



New Town and Broughton Community Council

The Community Council represents the views of local residents to Edinburgh City Council

From : Richard Price – NTBCC Planning Convenor
2 Bellevue Terrace
Edinburgh
EH7 4DU

18th December 2016

Karen Robertson,
City of Edinburgh Council,
Waverley Court,
East Market Street,
Edinburgh EH8 8BG

Dear Ms. Karen Robertson,

Application 16/05454/PPP Demolition and residential-led mixed use redevelopment comprising Residential; Retail (Class 1); Financial, professional and other services (Class 2); Food & drink (Class 3); Business (Class 4); Hotel/Class 7; Care Home (Class 8); car parking, access and other associated works; detailed approval of the siting and maximum height of building blocks; landscaping strategy; location of principal pedestrian/cycle routes and points of pedestrian and vehicular access/egress. 34 Fettes Row, 7,11,13 Eyre Terrace Edinburgh EH3 6RH

Proposals for RBS site in Fettes Row, Royal Crescent, Dundas Street and Eyre Place

The New Town & Broughton Community Council has had extensive discussions with the developers and agents associated with this development and many NTBCC members attended the three Public Consultations over the preceding 12 – 18 months. Furthermore, we have discussed the developing plans at several community council meetings and have had active discussions with many residents' groups in the local area – the majority of whom would be affected by this development. It is worth noting that despite the high level of pre-consultation by the development team and despite many groups not being adverse to development or redevelopment on the site, there has been a growing level of concern expressed as the proposals have matured.

Specifically, we have taken cognisance of the comments from the Fettes Row & Royal Crescent Residents Association (FCA), the Friends of King George V Park (FKGP), individuals associated with the Drummond Civic Association (DCA) as well as many other residents through discussions at community council events and a multitude of ad-hoc discussions from users of King George V Park.

There is a concurrent application (16/05455/CON) specifically covering Conservation Area Consent (CAC) for demolition of the existing buildings on the site. NTBCC has submitted a separate representation on the CAC, objecting to permission being granted at this time. The proposed site,



given its size, central location and adjoining a precious open space within the New Town, does offer a unique opportunity to add real value to the area whilst allowing the current owner to achieve sufficient value from the site. As such, NTBCC are not against appropriate development for the site which directly abuts the Edinburgh World Heritage site and within the New Town Conservation Area – including replacement of some of the buildings that have little or no architectural merit,

This application seeks consent for a residential-led redevelopment comprising Residential; Retail; Financial, Professional & Other Services; Food & drink; Business; Hotel and / or Care Home
The key considerations are to determine the siting, form & maximum height of buildings to provide the above Class uses together with landscaping strategy, location of principal pedestrian / cycle routes and points of pedestrian & vehicular access/egress.

NTBCC has considered the application and would make the following comments.

(1) Impact on the World heritage Site :

Although the development site (on the north side of Fettes Row and Royal Crescent) does not reside within the Edinburgh World Heritage Site (EWHS) the south side of the two streets forms part of the northern boundary of the Site. The site, to all intents and purposes, should be considered as part of the New Town ; given the site is looked on to by the major set-pieces constituting the northern edge of the New Town in Fettes Row, Royal Crescent, Dundonald Street and to a degree, the lower reaches of Scotland Street.

We maintain that this land to the north falls within what UNESCO would define as a WHS “Buffer Zone” - we see this as an appropriate designation for land such as this on the edge of the EWHS.

We are also aware that there have been representations from heritage bodies to ensure that appropriate recognition is afforded to these “buffer zones” and to recognize that these areas should be afforded special consideration as they provide part of the setting for the WHS and therefore should be protected from inappropriate development which would have a negative impact on the WHS and its “Outstanding Universal Value”.

The recently adopted 2016 Edinburgh Local Development Plan (LDP) states in Policy Env1 that *“Development which would harm the qualities which justified the inscription of the Old and New Towns of Edinburgh....as World Heritage Sites or would have a detrimental impact on the Site's setting will not be permitted.”*

The LDP further expands on this in Policy Des 4, stating *“planning permission will be granted for development where it is demonstrated that it will have a positive impact on its surroundings, including the character of the wider landscape....having regard to*

(a) height and form;

(b) scale and proportions, including spaces between buildings and



(c) position of buildings.”

This is further expanded on in paragraph 154 which states *“where the built environment is of high quality and has a settled townscape character, new development proposals will be expected to have similar characteristics to the surrounding buildings and urban grain.....and [to] be guided byan understanding of local landscape character including important topographical features.”*

NTBCC would assert that this application fails to respect the requirements laid down in clauses (a), (b) or (c) of Policy Des 4.

(2) Proposed Massing , Height and Form of Proposed Buildings :

We share the view expressed unofficially earlier in the design process by Historic Environment Scotland who considered that although it may be possible to accommodate a proposed development at this location, they would expect that *“the development is carefully designed to respond to the surrounding environment”* and more importantly, remains subservient to the existing listed buildings in Royal Crescent and Fettes Row. Specifically, they *“would expect that careful consideration is given to the maximum and minimum footprints and heights of the various proposed built elements.”*

Furthermore, they *“would also expect the proposals to fully demonstrate how the development proposes to address and respond to the topography, character and urban grain of the established built / spatial forms particularly where the development addresses Dundas Street / Brandon Street and Fettes Row.”*

Discussing each of these items, firstly :

- (i) Height:** the proposed buildings fronting Fettes Row and Royal Crescent will be 6 storeys high, thereby being a full two and a half storeys higher than the cornice line of the existing listed EWHS and listed properties opposite (as demonstrated by a render / photomontage which imposes an impression of one of the housing blocks over a photograph of the existing RBS office block at the corner of Fettes Row & Dundas Street which does respect the listed buildings opposite and whose height reaches the cornice line).

When viewed from King George V Park (KGVP), the eight separate blocks proposed adjoining Fettes Row & Royal Crescent are a full 8 storeys high.

- (ii) Scale and proportions, including spaces between buildings:** NTBCC believe that the proposed blocks are too high, too deep and too bulky. They are intended as discrete blocks interspersed with landscaped open ground. However, due to their north-south depth and bulk, these slivers of landscaped ground will have little aesthetic and recreational value. Furthermore, they now allow only the merest



glimpses of the views to the north and we believe that these buildings as proposed so dominate the landscape such that any beneficial effect of the applicant proposing “finger blocks” rather than a linear terrace is all but lost.

- (iii) Position of buildings:** In order to keep attempt to preserve one of the city's protected views (looking north down Nelson Street and Dundonald Street) and for the building foundations to avoid the line of the two recently-discovered main sewers and perhaps to maximise the scope for landscaping between buildings; the most easterly block on Royal Crescent has been now migrated further eastwards to the apex of boundary of the King George V Park. This now creates a crude break in the symmetry of the northern edge of a classically laid out crescent and more importantly will have a significant impact on the park in terms of visual impact, daylighting and shadow, with this building rising 8 storeys high from that lower level.

In addition, the proposals fail to observe the recommendations contained in LDP (para 154) quoted above. These have a particular importance given the sensitivity of the Fettes Row and Royal Crescent site in relation to the EWHS. NTBCC had been originally been supportive of the principle of using discrete blocks in the earlier consultations. At that time – the discrete blocks proposed were more numerous, smaller in individual mass, respected the crescent symmetry more purely and were significantly less tall. However, the benefits of this approach have been slowly eroded by the increase in mass, scale and height after each design iteration.

This has resulted in the current proposals for discrete blocks, in our view, not observing the “urban grain” which prevails all the way south as far as the Waverley Valley. The buildings on Fettes Row and Royal Crescent are linear and we would now argue that this should also determine the form and disposition of new buildings.

The existing urban grain of the New Town also respects the topography of the land. Buildings step down Dundas Street in regular fashion until they reach its junction with Fettes Row. There, instead of respecting this established pattern, the development prefers to take its datum point from the most advantageous, anomalously high building on the corner of Eyre Place and Dundas Street and proposes a rise to 6 storeys.

Apart from the reservations outlined above regarding the design principles governing this application, our overriding conclusion is that the core reason for its unsympathetic intrusion on the existing townscape lies in its proposed height and scale, which we believe is excessive on both counts. The scale of what is proposed is significantly greater than the buildings in the surrounding area.

We believe that the height and mass of the proposed buildings must be reduced as the current proposal has a detrimental impact on the historic topography of the WHS and the



impact on the massing and scale has an unacceptable impact on the set pieces within the New Town.

We would perhaps also question whether the concept of “finger blocks” should be re-examined to confirm that this form of development is appropriate for this EWS “buffer zone”.

(3) Impact on Local Infrastructure :

NTBCC accept that the site is brownfield land and that as such it is an appropriate site for development. We have made representations at the various Public Consultations regarding the impact on local infrastructure if the maximum number of housing units (400) forms part of the final scheme.

We understand and accept the pressures on housing density for urban developments with acceptable transport links. However, we do have significant concerns with this development in terms of the ability of the local infrastructure to support (albeit with developer contributions for education provision) an influx of 741 new residents in the area as indicated by the Non Technical Environmental Statement.

This is not a new development in isolation in this part of the city centre. Near by Edinburgh St James will add 150 housing units as well as several new developments in Powderhall/Beaverhall and 52-52A Annandale Street and further developments either consented or nearing application stage in Warriston Road / Logie Green Road. Although those services provided by the City of Edinburgh Council e.g. education is covered through the statutory consultation process, we understand that the two secular local primary schools in the catchment area oversubscribed.

Furthermore, access to NHS dentists or healthcare provision is not covered by statutory consultation as we understand it (although the recently adopted LDP does acknowledge that provision of these facilities is a consideration). A recent survey conducted by NTBCC identified that currently, no local GP practice has capacity for taking on new patients as well as the education services in the area being are oversubscribed (as stated above) , to name but two essential services.

We believe that the scale of the proposed development will put an unacceptable strain on the infrastructure of the neighbourhood and adversely affect the amenity of existing residents.

NTBCC believe that the local infrastructure, even accounting for the beneficial impact of Section 75 contributions, cannot support the required services for 400 housing units.

(4) Quantum of Development and Proposed Class Uses :



Given that this is an application for “planning permission in principle”, we understand the need to a degree for flexibility in terms of Class uses. We also understand that the figures quoted refer to the maximum quantum of development within each use class, with the precise balance of uses proposed to be set by subsequent application(s).

In total, the applicant proposes up to 47,462 m² of development – which is already more than doubling the existing quantum of development on the site. Furthermore, the individual uses being requested in the application total 124,551 m² of development.

Given our concerns on the impact on local services for residential use, we have significant concerns over the maximum residential class use being 45,878 m² (representing 400 units) which assumes that, except for limited Class 1, 2 or 3 usage, the remainder could be 100% residential. Given our concerns over the total massing being proposed, this area may reduce to a degree but we believe that granting planning permission in principle for this area of residential use would be contrary to several policies.

As the submission from Edinburgh Council’s “City Strategy and Economy” (CEC/CSE) department states, the site is recognised as being suitable for redevelopment and a residential-led scheme is regarded as being appropriate given the character of the surrounding area. While the desire for flexibility in response to market condition is recognised, this must be balanced against the economic needs of Edinburgh. The flexibility being requested could result in NO class 4 space being included in the final scheme. The existing development has provided employment in the local area for between 100 – 2000 people. We understand from many other market surveys that there remains a growing pressure on office space in Edinburgh due to a combination of steady demand, limited new development and the loss of older space. The closure of the existing RBS site represents the loss of a significant amount of office space and consequently, the loss to the local area of considerable custom to local shops and restaurants etc.

As the site is above 1 hectare, policy Emp 9 in the adopted LDP is relevant. Specifically (under Emp 9 section c), the proposal must contain floor space designed to provide for a range of business users. We therefore support the position taken by CEC/CSE in stating that a minimum element of Class 4 use should be required within the development. The exact quantum for this unclear but from a local community standpoint, but the setting a reasonable minimum for Class 4 usage as a condition, perhaps being set at a figure at representing around 50% of the current Class 4 usage in place on the site would help to alleviate the loss of the existing business on the local area and furthermore, reduce the concern regarding Impact on local infrastructure for residents. This would require the residential use to be reset accordingly.



Applying this restriction to the Class uses proposed would ensure that the impact of the redevelopment of the RBS site retains a substantial element of office space to support local businesses whilst still allowing for significant flexibility in terms of the wider scheme.

We do not object to the inclusion of Class 7 OR Class 8 in the scheme in the interests of providing a subsequent developer the necessary flexibility (however, we note that the 16,000 – 18,000 m² allocated to these uses respectively does result in a large facility).

We continue to support the inclusion of Class 1 or Class 2 or Class 3 at street level.

We also support the applicant's commitment to meeting the statutory obligation for 25% of the housing to be affordable. We believe (and support) that this will be provided on site as the development site occupies a prime position with regard to amenities such as excellent public transport links and ready access to a park and these should be available to all.

(5) Impact on the Amenity of King George V Park :

The photomontages contained in Environmental Statements 3 and 4 demonstrate graphically the overwhelming negative impact which the development would inflict on the park. Where there is currently leafy seclusion, peace and privacy there would be overwhelming buildings to the south, southwest and west, the impact of which no trees could ever minimise. There would be intrusive overlooking, interpreted somewhat disingenuously in the application as “benevolent surveillance”. There would be overshadowing, as demonstrated in Environmental Statement 7. These impacts will affect the park in perpetuity.

Moreover in the short term construction of a development on the scale proposed would render recreational use of the park close to intolerable which, as the development would be subject to market forces, could for a prolonged period.

It is ironic that the application vaunts the creation of a “Parkland Setting” for this scheme and places great emphasis on the environmental value of the contribution the development will bring to the neighbourhood through creating open spaces and paths and carrying out landscaping, all the while doing so much damage to the adjacent well established much cherished parkland on which this premise is based.

The park has been granted a designation which should be observed when a decision is being reached on this application. It is a “New Town Garden” and is listed in the Historic Garden and Designed Landscape Inventory. EDLP Policy Env 7 states “development will only be permitted where there is no detrimental impact on the character of a site recorded in the Inventory [or] no adverse effects on its setting or upon component features which contribute to its value.” The protection this policy and this designation offer must be invoked to reduce the level of the threat this development poses to the very special



character of the park. Development is probably inevitable on the park's boundary but it is the gross scale of the proposed development which causes the severity of the threat.

NTBCC believe that for the protection of this park a significant reduction in the scale of the development is essential.

(6) Effects of construction on existing properties :

We are aware that a major concern for local residents is the potential for construction in the existing RBS car park to cause damage to the structure of buildings in Royal Crescent. We have been informed that prior to any construction activity in Fettes Row, in the mid 1970's, 15 Royal Crescent required consolidation and this history of vulnerability does create reasonable grounds for fearing for its stability and possibly that of some other buildings in the crescent. The construction of the Fettes Row office block caused damage to the terrace opposite.

While we understand that this may not be considered material from a planning perspective, we note that the application's supporting documents contain a survey by the Scottish Environmental Protection Agency (SEPA) of ground water levels in the site but there is little detail of concerns with stability of the land. We believe that the need for further, more detailed investigative work is given serious consideration before any decision is reached about this element of the application.

It may also be appropriate to impose stringent and mitigating conditions on construction methodology, for example, by ensuring that the least invasive form of piling must be employed as opposed to hammer driven piling. We understand that the representation from the FCA contains further details on their assessment of this risk – the majority of which we support.

The mere existence of this risk again raises the question as to whether the height and scale of the proposed buildings should be significantly reduced, in this instance to minimise the depth of the foundations and thus ensuring that the risk to the EWHS is minimised.

(7) Urban Layout Fronting Eyre Place :

We accept that completion of the urban blocks in these areas does maintain some consistency with the New Town layout generally and given that permission in principle has already been granted for the Eyre Place open space, we have reluctantly accepted the loss of this open space (albeit currently inaccessible to the general public). However, we are disappointed that the current proposal extends the urban block further southwards, resulting in further shading to the south-west corner of KGVP with pavilion blocks at the southern end increased to 5 storeys. .



In conclusion, an application for development of this prime New Town prime site has the potential to create a complex of buildings that would truly enhance this area of the city. Although the subject of further applications, the architectural style could be uncompromisingly contemporary but still relate sympathetically with its World Heritage Site neighbours.

The site is large enough to permit a coherent unifying vision to inform its design, offsetting the architectural incoherence demonstrated in adjacent St Vincent Place, Fettes Row West and lower Dundas Street. Sadly, we believe that any vision for this site has been over-ridden by the overwhelmingly inappropriate scale of the proposals.

For the many reasons outlined above, NTBCC would object to this application being granted at this time and we strongly urge that this application is refused.

Whilst we understand that these proposals are seeking Planning Permission in Principle, we believe that it is crucially important to ensure that the maximum limits of acceptable development on the site are established and set at this time, if Edinburgh Council is minded to grant this application. We are fully aware that the commercial process may well result in the land being acquired by the ultimate developer of the site who may have greater demands on the site and its surroundings. We fully accept that there may be many conditions as to the design detail that need to be finalised but we would submit that if permission is granted, Edinburgh Council would ensure that the magnitude of the development (height / massing etc.) is clearly defined and fixed.

Yours,

Richard Price

On behalf of the New Town & Broughton Community Council