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Our ref: AMN/16/LA
Our Case ID: 201604413
Your ref: 16/05454/PPP
16 December 2016

Dear Ms Robertson,

Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011

**RBS, 34 Fettes Row and 7,11,13 Eyre Terrace, Edinburgh
Demolition and Residential-Led mixed use redevelopment**

Thank you for the above consultation which we received on 11 November. We have considered it and its accompanying Environmental Statement (ES) for our role as a consultee under the terms of the above regulations and for our historic environment remit as set out under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013; that is world heritage sites, scheduled monuments and their setting, category A-listed buildings and their setting, gardens and designed landscapes (GDLs) and battlefields in their respective Inventories.

Our Advice

We **object** to the scale and layout of development as proposed in this application due to its significant adverse impacts on the setting of *The Old and New Towns of Edinburgh World Heritage Site* and Category A listed buildings along Royal Crescent (LB29679, LB29680). We would be happy to meet with you and the applicant to discuss our concerns and provide further advice on the matters raised in this letter.

We have provided additional comments on our consideration of the application and the adequacy of the accompanying Environmental Statement in the attached annex.

If you are minded to grant consent, with or without conditions, you are required under the terms of the Town and Country Planning (Neighbouring Planning Authorities and Historic Environment) (Scotland) Direction 2015 to notify Scottish Ministers. This is triggered by our objection to the proposed development on the grounds of its impact on the setting of category A listed buildings.

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

We recommend that you seek further advice from your archaeology and conservation advisory service. They will be able to advise on the adequacy of the assessment for the

historic environment and of the likely impacts and mitigation proposed for matters including unscheduled archaeology and category B- and C-listed buildings.

We hope this is helpful. Please contact us if you have any questions about this response. The officer managing this case is Alison Baisden and she can be contacted by phone on 0131 668 8575 or by email on alison.baisden@hes.scot.

Yours faithfully,

Historic Environment Scotland

ANNEX

Proposed Development

We understand that the proposals are for the redevelopment of the RBS Data Management Centre and Offices at 34 Fettes Row and 7,11,13 Eyre Terrace, Edinburgh. This will comprise the demolition of the existing RBS buildings on the site, and the construction of a residential-led mixed use development and associated works.

This will include the following elements as set out in the Parameter Plans submitted in support of the application for Planning Permission in Principle (Document 2a):

- The construction of two urban blocks (A and B) on the northern part of the site containing a mixture of uses including retail, financial, professional services, food and drink, offices, hotel, residential. These blocks will be up to 39.70m in height.
- The construction of car parking and eight 'pavilion' blocks (C,D,E,F,G,H,J,K) along the southern boundary of the site. These will primarily be for residential use, however Blocks C and D will also include offices. These blocks will be up to 45m in height.
- Associated Landscape Design Strategy, as well as pedestrian and vehicular access.

Background

We were consulted at the EIA Scoping Stage with regard to the proposals. In our scoping response (10 December 2015), we set out that it may be possible to accommodate the proposed development in this location. We provided detailed advice setting out how the development should be designed to respond to the surrounding environment.

In particular, we highlighted the need for supporting information to fully demonstrate how the development will address and respond to the topography, character, and urban grain of the established built and spatial forms, particularly where the development addresses Dundas Street and Brandon Street and Fettes Row. We also set out that development should not obstruct the key visual corridor along Drummond Place and along Dundonald Street looking north.

We also responded to the associated application for Conservation Area Consent (ref: 16/05455/CON) for the proposals. In our response, it was set out that we do not consider that 34 Fettes Row and 7,11,13 Eyre Terrace make a positive contribution to the New Town Conservation Area. We therefore did not object to the principle of the demolition of these buildings as part of a new scheme. We did, however, advise that any replacement development should be designed to respond to the surrounding historic environment in line with the advice provided in our response to the consultation on the Environmental Impact Assessment Scoping Opinion.

Our interest

The proposed development site is located within the *New Town Gardens Inventory Designed Landscape (GDL367)* and is also immediately adjacent to the *Old and New Towns of Edinburgh World Heritage Site* boundary. There are also a number of Category A listed buildings within the vicinity of the site boundary, the setting of which is likely to be impacted upon as a result of the proposal. These include the following:

- *15 – 23A (Inclusive Nos) Royal Crescent, and 15 Dundonald Street, Including Railings and Lamps (Category A Listed Buildings, LB29680)*
- *1 – 13A (Inclusive Nos) Royal Crescent, 24 and 24A Dundonald Street and 26-28 (Even Nos) Scotland Street, Including Railings and Lamps (Category A Listed Buildings, LB29679)*

Significance of the heritage assets

- *Old and New Towns of Edinburgh, World Heritage Site*

Old and New Towns of Edinburgh World Heritage Site is a designation of international importance. It comprises the juxtaposition of two distinctive townscapes, the Old and New Towns of Edinburgh, each of exceptional historic and architectural interest.

The New Town, constructed between 1767 and 1890 as a collection of seven new towns on the glacial plain to the north of the Old Town, is framed and articulated by an uncommonly high concentration of planned ensembles of ashlar-faced, world-class, neo-classical buildings, associated with renowned architects. Contained and integrated within the townscape are gardens, designed to take full advantage of the topography, while forming an extensive system of private and public open spaces. The successive planned extensions from the first New Town, and the high quality of the architecture, set standards for Scotland and beyond, and exerted a major influence on the development of urban architecture and town planning throughout Europe. It covers a very large area of 3,288 ha, is consistent to an unrivalled degree, and survives virtually intact.

Royal Crescent with its arrangement of Dundonald Street leading to Drummond Place, Fettes Row to the west, and Bellevue Cresecent to the east are integral urban components of the unified town planning of the first extension to the New Town.

The characteristic use of topography, and monumental massing, comes masterfully together to form the very distinctive, and highly visible landmark to the northern new town.

- *Royal Crescent, Category A Listed Buildings (LB29679, LB29680)*

Category A-listed Royal Crescent was designed as a prominent landmark to the first extension of the New Town planned by Reid and Sibbald in 1802, although an earlier plan on 1796 showed the crescent. Building commenced in 1825, however due to

an economic slump work was abruptly discontinued in 1829. The original scheme for 3 segments with a detached building in the middle was abandoned following the construction of the Scotland Street Tunnel in 1847. However the western segments were completed more or less as intended by James Lessels in 1888. The crescent is a key townscape component on the perimeter of the new town.

- *New Town Gardens, Inventory Designed Landscape (GDL367)*

The New Town Gardens designed landscape is included in the Inventory of Gardens and Designed Landscapes in recognition of its national importance. It comprises a series of 18th and 19th century town gardens, squares and walks, which, together with the surrounding buildings are collectively termed the 'New Town', and the result of neo-classical town planning. Although broadly contemporary with other developments in city planning, Edinburgh New Town has an extensive system of public and private open spaces, designed to take full advantage of the topography and Edinburgh townscape.

However, the development site and the adjacent King George V Park have had a very different development history to that of the gardens and squares otherwise within the New Town. This area of land lies beyond the northern boundary of the New Town (as indicated by the World Heritage Site boundary) and the land formed the former site of Canonmills haugh. Following its drainage in the mid-19th century, the Royal Patent Gymnasium opened in 1860. It subsequently became the venue for St Bernard's Football club until the 1930s. Following the death of King George V in 1936, money was raised to set up playing fields in his memory, which were finally opened in 1950, incorporating tennis courts, a putting green and a playground. The park was then redesigned in the later 20th and early 21st centuries. The Park therefore provides a very different social history of publicly accessible entertainment and recreation space, which contrasts with many of the private garden areas in the New Town.

It is clear that King George V Park has had a varied history with very little of its earlier incarnations remaining. The footprint of this recreational area has changed dramatically over time. It does retain some of its open character, however, in relation to the New Town buildings positioned to the south.

Policy context

Scottish Planning Policy (SPP, 2014) makes clear in paragraph 147 that World Heritage Sites are of international importance. It sets out that where a development proposal has the potential to affect a World Heritage Site (WHS), or its setting, the planning authority must protect and preserve its Outstanding Universal Value (OUV). The glossary to SPP (page 74) highlights that the statement of OUV is the key reference for the effective protection and management of the WHS.

SPP also sets out at paragraph 141 that where planning permission is sought for development affecting a listed building, special regard must be given to the importance of preserving and enhancing the building, its setting and any features of special architectural or historic interest. It also sets out that the layout, design, materials, scale, siting and use of

any development which will affect a listed building or its setting should be appropriate to the character and appearance of the building and setting.

Paragraph 148 of SPP sets out that planning authorities should protect and, where appropriate, seek to enhance gardens and designed landscapes included in the Inventory of Gardens and Designed Landscapes.

The Historic Environment Scotland Policy Statement (HESPS, 2016) provides further direction for planning authorities in their consideration of planning applications affecting the historic environment.

Historic Environment Scotland's 'Managing Change' guidance series is also relevant. In particular, our guidance on *World Heritage* (2016), *New Design in Historic Settings* (2010), *Setting* (2016) and *Demolition* (2010). These documents clearly set out how to apply the requirements set out within SPP and give best practice guidance for managing change in the historic environment.

The City of Edinburgh Council's recently adopted *Local Development Plan* (2016) has planning policies which reflect these national policies and provide for the protection of the above heritage assets and their settings.

The *Old and New Towns of Edinburgh World Heritage Site Management Plan* (2011-2016) sets out a framework for the management of the World Heritage Site which aims to sustain its Outstanding Universal Value.

Environmental Statement

We are content that there is sufficient information within the ES and associated application materials to come to a view on the proposals for our interests. While we broadly agree with the conclusions within the Archaeology and Built Heritage chapter of the ES (Chapter 9) that the proposals will give rise to adverse effects on historic environment features, we have some concerns regarding the methodology employed in this case.

In particular, we do not agree with the approach taken in evaluating the significance of those heritage assets potentially affected by the development. We note that this involves ascribing values to each heritage asset type based on the criteria in HESPS (2016) used to determine 'national importance' in the designation of scheduled monuments. We do not consider that this approach is applicable, given the range of heritage asset types affecting the site, nor does it allow for a clear and robust baseline assessment in this case.

We also note that impacts are assessed against the heritage values identified above, and not necessarily in the context of the individual designated and non-designated heritage assets located in and around the development site. This has meant that it is difficult to clearly distinguish where and how different heritage asset types may be affected by the proposals. The assessment, for example, does not clearly identify where the proposals have an impact on the OUV of the Old and New Towns of Edinburgh World Heritage Site. Impacts on the New Town Gardens Inventory Designed Landscape and the setting of the Category A Listed townhouses along Royal Crescent are also not clearly identified.

We would expect a greater level of analysis underpinning the conclusions presented within the assessment. We note that it is concluded that there will be a 'permanent, local effect of moderate adverse significance' on the setting of the WHS and New Town Conservation Area (including King George V Park, Dundonald Street, Royal Crescent, Fettes Row and the north end of Dundas Street). There is limited clear analysis of the nature and magnitude of impacts in this case, however, and limited cross-referencing to the visualisations and materials provided in support of the application.

Our assessment

We have reviewed the application materials and focused our assessment of the application on those heritage assets that are most likely to be significantly affected by the proposals.

- *Old and New Towns of Edinburgh, World Heritage Site*

The contribution made by 'the planned ensembles of ashlar-faced world class neo-classical buildings' to the OUV of the WHS is given particular importance in *The Old and New Towns of Edinburgh World Heritage Site Management Plan (2011-2016)*, with Royal Crescent conforming perfectly to this description. As a planned crescent ensemble, it has been specifically designed to take advantage of views over the undeveloped ground at the northern edge of the New Town. Another key feature of this section of the New Town is its topography, with terraces and open spaces stepping down from one another in harmony with the landscape.

The *World Heritage Site Management Plan (2011-2016)* gives a clear steer in regard to new development adjacent to its boundary. New development should be sensitive to the historic character of the WHS, reflect its surroundings, and respond to its locality. In particular, special attention should be given to safeguarding important views and landmarks.

The proposed pavilion blocks do not reflect or reinforce the special values or character of the WHS immediately to the north. The height of the proposed pavilion blocks, in particular, would be dominant over the higher level Royal Crescent and Fettes Row. Two of the four blocks proposed within the open bowl of Royal Crescent would also impact on the streetscape of Dundonald Street, restricting views to the north along the street. Again, such views are a key characteristic of the townscape and topography of the New Town.

In our view, as currently detailed, the development would erode and damage the topography, urban grain, and townscape value of Royal Crescent, Fettes Row and the wider contextual urban landscape within the New Town and WHS.

- *Royal Crescent, Category A Listed Buildings (LB29679, LB29680)*

Whilst we believe some sensitive development is achievable on the site, particularly to the area currently occupied by the Data Centre, we do not consider that the proposal to introduce four apartment blocks within the open bowl of Royal Crescent can be accommodated. In reaching this view we have used our Managing Change in the Historic Environment guidance note on *Setting* (2016).

This guidance note suggests a three-phase approach, where you first identify the asset (in this case Royal Crescent), then define its setting, and finally, assess how development would impact on its setting.

A crescent was designed in this position as early as 1796 by Reid & Sibbald in their initial plans for extending the New Town. By the time it was designed in detail (1819 by Thomas Brown) and built (1823 to 1888), the plans had been altered to two instead of three sections.

However, the setting of the crescent remains as originally intended, a grand set-piece ensemble on an elevated position at the northern edge of the New Town, specifically designed to take advantage of panoramic views northwards, over undeveloped (or underdeveloped) ground. Unlike other examples, such as Coates and Atholl Crescent, Royal Crescent was not designed to accommodate another crescent opposite, but rather was positioned to look over open ground. Views of the Crescent from the undeveloped ground to the north were also important in its design.

This underdeveloped ground is therefore an important part of the Crescent's setting. Although there would be scope for some development of the open bowl, the proposals, particularly the four blocks opposite the crescent, would significantly impact upon the open setting and established character of Royal Crescent. Although positioned on significantly lower ground, the height of the proposed blocks would exceed the higher Crescent, reducing its primacy on the site. Views from and to the Crescent would also be significantly obscured to the point where it would not be possible to experience and understand the planned ensemble to the same extent.

- *New Town Gardens, Inventory Designed Landscape (GDL367)*

The Environmental Statement concludes that introducing large scale development to the north of King George V Park would give rise to adverse impacts on its setting. We agree with that conclusion. However, we consider that the historic character of the park has degraded over time, although we acknowledge that the park remains an important recreational area. Consequently, we consider that these impacts would not raise issues such that Historic Environment Scotland would object on this basis.

Mitigation

We note from that the Environmental Statement that a set of 'Design Principles' have been used to inform the emerging proposals which aim to mitigate the impacts of development in this location. These include proposals to conserve the boundary railings and retaining wall to Royal Crescent and Fettes Row, and also proposals to retain the existing tree cover along the southern edge of the site as part of the submitted Landscape Design Strategy. While we welcome these measures, we do not consider that they can provide effective mitigation against the wider impacts of the development in this instance.

Whilst we have no other option than to object to this proposal as currently outlined to us, we see that potential exists for sensitive development within the site. Therefore we offer the following advice which would allow us to consider our position.

In regard to the area of the site that is currently occupied by the Data Centre, we recommend that its height is used as a guide for any replacement buildings. It is important, too, that any replacement buildings remain below the height of Fettes Row. This should ensure that any new development does not challenge the character of the local area, and that it respects and conforms to the topography and established architectural form of the New Town.

We believe there is scope to sensitively develop in the area where the garages are currently located, however any height of development must take full account of the surroundings of the site. The crescent and its associated townscape should remain uninterrupted by new development or visual intrusion. We would suggest that any new development should sit below / or at the datum level of the retaining wall of the crescent.

We would welcome being part of a design process to discuss innovative and site specific ways the site could be meaningfully repurposed.

Our position

Historic Environment Scotland **objects** to the scale and layout of development as proposed in this application due to its significant adverse impacts on the setting of *The Old and New Towns of Edinburgh World Heritage Site* and Category A listed buildings along Royal Crescent (LB29679, LB29680).

We have set out above the measures that would be required to be put in place in order for the development to respond to its location adjacent both to a World Heritage Site and category A listed buildings which are heritage assets of international and national importance. We would be happy to work with your Council and the developer to provide further advice on the matters raised in this letter.

Historic Environment Scotland

16 December 2016