



**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

14<sup>th</sup> December 2016

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

**Dear Ms. Karen Robertson,**

**Application 16/05455/CON - Complete Demolition in a Conservation Area. 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 proposal 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.

Although the majority of the discussion has been associated with the parallel application (16/05454/PPP), we feel able to provide a consensus of views from within the local community on this application which proposes the demolition of all of the buildings currently on the development site.

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.

We would also note in order to provide context to this application that the proposed site, given its size, central location and adjoining a precious open space within the New Town, offers a unique opportunity to add real value to the area whilst, we believe, allowing the current owner to achieve



its business objective. As such, NTBCC are not against development in some form for the majority of the site – replacing some of the buildings that have little or no architectural merit, directly abutting the Edinburgh World Heritage site and within the New Town Conservation Area.

This application seeks consent for the demolition of seven unlisted buildings (B1 – B7) in the New Town Conservation Area (NTCA), prior to consent for development concurrently sought in application 16/05454/PPP.

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

**(1) Ensuring Viable and Acceptable Proposals for New Buildings Exist Prior to permitting Demolition :**

Policy Env 5 of the recently adopted 2016 Edinburgh Local Development Plan (EDLP) states *“Proposals for the demolition of any building within a conservation area, whether listed or not, will not normally be permitted unless a detailed planning application is approved for a replacement building which enhances or preserves the character of the area or, if acceptable, for the landscaping of the site.”*

This statement is reinforced by Historic Environment Scotland (HES) Policy Statement June 2016 which says *“In instances where demolition is to be followed by redevelopment of the site, consent to demolition should in general be given only where there are acceptable proposals for new buildings.”*

Both these policy statements indicate that a strong presumption exists that applications for Conservation Area Consent (CAC) for demolition should not be granted until a detailed planning proposal for replacement buildings had also been granted.

We understand that Edinburgh Council Development Management Sub-Committee has recently reconfirmed its desire for strict adherence to this policy to prevent premature demolition of buildings without detailed planning permission being granted for an acceptable development scheme – in line with current policies - in order to prevent a negative impact on the conservation area due to a “gap” site being present potentially for an extended period.

Notwithstanding the above, we would note that under 14/01126/CON (Demolition of 7 Eyre Terrace and existing warehouse known as the Scotsman Building. 7, 11, 13 Eyre Terrace Edinburgh EH3 5ER), submitted as part of the previous Planning Permission in Principle for an element of this new proposal, demolition of buildings B4 & B6 has already been granted as far as we understand it – despite the associated redevelopment proposal for that area (14/01177/PPP) having only been approved in principle – with many outstanding conditions.



We would also believe that under the outline permission granted in 2009 for the St James Centre redevelopment (08/003361/OUT); consent for demolition of the existing buildings including New St Andrews House was included only in the Outline application. Although the St James Centre is located within the New Town Conservation Area and the Edinburgh World Heritage site, we are not aware of a separate Conservation Area Consent for demolition being submitted. For both strong commercial reasons and the numerous conditions attached to the granting of outline planning permission, the risk of “premature” demolition of the site was mitigated. However, we believe that this did not create a precedent for granting Conservation Area Consent contrary to current LDP policies.

**(2) Historic Environment Scotland Guidance on Conservation Area Consent :**

The current guidance from Historic Environment Scotland (HES) issued in June 2016 confirms that *“the demolition of unlisted buildings in conservation areas is brought under control by applying, with modifications, listed building controls.”* Furthermore, in section 3.56, it states that *“in deciding whether conservation area consent should be granted, planning authorities should therefore take account of the importance of the building to the character or appearance of any part of the conservation area, and of proposals for the future of the cleared site.”*

It further states that *“a positive attempt should always be made by the planning authority to achieve its retention, restoration and sympathetic conversion to some other compatible use before proposals to demolish are seriously investigated. In some cases, demolition may be thought appropriate, for example, if the building is of little townscape value, if its structural condition rules out its retention at reasonable cost, or if its form or location makes its re-use extremely difficult. “*

In summary, therefore, if an unlisted building makes a positive contribution to the character of a Conservation Area the presumption should be to retain it. The documentation accompanying this application state that the buildings are of no importance to the character of the New Town Conservation Area. NTBCC would agree that buildings B4, 5, 6 and 7 do not make an aesthetic contribution to the site or the surrounding neighbourhood.

However, we would argue that this may not be true for the remainder of the buildings currently on the site, namely buildings B1 and B3. Each of these has its admirers as an individual stand-alone building, the first as a fine example of its period, although the later addition, the B2 link added little to reconcile their differing stylistic idioms. They are striking examples of the piecemeal development which has bedevilled this area of the city over the past 40 years. It has to be admitted that their eventual demolition could enable a unifying vision to inform a coherent development of an extensive and important site. However, premature demolition is not justified.



We note that from the consultation with Edinburgh Council Archaeology Dept., that they express some regret in the proposed demolition of building B1. *“The demolition of the 1971 Royal Bank of Scotland Data Centre designed by James Richard Latimer, although undesignated, this building.....is of some historic/archaeological significance in terms of the 20<sup>th</sup> century banking heritage of Edinburgh. In addition its striking modern design has contributed significantly to the character of this part of the New Town. Accordingly the loss of this locally significant building would be regarded as having a significant impact.”*

Given that there are supporting views from within Edinburgh Council on the positive townscape value and character of this part of the New Town and that *“the loss of this locally significant building would be regarded as having a significant impact”*, this application for demolition of unlisted buildings within a Conservation Area provides minimal evidence, analysis or discussion on studies aimed at their retention. Buildings B1 & B3 are relatively modern buildings, built to high specifications, using high quality materials and having been subject to good maintenance over their life-times of less than 40 years. It is therefore unlikely that their structural condition or their form rules out their retention at reasonable cost. They are well located at the periphery of the city centre and the applicant has acknowledged that there is continuing demand for many Class uses at this location in the parallel /PPP application. For this reasons, in our view, they have a claim for retention at least in the short term.

The applicant, under the heading “No Development Alternative” the /PPP Non-Technical Environment Statement limits itself to stating simply that they are surplus to the requirements of the RBS and that *“in the absence of [alternative] proposals for redevelopment of this prime location the site would potentially lie vacant and derelict.”*

NTBCC would have expected that a more detailed economic assessment (including a structural assessment of the existing buildings vs. current standards) and a justification to meet sustainability requirements would have been submitted to justify complete demolition of buildings B1 & B3.

**(3) Short Term Impact of Demolition of Buildings B4 – B7 :**

We note that the Environmental Impact Assessment (lodged with the /PPP application) covers the impact of many environmental aspects which would be of concern to local residents during the construction period.

This EIA also states that the implementation of a Construction Environment Management Plan (CEMP) would help to control and reduce potential effects associated with ground contamination (including potential asbestos) on future construction workers, the general public, groundwater, nearby surface waters, buried structures and services. The preparation of a CEMP is an established method for managing potential environmental impacts of construction works and is consistent with methods adopted for other major schemes. We



would expect that, given the period of construction of the majority of the buildings currently on the site, it is probable that asbestos would be present. Whilst the EIA recommends that the Contractor would be required to prepare a Site-specific Construction Environmental Management Plan (CEMP), we believe that this would be both beneficial and a requirement for the demolition aspects of this project.

Furthermore, as the site abuts King George V Park (KGVP), which is listed in the Inventory of Historic Gardens and Designed Landscapes and, as such it is protected under Policy Env 7 of the LDP – which states *“Development will only be permitted where there is no detrimental impact on the character of a site recorded in the Inventory.....[or] adverse effects on its setting or upon component features which contribute to its value.”* From the perspective of KGVP, we believe that this policy has not been satisfied and in addition, granting consent for building demolition at this juncture would result in the removal of the rear walls of buildings B4 and B5 which currently form a hard boundary to the southern edge and a section of the eastern edge of the park. Even if a temporary security fence was erected, this would still result in an open view of a derelict open space beyond – despite the deciduous, but not particularly dense, tree and shrub belt which borders the wall within the park. The current hard boundary ensures and safeguards the seclusion, peace and privacy of this park. Its loss would be highly detrimental to the character of the park and which would blight the park prematurely and potentially for an unnecessarily long period.

Therefore, this provides a further justification for more closely linking the Conservation Area Consent for demolition with the granting of detailed planning permission.

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

Yours,

Richard Price

On behalf of the New Town & Broughton Community Council