeology

The proposals will require significant ground-breaking works, principally in regards proposed demolition of the 20th century buildings on the site and the construction of the new Arts Venue. Such works have the potential to disturb archaeological remains relating to the construction and development of Dundas House. The potential for earlier remains surviving on site is however considered to be low. Nevertheless, it is recommended in addition/alongside the recommended historic building recording, that programme of archaeological work is undertaken during ground breaking works, in order to record, excavate and analyse any significant remains affected.

In consented it is essential therefore that a condition be applied to any consent if granted to secure this programme of archaeological works based upon the following CEC condition;

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

Culture Service - response dated 25/02/2019

1. Context

The proposed new mid-scale music venue for the capital represents an ambitious and exciting development in the City's cultural infrastructure, and, for music, the biggest capital intervention in over a century since the construction of the Usher Hall.

For over 2 decades the need for a high quality mid-scale music venue has been voiced by many people and organisations, resulting in recommendations for such in a range of reports:

the 2006 CEC Review of Music Provision, the 2009 Cultural Venues Study and the 2015 Thundering Hooves Study. It is an infrastructural gap where Edinburgh falls behind in comparison to other cities - nationally and internationally. The significant capital investments achieved to date evidences support from all levels of government from local to UK and forms an important cultural strand in the ESESCR Deal.

Its ambitions across the spectrum - design, artistic programme, community and educational engagement, acoustic and user facilities - will make it a destination venue for the country.

2. Cultural Impact

The ambitions of the proposed design offer a wide range of opportunities not only to strengthen existing music provision in the city for artists and audiences, but also new opportunities to develop international mid-scale music touring from artists and visitors. It will provide a world class home for the Scottish Chamber Orchestra (SCO) for performance, rehearsal, recording and outreach/community activity. This is a significant point given that Scotland's other four national performing companies have had their capital ambitions realised. A new home for the SCO would complete this process and provide a national base for Edinburgh's only national performing company.

Through a close working partnership with the Edinburgh International Festival (EIF), it will provide a world class venue for supporting and developing the Festival's artistic and audience development ambitions. An agreement between the Scottish Government, the City of Edinburgh Council and the 11 major Edinburgh Festivals to invest a £1 million each year for the next five years has also been reached. This will enable the festivals to develop their programming and content, skills sharing and development and deep and wide engagement and the new venue would be a complement to those investments.

Equally, the year round cultural infrastructure is a critical element in enabling the festivals to thrive. The capital investment in the IMPACT Scotland proposal therefore reflects the interdependence between renewing cultural content as well as infrastructure, only this twin approach will avoid eroding Edinburgh's status as the pre-eminent cultural 'Festival City'.

The IMPACT Centre has also established early relationships with other music and performing arts companies who would use the venue for performance and rehearsal (the National Youth Choir of Scotland (NYCOS), Red Note Ensemble, Celtic Connections, BBC Scottish Symphony Orchestra) as well as identifying community engagement projects with the SCO (e.g. enhancing the Music For Life programme) which will add strength to the cultural offer from the start and extend access to the world class facility.

Having a physical venue and facilities associated with community and education will also be transformative, with proposals for a recording studio and digital technologies built in to the finished design, and full-time education officer identified within the staff structure. The business case highlights that the Centre will develop opportunities with range of city region deal and other partners to achieve a diverse audience and participant base for using the venue - at free or minimal cost. A good comparator would be the enhanced facilities at the Glasgow Royal Concert Hall which has allowed the other national orchestra, the Royal Scottish National Orchestra, to significantly enhance and expand its outreach and engagement programme to deliver musical opportunities for all ages and backgrounds. The project is also aligned with the Inclusive Growth within the framework of the City Deal PMO, identifying with 2 themes - a significant programme of construction and social benefit through innovation.

In recent years other cities have extended and improved their infrastructure for live music with major developments to support a range of music genres - Glasgow (City Halls, CCA, Royal Concert Hall expansion), the Sage Centre in Gateshead, London (major investment to South Bank Centre, King's Place, among a plethora of other expanding venues), Bristol (St George's, Colston Hall), the Millennium Centre in Cardiff to name a few. It is interesting to note that concert hall construction across the globe has grown dramatically with most cities investing in world class architecturally landmark venues, whilst Edinburgh has seen no new development for 100 years beyond the refurbishment of the Usher Hall.

A successful live music environment works on a number of levels - locally it is important to have a competitive and complimentary range of venue spaces from small to large scale which enable a range of activity to take place across different scale and styles. In comparison to many cities, Edinburgh lacks a number of key facilities at present - an arena for the larger scale, a mid-scale rock and pop venue since the demise of The Picturehouse (a role that it is hoped Leith Theatre will be able to fulfil) and a high quality mid-scale contemporary venue which plays an active role in curating content. The latter role would be fulfilled by The Impact Centre which presents an outline business case for programming and renting the venue for a diverse range of music styles - jazz, world, folk, acoustic rock and pop and traditional.

Nationally and internationally, the music industry revolves around recording and distribution, either through recorded content (streaming, records/CDs, etc) and touring. Edinburgh currently misses out on a number of mid-scale music tours due to the lack of an active, curating mid-scale venue as well as the high quality performing environment required by artists and promoters. As outlined in the previous paragraph, the IMPACT Centre's business plan aims to offer a dynamic performance space in the heart of the city.

It is acknowledged that there will be an issue around displacement of activity with the IMPACT Centre. With a capacity of 1,000 plus a smaller 200 seat performance space, it will occupy a position as the city's pre-eminent mid-scale space, and as will divert some performance activity away from venues such as the Usher Hall and Queen's Hall. Both of these venues host performance, rehearsal and recording activity by the Scottish Chamber Orchestra which would all move to the IMPACT Centre. It is anticipated the Queen's Hall would experience the most impact due to the similar capacity levels, and the Queen's Hall currently generates revenues from being the principal box office for the Scottish Chamber Orchestra which would move to the IMPACT Centre along with other Queen's Hall performance events. Some smaller Usher Hall artists and events could also migrate to the IMPACT Centre, dependent on audience expectancies and market conditions.

To mitigate this and ensure a strategic and co-ordinated approach to the future programming of key music venues in the city, the City of Edinburgh Council will chair a working group including representatives from IMPACT Scotland, the Queen's Hall, Leith Theatre and the Usher Hall. The working group will ensure a balanced and co-ordinated diary of events is planned and marketed for the city.

To balance this it is recognised that the IMPACT Centre has the potential to offer a net gain to the city for artistic performance and audience attendance. The Queen's Hall has identified future artistic opportunities across a diverse range of music genres as well as capital ambitions of its own, and would benefit from the diary space left by rehearsal bookings by the Scottish Chamber Orchestra. Similarly the Usher Hall can make use of the days left by recordings and rehearsals with demand for diary dates from promoters at a high. The existing venues also welcome the competition and dynamism that the IMPACT Centre offers in building and enhancing Edinburgh's reputation as a great city for live music. With other potential projects on the horizon such as Leith Theatre and the redevelopment of the Ross Bandstand, Edinburgh can look forward to a brighter environment for live music.

3. Summary

The IMPACT Centre proposal is fully endorsed by the Culture Service within the City of Edinburgh Council. It forms an important cultural strand within the ESESCR deal, unlocking £25 million of strategic match funding from all levels of government and has significant financial backing and under-pinning from a private philanthropic donor. It will form an important strategic development in the city's cultural infrastructure - the first major new venue in over a century - and create a vital stimulus for live music, musicians and audiences. It will enhance the year round and festival offer in a landmark architectural venue, attracting new and existing audiences as active participants and consumers and set a new and exciting standard for the next 100 years.

Edinburgh Access Panel - response dated 30/09/2018

1- The Panel was pleased to see that in the concert hall a number of wheelchair spaces on most levels was proposed, and that accessible WCs were indicated at those levels.

However, seating spaces were all at end-of-row locations. From the drawings it was not possible to see how this was to be achieved, but best practice, which we would hope was the aim, is to allow wheelchair users the opportunity to have companions sit alongside them. This is best achieved by separating the wheelchair positions by two conventional seats, which will give a companion the choice of the best communication aspect with regards to the wheelchair user. We have assumed that the accessible spaces are on a designated platform which will allow some flexibility regarding the relative position of wheelchairs and companion seats.

No wheelchair places were indicated on the 4th (top) level. Assuming that these would be the cheapest seats, we would hope that the management would permit wheelchair users to get a discounted ticket for the next lower level, or create spaces on the top level.

2- The Panel noted that two accessible parking spaces were available at the front of Dundas House. Given that there are 12 wheelchair spaces available in the concert hall, and ambulatory blue-badge visitors particularly would appreciate a shorter walk from car to lifts, we think that additional designated parking provision would be desirable.

3- We were surprised to see no toilet facilities at ground floor (Foyer/Event space level), though one accessible WC is indicated outwith the space at the north end.

4- Backstage: The panel believes that it is very important that full facilities are available for disable performers and administrators as well as the audience. We make the following comments -

1st floor (green room) level; we'd like to see one of the large WCs changed to an accessible WC, with outward opening door.

The Principal's room next to the green room seems to be an accessible WC/shower, and should have an outward opening door.

2nd floor level; The allocated accessible WC in the toilet 'suite' should have an outward opening door.

THE PANEL WOULD BE HAPPY TO DISCUSS THESE COMMENTS WITH EITHER THE CASE OFFICER AND/OR THE ARCHITECTS.

Environmental Protection - response dated 08/03/2019

Environmental Protection has no objection to the application subject to the following conditions:

1. Prior to the commencement of construction works on site:

(a) A site survey (including intrusive investigation where necessary) must be carried out to establish to the satisfaction of the Head of Planning, 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 remedial and /or protective measures, including their programming, must be submitted to and approved in writing by the Head of Planning.

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 to the satisfaction of the Head of Planning.

2. The proposed kitchen ventilation system shall be capable of achieving 30 air changes per hour, to ensure that no cooking odour escape or are exhausted into any neighbouring sensitive premises, as detailed in approved drawing 121_54, dated February 2019, all to the satisfaction of the Head of Planning and Building Standards.

The proposal looks to demolish an office block structurally attached to Dundas House, 36 St Andrew Square, and replace this with a performing arts venue, including a 1,000-seat concert hall together with a 200-seat studio.

Environmental Protection had concerns regarding noise from this proposal affecting nearby sensitive receptors, particularly those at St James Square.

A Noise Impact Assessment by ARUP (ref 255853-60/H04-r1), dated February 2019 has been submitted on behalf of the applicant to address our concerns, demonstrating that the design of the building will meet our expected standards for protecting the amenity of nearby residents in terms of music, operational, and plant noise from the premises. It is acknowledged by ARUP that crowd behaviour is difficult to accurately model. It is also difficult to control via the planning process. However, ARUP have provided predictions of likely crowd movement and noise levels generated by entrance and egress from the venue, demonstrating minimal impact on the amenity of nearby residents.

Should all aspects of the design as proposed and commented upon in the ARUP Noise Impact Assessment be implemented, it is unlikely there will be significant impact on the residential amenity of nearby sensitive receptors in relation to noise.

Transport - response dated 18/03/2019

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

- 1. The applicant will be required to contribute the net sum of £200,507 (based on proposed 11,347m² concert hall and existing 1610m² office use in Zone 1) to the Edinburgh Tram in line with the approved Tram Line Developer Contributions report. The sum to be indexed as appropriate and the use period to be 10 years from date of payment (see Note b);*
- 2. The applicant will be required to upgrade the existing footway on east side of St Andrew Square to a continuous footway/pedestrian priority footway; with dropped kerbs at both vehicular access points designed and built to withstand HGV movements. The detailed design and construction details/specification is subject to the Council's Locality approval;*
- 3. Lighting to be provided within the proposed site boundary to ensure safety at night.*
- 4. The applicant is aware of the potential impact of the proposed servicing arrangement on the Edinburgh Tram and the arrangement for the necessary permits and authority to work. Liaison with Edinburgh tram will be required (see website <http://edinburghtrams.com/information/atw>)*

5. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport;

6. Any works affecting an adopted road must be carried out under permit and in accordance with the specifications. See Road Occupation Permits www.edinburgh.gov.uk/downloads/file/1263/apply_for_permission_to_create_or_alter_a_driveway_or_other_access_point;

Notes:

a) The submitted transport statement in support of the planning application for a thousand capacity concert hall generally satisfies the requirement of transport statement. The application site is in the city centre and the applicant has demonstrated that the existing and proposed transport infrastructure improvement will be able to accommodate the impacts of the proposed development. Trips for typical weekday evening performance at the venue fall out of PM peak hour period with arrival and departure 17:45-20:00 and 21:15-22:00 respectively.

The applicant has by Fruin LoS analysis (number of pedestrian/metre/minute) justify that the available footway within the proposed site boundary will be able to accommodate the anticipated 15minute peak hour level of pedestrian flow density at departure time period after a typical weekday event. The resulting value of 850 persons at 15 minute peak of the peak hour departure time period with a footway width 2m wide and clearance 0.6m for the venue was estimated to be 36.4 persons/m/minute which corresponds to C LoS (Restricted ability to select normal walking speed and freely pass others; high probability of conflict where crossing movements and counter-flows exist; conflict avoidance requires frequent adjustment of walking speed and direction; flows are reasonably fluid, however considerable friction and interaction between pedestrians is likely to occur). The available footway within the proposed site boundary designed as a shared surface varies in width; with some areas more than 2m wide; hence better pedestrian movement than predicted.

The transport statement submitted expected most trips to the proposed development to be mainly sustainable transport. The proposed development is within 500m to public transport halt/stops/station (tram, buses and rail). It is within 5 minutes walking distance to the tram halt and bus stops on the major streets of the city centre mainly Princes Street, York Place and St Andrews Square. The site is therefore very well served by public transport.

Three main accesses to the proposed development have been identified namely; Elder Street to the east, St Andrew Square via forecourt of Dundas House to the west; and Register Place to the south. Safe service management strategy through risk assessment will be implemented by the applicant to ensure safe movement of vehicles on public circulation areas (St Andrew Square, Multrees Walk and St James Centre). Applicant proposes Banksmen during service by HGVs to ensure pedestrian safety on affected streets. This is considered a suitable solution due to the frequency of service vehicles as detailed in item g below.

b) Existing 1610m² office use tram contribution in Zone 1 = £147,920; proposed 11,347m² music hall in Zone 1 = £348,427; Net tram contribution in Zone = £200,507.

c) *The existing office development has 95 parking spaces. Current Council parking standards could permit up to 42 car parking spaces. The proposed zero parking is considered acceptable due to the city centre location and public transport availability and delivers a better place.*

d) *It is noted that there is a public car park as part of the St James development and this would be available for all uses with the wider area.*

e) *The proposed 36 cycle parking spaces exceed the required 20 spaces by the Council's 2017 parking standards (12 secure spaces within the building for employees and 24 spaces outside the proposed development for visitors).*

a) *Disabled drop-off and pick-up point from St Andrew Square providing direct and level access to the main entrances of the new venue. Access is managed by a controlled vehicular bollard at the entry gate of the forecourt. The bollards are further inside the courtyard to allow disabled car user/service vehicle to wait without blocking St Andrew Square footway.*

b) *Existing footway within the site boundary to be upgraded to stone paving and built to full carriageway construction to accommodate a range of service vehicles and footway delineated.*

c) *The applicant has demonstrated by swept path analysis to service the proposed concert hall from Elder Street with a service frequency of 2 HGVs per day with occasional service by van. Service frequency of artic lorry is 2 per year and will be undertaken from St Andrew Square via the forecourt of Dundas House (inbound on forward gear and outbound reversing within the private forecourt and forward gear). Refuse collection per existing RBS arrangement 2 per week.*

d) *The applicant explored a number of underground service options namely; using the existing underground service infrastructure with additional tunnel, servicing via Edinburgh St James service yard and servicing via Multrees Walk service yard. While these studies proved by means of swept path analysis, that vehicular access underground would be feasible none of the potential options proved to be operationally viable due to the following;*

- o Significant cost implication*

- o Unlimited right of way*

- o Land acquisition required*

- o Extensive underground works*

- o Conflict with other service arrangements*

- o Operational agreements required with both St James, Multrees Walk and Harvey Nichols.*

Flood Planning - response dated 17/10/2018

I have reviewed the DIA and FRA provided by Julian for the concert hall development in St Andrew's square. I am satisfied that the contents address CEC requirements therefore we are happy for this to proceed to determination with no further comment from Flood Prevention.

Historic Environment Scotland - response dated 15/01/2019

Thank you for your consultations which we received on 13 September 2018. We have considered them in our role as a consultee under the terms of the above regulations.

In relation to both the planning application and the EIA consultation, our remit is World Heritage Sites, scheduled monuments and their setting, category A-listed buildings and their setting, and gardens and designed landscapes (GDLs) and battlefields in their respective inventories. We have a separate remit regarding listed building consent, concerning works to Category A and B listed buildings, demolition, and applications by planning authorities.

For this reason, we have separated our advice into three sections, one under each set of regulations. As there are two listed building consent consultations, we have stated our position separately for each.

You should also seek advice from your archaeology and conservation service for matters including unscheduled archaeology and category B and C-listed buildings.

Our Advice

Listed building consent

18/07127/LBC

We are content that these proposals for the rear garden of 35 St Andrew Square would not have a significant adverse impact on the special architectural and historic interest of the building. We therefore have no detailed comments on this application.

18/07730/LBC

We are content that the proposed demolitions, alterations and extension to Dundas House would not significantly diminish the special architectural and historic interest of the building. However, we consider there would be a significant impact on the setting of the building, which we have commented on under the associated application for planning permission below.

Our detailed comments on this LBC application are given in Annex 1 of this letter.

Planning application 18/04657/FUL

We consider that there would be a significant adverse impact on the setting of the Category A listed Dundas House, affecting some, but not all, key views of the building. We therefore advise that this should be taken into account in the decision making process. However, we are content that this impact would not significantly affect the special interest of the building, and does not raise issues of national interest for our remit. We therefore do not object to the planning application.

Our detailed comments on the planning application are given in Annex 2 of this letter.

Environmental Impact Assessment

We are content that sufficient information has been provided to come to a view on the planning application. We are content with the scope of the assessment and its methodology.

We have comments on the assessment itself and its conclusions. These are given in Annex 3 of this letter.

Further Information

Planning authorities are expected to treat our comments as a material consideration, and this advice should be taken into account in your decision making. Our view is that the proposals do not raise historic environment issues in the national interest for our historic environment remit, and therefore we do not object.

Our decision not to object should not be taken as our support for the proposals. The applications should be determined in accordance with national and local policy on development affecting the historic environment, together with related policy guidance.

This response applies to the applications currently proposed. An amended scheme may require another consultation with us.

Guidance about national policy can be found in our 'Managing Change in the Historic Environment' series available online. Technical advice is available through our Technical Conservation website.

Historic Environment Scotland

ANNEX 1 Listed building consents

Your Council has consulted us in relation to works to two Category A listed buildings, which include the potential impacts on their setting. However, we have concentrated on assessing the impact on setting through the planning application process in Annex 2.

Our Managing Change guidance note on Extensions is a relevant consideration in assessing this application. In this instance, however, the guidance which it can offer is necessarily limited, as the most significant impacts of the proposed development relate to the setting of Dundas House. Although the application involves the extension of Dundas House, due to the depth, visibility and accessibility of the site, we consider the proposals would appear, like the rising St James hotel complex behind, to be part of the 'backdrop' of an urban townscape.

Our specific policy consideration in assessing applications for LBC is given in the Historic Environment Policy Statement at 3.47. This paragraph relates to alterations which would have an adverse impact on the special interest of the listed building.

18/07127/LBC - Application for listed building consent for associated proposed works, including demolitions, new boundary treatment and public realm (35 St Andrew Square)

We are content that these proposals for the rear garden of 35 St Andrew Square would not have a significant adverse impact on the special architectural and historic interest of the building. We therefore have no detailed comments on this application.

18/07730/LBC - Application for listed building consent for proposed demolitions, alterations, and extension (Dundas House, 36 St Andrew Square)

Demolition

The proposed demolition works primarily involve the 1960s office block by Glasgow architects Gratton & McLean. We do not consider that this block contributes to the special interest of Dundas House, and therefore do not object to its demolition. We are also satisfied that the other proposed demolitions, or removals, relating to secondary areas to the rear of Dundas House, would similarly result in no significant loss to the special interest of the listed building.

Extension

The extension, to form the proposed new music venue, is planned to connect with the rear facade of the banking hall, itself a mid C19th extension to the original Dundas House. In contrast to the relatively concealed 1960s block it would replace, the new structure would rise tall above the listed building, and expand beyond it to the rear on both north and south sides.

Our Managing Change guidance note on Extensions states that extensions should ordinarily be subordinate in both scale and form. In this sense, the proposals would be contrary to the advice offered by this guidance. However, as above, in this instance we consider that the key impact of the proposed development would be on the setting of Dundas House. We have assessed this impact as part of our advice on the planning application, with reference to our relevant Managing Change guidance on Setting. (See Annex 2)

Alterations

These comprise alterations and remedial works, mainly to external elevations of lesser significance to the rear (east) of Dundas House due to the demolitions and new build. Existing stonework would be made good, and there would be a general tidying up of rainwater goods, cabling and other pipework. A large section of the existing rear elevation stonework would be exposed internally as a feature of the foyer for the new music venue.

The works involve various works to the building including covering over lightwells and infilling redundant door and window openings, with a few new openings. These works, and the internal alterations to Dundas House, we consider to be relatively minor, affecting areas of lesser significance. Two exceptions are the proposed doorway link between the banking hall and music venue and the Banking Hall cash cage.

A key element of the overall scheme is to provide an internal double-door access link between Dundas House and the new music venue. While we are satisfied that this new doorway would be sympathetic to the fine interior quality of the banking hall, we suggest that the glazed panels for the banking hall doors be obscured to conceal the contemporary metal doors on the music venue side, or at any rate that this important element (ie, where new meets old) be conditioned.

The submitted ground floor plan shows some alterations to an existing cash point structure within the banking hall. No interior elevation/section drawings or images appear to be submitted to show how these alterations may affect the special character of the exceptionally important banking hall. Clarity on this point should be obtained. Externally, the proposed tall boiler flue at rear roof level, at the north east corner, would detract from the appearance of the roof, and a more concealed or mitigated solution would be preferable.

We are pleased to note that there are no proposals to alter the 19th century ornamental cast-iron-railed screen enclosing the front forecourt on St Andrew Square, an important feature of the category A listing. We would urge that the current proposals to include a large service vehicle access be appropriately managed, under the application for planning permission, to ensure there would be no disturbance to the gatepiers, gates, railings, and lamp standards.

Conclusion

We are broadly content that the proposed direct physical interventions under 18/07730/LBC would not unduly diminish the building's special architectural and historic interest. However, as explained in Annex 2, we consider that the proposed extension would have an adverse impact on the setting of Dundas House, affecting some key views of the building.

We have therefore assessed the impacts in light of the policy considerations at paragraph 3.47a-d of HESPS, which concerns adverse impacts to the special interest of a listed building. In this instance, considerations b and d of this policy are relevant. Overall, on balance, we are content that the scale of the impact (3.47b.) on the listed building would not significantly harm its special interest. Therefore, we do not object to the listed building consent application.

We also note that the wider community benefits of the proposals (3.47d) may also be a consideration in decision making.

Historic Environment Scotland - response dated 25/01/2019

Thank you for your consultation which we received on 24 January 2019. We have considered it and its accompanying EIA Report in our role as a consultee under the terms of the above regulations.

We understand that this consultation relates solely to the EIA regulations. We note that this consultation is to advise that the 2011 EIA regulations were quoted on your previous consultation letter, dated 13 September 2018.

Our Advice

We are content that our advice on this application and its accompanying environmental assessment, given in our letter dated 15 January 2019, is unaffected by this alteration. Our advice was given in reference to the 2017 EIA regulations, as quoted in our letter. We therefore have no additional or altered advice to offer at this stage, and our position remains as previously presented.

Planning authorities are expected to treat our comments as a material consideration, and this advice should be taken into account in your decision making. Our view is that the proposals do not raise historic environment issues of national significance and therefore we do not object.

Our decision not to object should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on development affecting the historic environment, together with related policy guidance.

This response applies to the application currently proposed. An amended scheme may require another consultation with us.

Guidance about national policy can be found in our 'Managing Change in the Historic Environment' series available online. Technical advice is available through our Technical Conservation website.

Historic Environment Scotland - response dated 12/03/2019

Thank you for your re-consultations which we received on 27 February 2019.

Our comments below relate specifically to the design amendments, subject of your re-consultations, and should be taken into account together with our existing main response letter to these applications, dated 15 January 2019. Overall, we are satisfied that the amendments do not raise significant new issues for our interests, and that our position on the proposed development therefore remains the same.

Listed building consent applications

18/07127/LBC

o As you will be aware from our main response letter of 15 January 2019, we are content that the proposals for the rear garden of 35 St Andrew Square would not have a significant adverse impact on the special architectural and historic interest of the building. We note the revisions, including deletion of the previously proposed retractable marker posts for the historic rear garden boundary line of 35 St Andrew Square, now proposed to be delineated by contrasting surface treatment as part of the wider public realm and landscape treatment for the development. We have no detailed comments to make on this revision.

18/07730/LBC

o We are satisfied that the design revisions for the proposed music venue, including refinement of façade detailing/materials and crown parapet, do not raise new issues for us regarding the overall impact on the category A listed Dundas House. These revisions are mainly set out in the submitted revised Design and Access statement, chapter 16. Please also see our comments on the planning application below.

o We are also pleased to note the revised proposals and additional information for Dundas House itself: to delete the previously proposed tall boiler flue; add opaque glazed panels for the banking hall new interior doors; and clarification of works to the existing cash point enclosure. These address the detailed comments we made on these specific proposals in our letter of 15 January.

Planning application

18/04657/FUL

o We note that there is no change to the proposed new building in terms of its scale, height, mass, and site positioning. As the revisions relate mainly to the above mentioned refinement of the façade detailing/materials and crown parapet we are content that the changes do not raise significant new issues for our interests, including potential impact on the A listed Dundas House and its setting; the setting of other neighbouring A listed buildings; and the World Heritage Site.

o *We acknowledge the intention to further the mitigation of impacts through refinement of materials and creation of a simpler, more cohesive, backdrop to Dundas House. To assist with further consideration of this, we understand that arrangements are being made for the review of material samples on site, including mock up panels for the proposed honed and grit blasted precast concrete for the façades. We suggest that this includes sample panels positioned to the front of the site to allow comparison with Dundas House in close-up views from St Andrew Square.*

o *We have no more detailed comments to make on the planning application, and our advice remains as previously stated*

Environmental Impact Assessment

o *We note that no further assessment of impacts on our interests has been provided in the EIA Addendum. We therefore have no further advice to offer on this. We refer you to our previous response for our comments on the assessment and its methodology.*

Planning authorities are expected to treat our comments as a material consideration, and this advice should be taken into account in your decision-making. Our view is that the proposals do not raise historic environment issues of national significance and therefore we do not object.

Our decision not to object should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on development affecting the historic environment, together with related policy guidance.

Further Information

This response applies to the application currently proposed. An amended scheme may require another consultation with us.

Guidance about national policy can be found in our 'Managing Change in the Historic Environment' series available online

Technical advice is available through our Technical Conservation website.

SEPA - response dated 11/10/2018

We have no objection to this planning application. Please note the advice provided below.

Regulatory advice for the applicant

1. Regulatory requirements

Details of regulatory requirements and good practice advice for the applicant can be found on the Regulations section of our website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the regulatory services team in your local SEPA office.

SEPA - response dated 07/02/2019

We have no objection to this planning application. Please note the advice provided below.

Regulatory advice for the applicant

1. *Regulatory requirements*

Details of regulatory requirements and good practice advice for the applicant can be found on the Regulations section of our website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the regulatory services team in your local SEPA office.

SEPA - response dated 12/03/2019

We have no objection to this planning application. Please note the advice provided below.

Regulatory advice for the applicant

1. *Regulatory requirements*

Details of regulatory requirements and good practice advice for the applicant can be found on the Regulations section of our website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the regulatory services team in your local SEPA office.

New Town and Broughton Community Council - response dated 25/10/2018

We are very grateful for the extension proposed for the New Town & Broughton Community Council to allow NTBCC to reflect the views of the community council and wider community to this important application.

We would want to firstly acknowledge the level of engagement extended by members of the development team with community council members and other local residents during the extended consultation process. Broadly, we expressed support for the approach taken during this consultation of initially setting the context of the proposal and exploring the wider public's thoughts on the key aspects that were important to them, and then using the feedback obtained to develop more specific design details covering the style, footprint, massing and height of the new building. We would, however, note that the initial Design Brief as set by the IMPACT team to achieve their goals has resulted in a significant challenge as to the facilities to be accommodated on this constrained site; requiring both an innovative approach to be taken as well as some compromise to the wider setting including the proximity to the residential tenement to the east. NTBCC would have preferred a slightly less tall main auditorium but we fully understand that is not possible with the proposed brief, and the "normal" option of reducing a residential or office building by one storey is not feasible.

The approach taken by the architects is innovative and achieves high levels of permeability for pedestrians through and/or around the building providing a real enhancement to this area.

Several members of the NTBCC attended the various Public Consultations (either at the Preview session or the later public sessions). Although some NTBCC members had already completed the Questionnaire - expressing their personal views on what they saw - we agreed to provide a broader consensus of views from within the community as far as we are able to gauge at this time. Hence, we responded to the Pre-Application consultation (17/04797/PAN) summarising our collective thoughts in November 2017; which we were happy to see included in the Pre-Application Consultation report lodged with the above application.

Furthermore, NTBCC were appreciative of the presentation by David Chipperfield Architects and others from the IMPACT team on the near-final proposals at the NTBCC meeting in June 2018.

We fully acknowledge and welcome the significant efforts of the developers to consult with a wide variety of stakeholders, including importantly residents, throughout the development of the final design for this project. We were also encouraged by the fact that the detailed presentation boards used at these consultations was available on the ImpactScotland.org.uk website. We would further note that the design evolution has reflected many of the comments generated by this extensive consultation.

We also welcomed the early engagement with the Edinburgh Urban Design Panel and note their conclusions.

*1. Support for a new international music and performance venue in central Edinburgh
NTBCC are clear in stating their full support for the principle to develop a world-class purpose-built concert hall / performance venue in this part of the city centre. The facility as envisaged will be a welcome addition to performance spaces across Edinburgh, offering a mix of classical & other performances in an acoustically-excellent building.*

Collectively, we are in full agreement that this new performance venue will add immeasurably to the amenity offered in central Edinburgh & specifically at the east end of the New Town. This would add to and complement the mix of resident / visitor offerings in this part of the city centre in addition to the already well-provided for retail, accommodation & food / beverage offerings.

We take the view that this project will make a significant and positive contribution to overall residential amenity and act as a transformative catalyst for the revitalisation of the streets, lanes and businesses that surround it.

Although this proposal will provide "an acoustically-excellent home for the Scottish Chamber Orchestra", the benefits to the wider community to provide a "year-round bustling arts destination for performers, audiences and the wider community" should not be underestimated. We are also supportive of the applicant's desire to develop partnerships, creative programming and community outreach to engage and encourage participation of people regardless of age or background.

NTBCC also note, acknowledge and support the aim of IMPACT Scotland that the range of activities need to be consistent with longer term economic sustainability - despite the substantial public contribution being given in support of the capital costs (through the Edinburgh City deal).

2. Location for the IMPACT Centre building

St Andrew Square is an excellent location for this new performance venue both in terms of complementing the mix of resident / visitor offerings in this part of the city centre as well as the transport infrastructure (bus, tram and train) as well as motor vehicles given the proximity to the new Edinburgh St James development. It is also well-positioned regarding pedestrian flows through this part of the city centre.

3. Permeability and Relationship to Other Currently Consented Developments

The proposed design provides a welcome inter-connection with neighbouring developments and improves the permeability between St James Square, Elder Street and West Register Street, Register Place and St Andrews Square

We support this opening of access through the site, and with the design of the ground floor, we understand that this open access will be available for extended hours irrespective of the operation of the concert hall.

3. Connectivity

We acknowledge the considerable connectivity of this site with Edinburgh's public transport network. However, given that it is likely that many concert attendees (at least in the short/medium term) will still travel by private car and will be tempted to park in nearby residential areas of the New Town - putting further pressure on these parking zones which already suffer due to the imbalance between available residential parking spaces versus. Allocated Residential parking permits. We therefore support the suggestion from The Cockburn Association who advocate some relationship with the operators of the new car park associated with the Edinburgh St James development be agreed, with perhaps concessionary ticketing for evening performances (when the car park is less likely to be used). Similarly, the integration of concert and public transport ticketing would be advantageous (i.e. buying a bus or tram ticket as part of the same purchase).

We acknowledge that this may be an operational matter and outwith the scope of planning conditions but given the concerns raised by residents in the New Town who may be impacted, we felt it necessary to register this issue.

4. Impact on Setting of Adjacent Buildings NTBCC support the principle of designing the new facility from "inside to out" i.e. ensuring that the building functions as an acoustically-excellent space but that does dictate to a degree the height and massing necessary to achieve this.

Accepting this, the key design element is to ensure that the new building complements the adjacent listed buildings and does not unduly detract from them or dominate them. We do, however, recognise that there is a desire to ensure that the new building has an individual presence on the site and to a degree, does stand out but this need not nor should not be a priority. The relationship between the new build and Dundas House in particular is key to a successful design that would be embraced by the local community. We recognise that the new building will be visible from many viewpoints within Edinburgh city centre and beyond, but we believe that the key viewpoint is that from George Street / St Andrews Square.

Although we understand that concerns have been raised by others, we do not believe that a major consideration should be whether the new building detracts from the new hotel and other adjacent buildings in the new Edinburgh St James development. From the residents' standpoint, it is the views from George Street / St Andrew Square that are of paramount importance rather than the views of hotel residents from the top of the "W" hotel.

There are differing views as to the benefits of the "W" hotel as a suitable backdrop / framing for Dundas House versus that of the more symmetrical and geometric proposed IMPACT development. On balance, NTBCC believe that whilst accepting that the IMPACT development cannot be described a subservient to the existing Dundas House, it does offer a different perhaps grander view from the George Street axis. Further, the oval domed roof of the proposed development is perhaps more fitting and consistent with the domed roof of Dundas House and could be seen as more beneficial in views from further afield, albeit with a denser development than the current view.

The key to ensuring harmony with the existing buildings is the choice of materials for the new development.

Finally, whilst acknowledging that within the constraints of the available site, the proposed concert hall is an effective and positive use of space, in terms of positioning of the new development within this constrained site, we take the view that locating the new building close to (or abutting) the rear of Dundas House (once the later extensions has been removed) has the benefit of both ensuring that there is maximum spacing between any new development and the existing tenements (both residential & commercial) to the east of the site as well as allowing in the longer term, consideration for a more fitting permanent access route through the current RBS building, which we believe would be advantageous in the longer term and therefore we support the proposal to retain that option with the proposed building design.

5. Materials

We understand that although the Design & Access Statement covers the approach to be taken in terms of choice of materials, the exact choice of final surface finishes (for both the main elliptical concert hall and the orthogonal support (annex) buildings) has still to be made. NTBCC share the Cockburn's view that it would be appropriate to make some acknowledgement to the stone context of the building's setting. We also share and support the proposal by the Cockburn to ensure that sample panels (of whatever is proposed) be made available on site before any final decision is taken.

We have separately had various discussions with the architect on proposed materials and whilst normally being an advocate of sandstone for important developments within the New Town & especially when positioned close to existing listed buildings, we can appreciate the advantage of using reconstituted stone within parts of this development from the standpoint of being able to ensure consistency and also enable finer detailing of some of the building elements. We are also of the view that the use of polished reconstituted stone (formed from an amalgam of materials / colours from buildings adjacent to it) in certain areas could rest sympathetically with the buildings that surround the development site - including the limestone facades of the Edinburgh St James development. The key however is the quality of the final finish and the attention to detail given to it.

As we understand it, the elliptical concert hall building itself is shown to have a distinctive façade different from the adjoining orthogonal (annex) blocks. If our understanding is correct, this approach, including choice of materials could help to visually reduce the overall mass of the building and furthermore create additional visual interest.

It is worth noting that as far as we are aware, the roof of the annex blocks has still to be finalised. Given that these will potentially be visible from a number of viewpoints, this aspect of the detailed design should also be fully considered.

We would support further community consultation on the final detailing of the project if possible through a further AMC application if necessary.

Overall, whilst expressing a preference, we would defer the final choice of materials to CEC Planning Dept., perhaps after further consultation with Historic Environment Scotland.

6. Impact on Local Residents

NTBCC would want to stress the importance of giving due regard to the small "enclave" of local residents immediately to the east of the proposed development. Whilst we are aware that they already have communicated their concerns directly, we believe that these concerns should be considered fully with respect to the relevant LDP policies.

It is one of Edinburgh city centre's main attractions that it still has a residential presence in its heart which in our view, should be preserved. Furthermore, those residents have already been subject to many disturbances and changes and this will continue for some years.

We note that the application includes a comprehensive daylight / sunlight study on the adjacent buildings (Design & Access Statement Appendix C) by Thornton Tomasetti, and we would especially refer to those sections covering "Building No. 1" & "Building No. 2" as defined in the report.

Whilst not having expertise in this area, NTBCC notes that this assessment would appear to show that there are multiple windows that do not pass the initial assessment regarding adequate daylighting and are therefore (based on existing LDP policies) required to undergo a further VSC analysis. The VSC analysis which we understand has been carried out in line with CEC policies then indicates that several windows still do not meet the required standards, and are then analysed further under the "Average Daylight Factor Analysis".

This would then appear to conclude with the statement "Room does not meet acceptable daylight target in the existing condition. No further analysis required."

We would request that the Planning officer ensures that this analysis regarding the impact on residential properties has been carried out in accordance with the current LDP policies.

7. Connectivity

We share the view of the Cockburn Association that it is essential that the floorscape around the new Concert hall be integrated with the Registers and wider environment. This should respect the limited palette of paving materials in the New Town and be designed so that the pedestrian environment appears seamless to users who will approach the building from the various access points. Linkages to the new Edinburgh St James development should ideally also follow this approach. We would support efforts to regarding access to the several garden areas currently under the auspices of the Registers of Scotland (RoS) - (although we appreciate that there seems some reluctance from RoS to engage currently. There is an opportunity to create a new, interesting and intimate pedestrian quarter, in which the new concert hall forms the centre-point. It is also key that the proposed building connects seamlessly with the new developments that surround it.

As we have previously stated, we are somewhat surprised and disappointed) by the current thoughts regarding integration of the new concert hall development with the existing bank branch in 36 St Andrews Square. We would support (perhaps in the longer term) that a single main entrance to the new concert hall is defined and as we would expect the majority of those attending events at the new concert hall would be arriving from the west - either the St Andrews Square tram-stop, bus station or by pedestrian routes from Waverley station or the eastern end of George Street across St Andrews Square, that this would be preferable through 36 St Andrew Square.

8. Access for servicing

We have discussed the potential issue of ensuring adequate servicing for the facility during the various conversations with the architects. Our strong preference would be to ensure that there is sufficient hard-standing at the rear of the new building to allow for waste removal / deliveries etc. but more importantly, adequate access for delivery vans (in support of the resident orchestra and others) with access from the extension of Elder Street to the square in the new Edinburgh St James development. This should be feasible as we are aware that there is already limited planned access at this location for hotel guests to the new "W" hotel. Although this should be a predominantly pedestrian area, we would hope that arrangements could be agreed (and with the necessary permissions) to provide access to the new concert hall by this route. The alternate of providing access from St Andrews Square could be detrimental to and interact negatively with the pedestrian flow from St Andrews Square; servicing should be located away from the main entrance to the building.

We would again express the appreciation of NTBCC members that you have accepted a late representation on the above application.

In summary, whilst we are fully supportive in principle with much of the application as stated above, given the concerns on the potential impact of the proposed development on the local residents that live directly adjacent, we would maintain a "neutral" stance on this application.

We trust that this representation will be taken as constructive input to the determination of this application.

New Town + Broughton CC - response dated 30/03/2019

Although the New Town & Broughton Community Council intended to provide further comments covering the various revisions submitted in February 2019, given the tight schedule for determination of this application and the forthcoming Development Management Sub-Committee (DMC) Hearing scheduled on April 24th; we have re-visited our initial representation and believe that all material comments were satisfactorily reflected in that document.

We would again express our thanks both to the City of Edinburgh Council for holding a session covering the key changes in the February 2019 revision and also to the continuing level of engagement extended by members of the development team with community council members and the very helpful consultations, including that at the recent DMC site visit.

NTBCC continue to support the principle of developing a world-class purpose-built concert hall / performance venue in this part of the city centre. The facility as envisaged will be a welcome addition to performance spaces across Edinburgh.

However, we would offer the following brief comments on key aspects.

1. Materials

We appreciated having sight of the 2 large test panels and broadly welcome the approach to delineate the 3 'layers' of the proposed building by changes to the surface treatment (in line with the comment we expressed previously). We are also retain our view that the use of reconstituted / composite stone (a "terrazzo" formed from an amalgam of materials / colours from buildings adjacent) could rest sympathetically with the buildings that surround the development site. However, we were not fully convinced that the sample panels as available represent the most sympathetic final colour palette / composition. We believe that there is a balance between creating a harmonious inter-relation between the proposed new build and the listed buildings surrounding the site vs. the desire to provide the new concert hall building with a distinctive presence; with the need for the building to sit harmoniously within the wider site taking precedence.

We would therefore suggest that, given its prominent location within the World Heritage site, further consideration be given to the final palette of the facades; perhaps through a planning condition.

Ultimately, however (as expressed previously) , we would defer the final choice of materials to CEC Planning Dept., perhaps after further consultation with Historic Environment Scotland.

2. Impact on Local Residents

NTBCC would again want to stress the importance of giving due regard to the small "enclave" of local residents immediately to the east of the proposed development. Whilst we are aware that they already have communicated their concerns directly, we believe that these concerns should be considered fully with respect to the relevant LDP policies.

We welcome the comprehensive update to the Thornton Tomasetti Daylight analysis which provides more detail and clarity on the impact of this proposal on the adjacent residential building to the east. As commented previously, NTBCC do not have expertise in this area; NTBCC notes that this updated assessment would appear to show that there are multiple windows that are compromised in terms of daylight by the proposed building.

We are also aware (& welcome) that residents from the James Craig Walk / St James Square tenement building have had the opportunity to make specific comments on the updated assessment and we also understand that they will be granted an opportunity to present their concerns at the forthcoming DMC Hearing.

We would hope that the determination process and the draft report to be put before the DMC will ensure that the analysis regarding the impact on residential properties has been carried out in accordance with the current LDP policies and other Council guidance.

We trust that these brief final comments will be taken as constructive input to the determination of this application.

Police Scotland - response dated 19/10/2018

I write on behalf of Police Scotland regarding the above planning application.

We would welcome the opportunity for one of our Police Architectural Liaison Officers to meet with the architect to discuss Secured by Design principles and crime prevention through environmental design in relation to this development. And our Counter Terrorism team would also wish to have input regards wider public safety.

Please contact me at your earliest convenience to enable us to progress this project.

Scottish Water - response dated 19/09/2018

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced and would advise the following:

Water

o There is currently sufficient capacity in the Glencorse Water Treatment Works. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

Foul

o There is currently sufficient capacity in the Edinburgh PFI Waste Water Treatment Works. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.

Infrastructure within boundary

According to our records, the development proposals impact on existing Scottish Water assets

The applicant must identify any potential conflicts with Scottish Water assets and contact our Asset Impact Team directly.

The applicant should be aware that any conflict with assets identified may be subject to restrictions on proximity of construction.

Surface Water

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not normally accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

General notes:

o Scottish Water asset plans can be obtained from our appointed asset plan providers:

Site Investigation Services (UK) Ltd.

o Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area then they should write to the Customer Connections department at the above address.

o If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.

o Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.

o The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.

o Please find all of our application forms on our website.

Next Steps:

o Single Property/Less than 10 dwellings

For developments of less than 10 domestic dwellings (or non-domestic equivalent) we will require a formal technical application to be submitted directly to Scottish Water or via the chosen Licensed Provider if non domestic, once full planning permission has been granted. Please note in some instances we will require a PreDevelopment Enquiry Form to be submitted (for example rural location which are deemed to have a significant impact on our infrastructure) however we will make you aware of this if required.

o 10 or more domestic dwellings:

For developments of 10 or more domestic dwellings (or non-domestic equivalent) we require a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.

o Non Domestic/Commercial Property:

Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened up to market competition for non-domestic customers. All Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at www.scotlandontap.gov.uk

o Trade Effluent Discharge from Non Dom Property:

Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and launderettes. Activities not covered include hotels, caravan sites or restaurants.

If you are in any doubt as to whether or not the discharge from your premises is likely to be considered to be trade effluent, please contact us on 0800 778 0778 or email TEQ@scottishwater.co.uk using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found online. Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.

For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.

The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer.

Scottish Water - response dated 29/01/2019

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced and would advise the following:

Water

o This proposed development will be fed from Glencorse Water Treatment Works. Unfortunately, Scottish Water is unable to confirm capacity at this time so to allow us to fully appraise the proposals we suggest that the applicant completes a PreDevelopment Enquiry (PDE) Form and submits it directly to Scottish Water. The applicant can download a copy of our PDE Application Form, and other useful guides, from Scottish Water's website.

Foul

o This proposed development will be serviced by Edinburgh PFI Waste Water Treatment Works. Unfortunately, Scottish Water is unable to confirm capacity at this time so to allow us to fully appraise the proposals we suggest that the applicant completes a Pre-Development Enquiry (PDE) Form and submits it directly to Scottish Water. The applicant can download a copy of our PDE Application Form, and other useful guides, from Scottish Water's website.

The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.

Drinking Water Protected Areas

A review of our records indicates that there are no Scottish Water drinking water catchments or water abstraction sources, which are designated as Drinking Water Protected Areas under the Water Framework Directive, in the area that may be affected by the proposed activity.

Surface Water

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not normally accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

General notes:

o Scottish Water asset plans can be obtained from our appointed asset plan providers:

Site Investigation Services (UK) Ltd

Tel: 0333 123 1223 Email: sw@sisplan.co.uk www.sisplan.co.uk

o Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area then they should write to the Customer Connections department at the above address.

o If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.

o Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.

o The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.

o Please find all of our application forms on our website.

Next Steps:

o Single Property/Less than 10 dwellings

For developments of less than 10 domestic dwellings (or non-domestic equivalent) we will require a formal technical application to be submitted directly to Scottish Water or via the chosen Licensed Provider if non domestic, once full planning permission has been granted. Please note in some instances we will require a PreDevelopment Enquiry Form to be submitted (for example rural location which are deemed to have a significant impact on our infrastructure) however we will make you aware of this if required.

o 10 or more domestic dwellings:

For developments of 10 or more domestic dwellings (or non-domestic equivalent) we require a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.

o Non Domestic/Commercial Property:

Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened up to market competition for nondomestic customers. All Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at www.scotlandontap.gov.uk

o Trade Effluent Discharge from Non Dom Property:

Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and launderettes. Activities not covered include hotels, caravan sites or restaurants.

If you are in any doubt as to whether or not the discharge from your premises is likely to be considered to be trade effluent, please contact us on 0800 778 0778 or email TEQ@scottishwater.co.uk using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found online. Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.

For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.

The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer.

Scottish Natural Heritage - response dated 03/10/2018

Thank you for your consultation of 13 September 2018 regarding the application and EIA for the above proposed development.

This application is not envisaged to raise many natural heritage issues. Ecology was scoped out of the EIA and the undertaking of a Townscape and Visual Impact Assessment (TVIA), to reflect the urban nature of this proposal, was noted.

TVIA

We note the changes to views as shown in the range of visualisations accompanying this application. These changes relate largely to the urban townscape and/or cultural context. From a natural heritage point of view, we have no comments to make on this proposal.

Scottish Natural Heritage - response dated 28/01/2019

Thank you for your consultation of 24 January 2019 regarding the application and EIA for the above proposed development.

This application is not envisaged to raise many natural heritage issues. Ecology was scoped out of the EIA and the undertaking of a Townscape and Visual Impact Assessment (TVIA), to reflect the urban nature of this proposal, was noted.

TVIA

We note the changes to views as shown in the range of visualisations accompanying this application. These changes relate largely to the urban townscape and/or cultural context. From a natural heritage point of view, we have no comments to make on this proposal.

Scottish Natural Heritage - response dated 19/03/2019

Thank you for your consultation of 27 February 2019 with the EIA revisions for the above proposal.

We have no additional comments to make on this proposal.

Economic Development - response dated 12/03/2019

Commentary on existing use

The application relates to a 0.78-hectare site to the east side of St Andrew Square incorporating 36 St Andrew Square (the category 'A' listed Dundas House office building and its annexes: the "south wing" to the south and the "rear block" to the east) along with parking spaces, outbuildings, and the gardens of 35 St Andrew Square.

The "rear block" is a 1,764 sqm three-storey office annexe to Dundas House developed in 1965 for Royal Bank of Scotland staff. The economic impact of this building if fully occupied can be estimated. Office lettings in St Andrew Square in recent years have been dominated by the financial services sector with Standard Life Aberdeen, Baillie Gifford, and Computershare all letting large properties. Based on a typical employment density for the financial services sector of one full-time equivalent employee per 10 sqm, a building of this scale could be expected to directly support approximately 176 FTE jobs if fully occupied ($1,764 \div 10$). Based on a mean gross value added per employee (2016 prices) of £110,862, this could be expected to directly add £19.5m of GVA per annum (2016 prices) ($176 \times £110,862$) to the economy of Edinburgh if fully occupied.

If multiplier effects - the impact of supply chain expenditure and expenditure by employees - are taken into consideration the projected total impact of the rear block if fully occupied would be 388 FTE jobs and £32.6m of GVA per annum (2016 prices).

As the site is less than one hectare, policy EMP 9 of the LDP does not apply. There is therefore no requirement for any development to incorporate business space.

Commentary on proposed uses

The application proposes the demolition of the rear block and other ancillary structures to the east of Dundas House and their replacement with a new concert hall. Dundas House and the south wing are proposed to remain relatively unchanged.

Class 11 - Assembly and leisure

The development as proposed would deliver 11,347 sqm of class 11 space (gross) in the form of a new concert hall. The concert hall would deliver a 1,000-seat auditorium, a 200-seat studio, and "multi-purpose spaces" along with a café/bar.

The applicant has provided a report on the projected socio-economic impacts of the development. This report estimates that the development would, once operational, directly support 32 headcount jobs and £1.2m of GVA per annum. Additional impacts - multiplier effects and the impact of spending by performers and customers visiting Edinburgh to attend the concert hall - are projected to support a further 172 headcount jobs and £5.9m of GVA per annum, giving a total projected impact of 204 headcount jobs and £7.1m of GVA per annum (all figures gross).

It is noted that of the 204 jobs expected to be supported by the development 65 are in restaurants and cafés and 35 are in visitor accommodation. These are jobs supported by expenditure in Edinburgh outwith the concert hall by customers and performers attending the concert hall. These jobs may therefore be seasonal with lower levels of employment at times when patronage of the concert hall is lower and vice versa.

Overall impact

The development as proposed would result in the loss of the rear block of 36 St Andrew Square, a 1,764 sqm office building. It is estimated that the total economic impact of this building if fully occupied by a financial services occupier would be 388 FTE jobs and £32.6m of GVA per annum (2016 prices). The economic impact assessment provided by the applicant suggests that the development would, once operational, support 204 headcount jobs and £7.1m of GVA per annum.

Overall impact

The development as proposed would result in the loss of the rear block of 36 St Andrew Square, a 1,764 sqm office building. It is estimated that the total economic impact of this building if fully occupied by a financial services occupier would be 388 FTE jobs and £32.6m of GVA per annum (2016 prices). The economic impact assessment provided by the applicant suggests that the development would, once operational, support 204 headcount jobs and £7.1m of GVA per annum.

There are three principal existing dedicated concert halls in Edinburgh city centre - the Usher Hall (capacity 2,200), Queen's Hall (900), and Reid Concert Hall (218) - along with multiple smaller music venues. There are also multiple other venues in the city centre that host music performances, including the Playhouse (3,059); King's Theatre (1,350); Festival Theatre (1,915); Assembly Rooms Music Hall (788); Royal Lyceum Theatre (658); and St Andrew's and St George's West (200). While it is recognised that there will be differences in the specifications of each venue determining what performances each can host, it is assumed that there will be some degree of crossover in terms of the market for each. From a cursory analysis of event calendars, it does not appear that all of the aforementioned venues are being fully utilised. It is noted that the Scottish Chamber Orchestra currently performs in the Queen's Hall and it is proposed to relocate these performances to the new concert hall, suggesting any economic activity associated with the Scottish Chamber Orchestra will be displaced from the Queen's Hall. In the absence of any detailed analysis evidencing a current shortage of musical venues in Edinburgh city centre it is considered prudent to assume that there will be significant displacement of economic activity from elsewhere. This conclusion is borne out by the applicant's contextual report which describes the Queen's Hall as "a converted former church building with many limitations for both performers and audiences" and highlights the perceived low quality of existing venues, suggesting that the new concert hall is intended to be a higher quality replacement for the existing venues. The Council's Culture service has assessed the proposals and acknowledged that "that there will be an issue around displacement of activity with the IMPACT Centre [which] will divert some performance activity away from venues such as the Usher Hall and Queen's Hall". However, the Culture service has announced plans to create a working group to "ensure a balanced and co-ordinated diary of events is planned and marketed for the city" and concludes that the IMPACT Centre "has the potential to offer a net gain to the city for artistic performance and audience attendance."

Other considerations

The site forms part of the wider Register Lanes area: the collection of backroads in the area bounded by Princes Street; St Andrew Square; Multrees Walk; and James Craig Walk. Despite their prime location, these areas receive relatively low footfall. The aspiration is that developments such as Edinburgh St James and The Registers will enliven this area. The proposed development would be accessible from Register Place and it could be expected that creating a major visitor attraction at the end of this street would attract considerable additional footfall.

SUMMARY RESPONSE TO CONSULTATION

The development as proposed will result in the loss of a 1,764 sqm office building within the central business district; it is estimated that, if fully occupied by a financial services occupier, this building could directly and indirectly support a total of 388 FTE jobs and £32.6m of GVA per annum (2016 prices). Figures provided by the applicant suggest that the proposed development could directly and indirectly support 204 headcount jobs and £7.1m of GVA per annum.

This response is made on behalf of Economic Development.

Edinburgh World Heritage - response dated 12/11/2018

Thank you for consulting EWH on the potential impacts of these proposals on the Outstanding Universal Value of the World Heritage Site. It is a complex assessment due to a range of factors, principally the location of the site, the level of change in the area since the inscription of the World Heritage Site, and the proposed uses of the new building.

We are grateful to the IMPACT Scotland Team for engaging with us, and the concepts of World Heritage and Outstanding Universal Value, fully and frankly during the consultation process. This, and the quality of materials included within the planning application have greatly assisted in understanding potential impacts.

We acknowledge at the outset that the provision of a new public building in the form of a 1000 seat concert venue with the very finest acoustics in a city of the size of Edinburgh is a rare occurrence.

It must be noted that this is an extremely unusual situation, due to the substantial and ongoing changes in the area around the site of the proposed development - we are in effect attempting to judge impact against a future that is as yet unbuilt.

Outstanding Universal Value and Attributes of the World Heritage Site

The local plan policy against which we test major development proposals is ENV 1, which states that:

'Development which would harm the qualities which justified the inscription of the Old and New Towns of Edinburgh and the Forth Bridge as World Heritage Sites or would have a detrimental impact on a Site's setting will not be permitted'.

The application documents demonstrate a good understanding of the World Heritage Site and the relevant aspects of Outstanding Universal Value, identifying four key attributes relevant to the application (abbreviated here):

- *The eastern view along George Street and the principle axis and primary street of the first New Town*
- *The formality and planned discipline of the New Town Plan*
- *Dundas House - and a group of three of the earliest townhouses*
- *The position of Edinburgh within the Scottish, UK and International arts scene*

These broadly fit a range of attributes identified in the nomination document, advisory body evaluation, statement of Outstanding Universal Value and the brief synthesis, which we identify as follows (emphasis added). These points are from the nomination document unless otherwise stated:

- *Dramatic topography combined with the planned alignments of key buildings in both the Old and New Town, results in spectacular views and panoramas and an iconic skyline*
- *First New Town - clarity of urban structure, particularly the axis of George Street (designed for 'an axial public monument as its focus')*
- *Some of the finest public and commercial monuments of the neo classical revival (The Advisory Body Evaluation notes 'The New Town is noteworthy for its planned ensembles rather than individual building. However, there is a number of notable public buildings')*
- *Classical set pieces - Dundas House and its setting*
- *Contrast - Layout, buildings, open spaces and views ,that demonstrate the distinctiveness between the organic growth of the Old Town and the planned terraced and squares of the New Town*
- *Culture: Nomination: Edinburgh represents the essence of cultural traditions of Scotland as a European city, and Edinburgh is tangibly associated with events - being the host of the world's largest number of annual cultural festivals and with living traditions*
- *Edinburgh is a built embodiment of the evolution of Scottish society and settlements, indicating how they have adapted and changed over time, to take advantage of the physical constraints and opportunities..... Edinburgh is pre-eminently an associative cultural landscape enjoying powerful resonances of religious, artistic and cultural history of an international significance*
- *Philanthropy - the nomination document notes that Edinburgh 'with a fiercely proud municipal authority together with a number of influential charitable trusts and public boards was determined to see the Capital adorned with fine architecture'*
- *'Retains its historic role as the administrative and cultural capital of Scotland' (Advisory Body Evaluation)*

There are a number of other individual receptors that contribute to Outstanding Universal Value nearby:

- *Dundas House (noted as 'The finest free-standing house in the New Town' in the nomination gazeteer)*
- *23-26 St James Square*
- *Melville Monument*
- *Register House*

An area of significant change since inscription

The site of the proposed concert hall development sits between the St James site and the eastern end of the First New Town.

It is normal practice to judge the impact of proposals on Outstanding Universal Value as defined at the point of inscription on the World Heritage list - in Edinburgh's case 1995 - and this is supported by local plan policy ENV 1.

In this instance, at the suggestion of the advisory body to the World Heritage Committee, the initial proposal for the World Heritage site was expanded to include the St James Centre, with a view to securing change beneficial to Outstanding Universal Value. Consequently it was accepted at the point of inscription that the 1995 baseline was, in this particular area, going to change.

These changes are ongoing - the St James Centre has been demolished and preparations are underway for the construction of its replacement.

On being presented with late-in-the-day changes to parts of the St James Centre replacement plan, the view of City of Edinburgh Council officers and EWH was the upper floors (9-12+) of the proposed hotel element would be damaging to Outstanding Universal Value. These concerns are recorded in planning correspondence and the hearing on the hotel element. Nonetheless, these proposals were passed.

This therefore set a new (and in our view, less desirable) baseline from which to manage Outstanding Universal Value in this area: the World Heritage Nomination Document notes that the St James Centre was largely hidden from view from the New Towns, whereas the consented scheme is highly visible, and especially dominant in views along the principle axis of the First New Town.

There have been other significant changes in the area since 1995, including the construction of the bus station, Harvey Nichols, the Standard Life building on the south of the square, the Registers development, the addition of tram infrastructure and the reimagining of the square itself.

Impacts of the proposals on Outstanding Universal Value

We acknowledge that the development team has substantially altered the proposals during the pre-application consultation process with a view to taking into account potential impacts on Outstanding Universal Value, including a significant reduction in height. It remains the case that the proposals are for a large building in a sensitive location.

This sensitivity is largely limited to the view along George Street, the principle axis of the First New Town, and St Andrew Square, and close up to the proposals around Dundas House, the rear of the Registers complex, and the remaining St James Square tenement.

In other long views, the main body of the building sits within the 'shoulder' of the city, created by surrounding buildings. This is supported by design that complements the surrounding classical buildings. In some instances the crown/dome element stands proud (it is a similar height to the neighbouring consented Register Lanes development). The general characteristic of higher buildings in the World Heritage Site is that their upper floors are unoccupied.

EWH's view of the impacts of the proposals on Outstanding Universal Value is summarised below. A more extensive explanation of these can be found at the end of this letter.

We judge there to be a negative impact on one attribute and two receptors, these being
- The classical set piece around Dundas House
- Dundas House as the finest free-standing house in the New Town

- 23-26 St James Square

We judge there to be a neutral impact on three attributes and two receptors, these being

- *Planned alignments of key buildings*
- *The city's skyline*
- *The layout of the New Town*
- *The Melville Monument*
- *Register House*

We judge there to be positive impact on six receptors. We note that four of these are intangible.

- *Clarity of urban structure*
- *Public buildings*
- *Culture*
- *Edinburgh as the embodiment and evolution of Scottish society and settlements*
- *Philanthropy*
- *Edinburgh's historic role as administrative and cultural capital of Scotland*

Conclusions

The majority of planning applications we engage with through the planning protocol with the City of Edinburgh Council primarily touch on the physical aspects of Outstanding Universal Value, and less so the intangible cultural aspects that are identified in the World Heritage Site nomination and associated documents. This reflects their private, commercial rather than cultural, public nature.

In this instance the balance is between negative impact on one attribute and two individual receptors, and positive impact on a range of attributes, including intangible elements. It is hard to accurately ascribe weight to the wider cultural impact, although this forms an important part of Outstanding Universal Value.

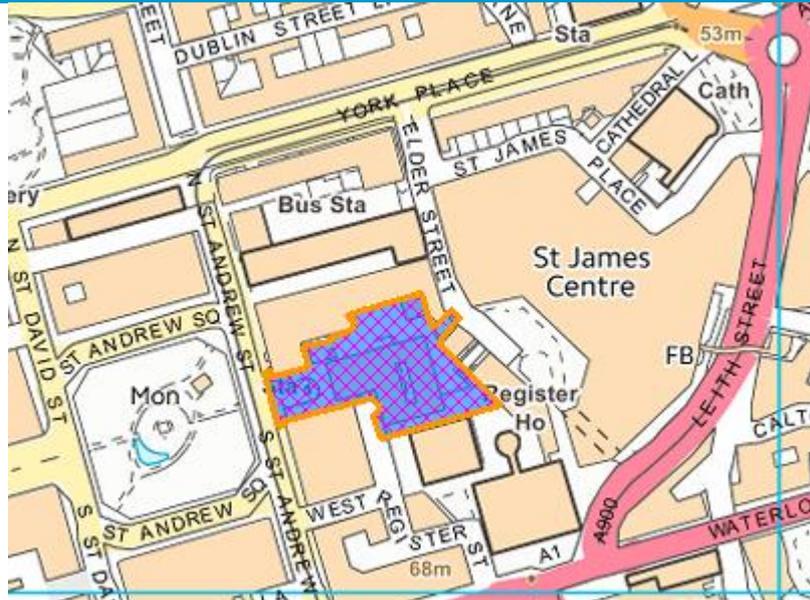
It is our view that the benefits of the proposals, in terms of Outstanding Universal Value, at the very least, balance out any harm, giving a neutral impact and depending on the weight given to the wider cultural impact, may be viewed to be beneficial.

Edinburgh World Heritage - response dated 29/03/2019

Thank you for consulting EWH on the changes to the proposals.

I write to confirm that these results in no way change our overall position, as expressed in our letter of 12/11/2018.

Location Plan



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