



Carla Parkes and Euan McMeeken
Development Management
City of Edinburgh Council
4 East Market Street
EDINBURGH
EH8 8BG

21st March 2017

Dear Ms Parkes and Mr McMeeken,

**Re: 17/00587/LBC and 17/00588/FUL | New Parliament House, 5 - 7 Regent Road
Edinburgh EH7 5BL**

Thank you for the opportunity to comment on the above planning application, which has been considered in great detail by the Forth & Borders Cases Panel. This letter presents the views of the Architectural Heritage Society of Scotland on the applications (both for Listed Building Consent and Full Planning Permission).

For the avoidance of doubt, this letter comprises a series of detailed objections to the proposed development and alterations. While each specific objection would justify refusal of consent on its own, the letter should also be read as an objection to the proposals in their entirety. The letter also includes areas where we believe more information is required before determination.

The objections are based on consideration of the applications on their own merits and refer to earlier proposals only in response to these being raised by the applicants in support of their proposals or where they relate to their justification for the alteration or demolition of listed buildings.

The Society advocates high quality modern architecture and initiatives to sustain and bring historic buildings at risk back into economic and social use. The AHSS is supportive of situations where these can be done together without jeopardy to the special qualities of the heritage assets involved. However, in this instance it is of the strong opinion that any benefits to the economy, community and to tourism through bringing the heritage asset back into a sustainable long term use are not outweighed by the very significant harm to the built heritage and landscape of the city. In coming to this conclusion, the exceptional architectural and historic interest of the former Royal High School, and the quality of its surrounding environment, have been central. The adverse impacts on the character and setting of listed buildings, the New Town Conservation Area, the designed landscape of Calton Hill and the Outstanding Universal Value of the World Heritage site would not be mitigated by the design of the proposed extensions. Put simply, too much building, and building of the wrong form, is being proposed for this extraordinarily unique, valuable and highly sensitive site.

President: Simon Green MA FSA FSA Scot

A Objections

We wish to object to the applications for planning permission and listed building consent for the following reasons:

1 The Statutory Development Plan

The Local Plan sets out the policies of the planning authority in relation to land-use planning and related matters, and is used to determine planning applications. The proposed development conflicts with many of the policy provisions of the Edinburgh Local Development Plan, and thus the applications should be refused. Specific conflicts with policies will be outlined in more detail later in this document, but the proposal's large, asymmetric, organic wings dominate and weaken the impact of the central Hamilton building, changing the character of the entire site and making an incoherent muddle of Scotland's monumental centrepiece.

2 Historic Environment Scotland Policy Statement

The Historic Environment Scotland Policy Statement 2016 guides the operation of decision making in the Scottish planning system. It sets out how Historic Environment Scotland fulfils its regulatory and advisory roles and how it expects others to interpret and implement Scottish Planning Policy. It is a material consideration in the Scottish planning system.

The proposed development conflicts with the Statement on several fundamental counts and thus these applications should be refused. Again, more detail will follow later in this document, but the demolitions of multiple A-listed buildings on the site is not justified on any grounds, and the resulting setting for the central Hamilton block would be severely compromised.

3 Scottish Planning Policy

The proposal is contrary to Scottish Planning Policy in several areas, leading us to conclude that the applications should be refused. It conflicts with Government policy that the planning system should:

- Promote the care and protection of the designated and non-designated historic environment (including individual assets, related settings, and the wider cultural landscape) and its contribution to sense of place, cultural identity, social well-being, economic growth, civic participation and lifelong learning; and
- Enable positive change in the historic environment which is informed by a clear understanding of the importance of the heritage assets affected and ensure their future use. Change should be sensitively managed to avoid or minimise adverse impacts on the fabric and setting of the asset, and ensure that its special characteristics are protected, conserved or enhanced.

The proposals fail to adequately understand the importance of the Hamilton building in its setting, and they therefore do not enhance or conserve its special characteristics, its contribution to the monumental landscape of Calton Hill, or its contribution to the cultural identity of Scotland.

It further conflicts with the policies that:

- The siting and design of development should take account of all aspects of the historic environment;

- Change to a listed building should be managed to protect its special interest while enabling it to remain in active use. Where planning permission and listed building consent are sought for development to, or 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. 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. Listed buildings should be protected from demolition or other work that would adversely affect it or its setting;
- Proposals for development either within conservation areas or which will have an impact on their appearance, character or setting, should preserve or enhance the character and appearance of the conservation area. Proposals that do not harm the character or appearance of the conservation area should be treated as preserving its character or appearance. Where the demolition of an unlisted building is proposed through Conservation Area Consent, consideration should be given to the contribution the building makes to the character and appearance of the conservation area. Where a building makes a positive contribution, the presumption should be to retain it;
- World Heritage Sites are of international importance. Where a development proposal has the potential to affect a World Heritage Site, or its setting, the planning authority must protect and preserve its Outstanding Universal Value; and
- Planning authorities should protect and, where appropriate, seek to enhance gardens and designed landscapes included in the Inventory of Gardens and Designed Landscapes and designed landscapes of regional and local importance.

The proposal is also contrary to the presumption in Scottish Planning Policy in favour of proposals that contribute to sustainable development. This 'principal policy' requires that the planning system should support economically, environmentally and socially sustainable places by enabling development that balances the costs and benefits of a proposal over the longer term. It is not simply about energy efficiency in design. The aim is to achieve the right development in the right place and to avoid development simply for the sake of development. This approach is reflected in Scottish Historic Environment Policy where it states that "Scotland's historic environment should be managed in a sustainable way, recognising that it is a social, cultural, economic and environmental resource of great value". It is our view that that the principle is not being applied here, and that the principal driver behind these proposals is not what is best for the building and its wider landscape, but a misguided focus on unproven economic gain, leading us to conclude that the applications should be refused.

4 Non-statutory Published Guidance

The development conflicts with the published guidance and advice of Historic Environment Scotland and of City of Edinburgh Council in several key respects, leading us to conclude that the applications should be refused. These include Historic Environment Scotland's *Managing Change in the Historic Environment* guidance note series to which planning authorities are directed in their consideration of applications for conservation area consent, listed building consent

for buildings and in their consideration of planning applications affecting the historic environment and the setting of individual elements of the historic environment. Also, relevant here is Historic Environment Scotland's guide *New Design in Historic Settings*. Further material non-statutory guidance includes the council's *Guidance on Listed Buildings and Conservation Areas* (on repairing, altering or extending listed buildings and unlisted buildings in conservation areas), its *Guidelines for Managing Edinburgh's Built Heritage*, and *Edinburgh Design Guidance*.

5 Character and Significance of the Listed Building

In determining applications for planning permission or listed building consent, a planning authority is required to have special regard to the desirability of preserving the building, its setting or any features of special architectural or historic interest that it possesses.

Where a proposal involves alteration or adaptation that will have an adverse or significantly adverse impact on the special interest of the building, the planning authority, in reaching its decision, should consider carefully:

- a. The relative importance of the special interest of the building;
- b. The scale of the impact of the proposals on that special interest;
- c. Whether there are other options which would ensure a continuing beneficial use for the building with less impact on its special interest; and
- d. Whether there are significant benefits for economic growth or the wider community which justify the adverse impacts.

Any listed building, particularly one of the status and significance of the former Royal High School, should be subject to only minimal change, largely repair and conservation, with any alterations or additions kept to an absolute minimum, and justified only for essential functional need. Applications for demolition or substantial alteration must be accompanied by a thorough structural condition report demonstrating that the proposals are necessary or justified. Information must also be provided on the proposed replacement building(s), and it is expected that these should be of comparable quality in terms of construction and design.

A very high level of alteration and intervention is clearly proposed in these planning applications, both internally and externally, leading us to the view that the development would have a severely adverse effect on the character of the site as a building of special architectural and historic interest, and would not involve its preservation in an adequate and appropriate manner. The detail, form and degree of alteration proposed is not of comparable or appropriate quality in terms of construction and design, nor is the proposal justified in the light of any potential community or economic benefits that might follow from it. It is also known that there is at least one other option for the building which would ensure its continuing beneficial use while causing less impact on its setting in the designed landscape.

The proposal is therefore in conflict with Scottish Planning Policy and Historic Environment Policy Statement. It also conflicts with Edinburgh Local Development Plan *Policy Env 4 Listed Buildings – Alterations and Extensions* that states that proposals to alter or extend a listed building will be permitted where a) those alterations or extensions are justified; b) there will be no unnecessary damage to

historic structures or diminution of its interest; and c) where any additions are in keeping with other parts of the building.

Accordingly, we object and conclude that the applications should be refused.

6 Demolition of Listed Buildings

In the case of applications for the demolition of listed buildings, as is the case here, Scottish Planning Policy states that “Listed Buildings should be protected from demolition or other work that would adversely affect it or its setting”. Furthermore, Historic Environment Scotland advises that no listed building should be demolished unless it can be clearly demonstrated that every effort has been made to retain it. Planning authorities should therefore only approve such applications where they are satisfied that:

- a. the building is not of special interest; or
- b. the building is incapable of repair; or
- c. the demolition of the building is essential to delivering significant benefits to economic growth or the wider community; or
- d. the repair of the building is not economically viable and that it has been marketed at a price reflecting its location and condition to potential restoring purchasers for a reasonable period.

The society is of the view that, in this case, the proposed loss through demolition and replacement of buildings of special architectural or historic interest (listed buildings) would have an adverse effect on the listed buildings and other key heritage designations.

We hold that the buildings identified for demolition are clearly of architectural and historic interest and are capable of repair. The buildings have their own qualities that should be properly understood and respected:

- They are constructed from natural stone, slate, and timber, using traditional detailing;
- They display architectural continuity of style with the older buildings on site, without slavish imitation, contributing greatly to the ensemble;
- They are well-mannered, appropriate in scale, style and siting, and designed to respect the setting of Calton Hill and the character and setting of the original Hamilton building;
- At all times these buildings are subservient to the Hamilton building and never seek to compete with it, crowd it, or dominate it;
- Views across the city from Calton Hill and towards the hill from other locations are respected, suggesting great sensitivity was exercised by those who commissioned and designed the structures; and
- In summary, they are exemplars of good manners in the design and siting of new buildings within the curtilage of an important listed heritage asset, demonstrating the care and attention with which changes to this site have been handled since its first construction. We can see no good reason to break with this approach.

It is our view that the merits of the proposed replacement buildings and the public benefits to be derived from the development would not outweigh the loss of the existing buildings and their contribution to the ensemble and wider context. The justification for the demolition of the lodge, gymnasium/classroom block, and boundary treatments has therefore not been made.

We understand that pre-application planning advice may have suggested that the rear-most gymnasium building might be replaced if sufficiently justified. We are less generous in our willingness to countenance the loss of this building and, in addition, maintain that the scale, form and resulting adverse effect of the replacement makes justification impossible in design and heritage terms.

Furthermore, the proposal is clearly contrary to the Local Plan *Policy Env 2 Listed Buildings - Demolition* where it states that proposals for the total or substantial demolition of a listed building will only be supported in exceptional circumstances, taking into account: a) the condition of the building and the cost of repairing and maintaining it in relation to its importance and to the value to be derived from its continued use; b) the adequacy of efforts to retain the building in, or adapt it to, a use that will safeguard its future, including its marketing at a price reflecting its location and condition to potential restoring purchasers for a reasonable period; and c) the merits of alternative proposals for the site and whether the public benefits to be derived from allowing demolition outweigh the loss.

Also, the proposed demolition conflicts with *Policy Env 4 Listed Buildings – Alterations and Extensions* that states that the loss of a listed building will only be justified in exceptional circumstances.

The society is therefore of the view that as the loss through demolition and replacement of buildings of special architectural or historic interest within the site cannot be justified and any potential benefits of redevelopment are outweighed by clear disbenefits. The applications should therefore be refused.

7 Setting of the Listed Buildings

Under section 59(1) of the 1997 Act, the planning authority, in determining any application for planning permission for development that affects a listed building or its setting, is required to have special regard to the desirability of preserving the building, or its setting, or any features of special architectural or historic interest which it possesses. Planning authorities must consult Historic Environment Scotland in respect of planning applications affecting an A-listed building or its setting (Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013).

Historic Environment Scotland Policy Statement provides that when considering a developer's proposals to integrate listed buildings into an overall development, as is the case here, Historic Environment Scotland expect planning authorities to take into account not only the desirability of preserving the building's historic fabric but the need to maintain it in an appropriate setting.

Accordingly, Local Plan *Policy Env 3 Listed Buildings - Setting* states that development within the curtilage of, or affecting the setting of, a listed building will

be permitted only if not detrimental to the architectural character, appearance or historic interest of the building, or to its setting.

It is our strong view that the development would have a severely adverse effect on the setting of the listed building ensemble and that this cannot be justified in the light of any possible social or economic benefits. The adverse impact on the school's setting would reduce the building's exceptional current prominence, and visual dominance of its carefully conceived site, to that of a routine, more ordinary piece of Neoclassical townscape – still a good building, but lacking its former impact. The proposals would also introduce development in an area kept deliberately free of such development to create and preserve the important setting and views of the hill. The proposals would intrude on the wider architectural impact exploited from the site by the school, and its relationship with major buildings to its west and the monuments on Calton Hill, including the National Monument (representing the Parthenon) and the Royal High School's Propylaea. This would result in additional highly adverse impacts on the integrity and significance of the Royal High School.

For these reasons, we conclude that that the applications should be refused.

8 Design Concept

In our opinion, the proposals are not acceptable because the scale, density, height, positioning and intensity of uses (reception, 127 bedrooms, conference and banqueting rooms, spa, bars and restaurants, etc.) would see too much new building crammed into the restricted and highly sensitive site, with adverse consequences for its special qualities. The scheme would bring overdevelopment of the site, which is harmful to the character and special interest of the listed building and its wider setting, including the existing special relationship between the building and the associated open space. It would also fail to have a positive impact on its setting, owing to the inappropriate height, scale and massing of the proposed extensions, which would visually dominate and have a detrimental impact on the wider townscape and several highly significant heritage designations.

The proposal is therefore contrary to Local Plan Policy *Des 3 Development Design – Incorporating and Enhancing Existing Features* and Local Plan Policy *Des 4 Development Design – Impact on Setting*. It also conflicts with *Edinburgh Design Guidance*.

For these reasons we object and hold that the applications should be refused. It is also our belief that the overall design concept is wholly inappropriate for this particular site and that it cannot be made acceptable by revision or amendment, unless fundamentally rethought. Removing floors while retaining the same footprint would not be enough. We note, in any case, that the applicants have made it clear in their Planning Statement that they are not able or prepared to compromise on the proposals because “a smaller development would be unrealistic” and the scheme represents “the minimum required to make it commercially viable”. This reinforces our opinions, and leads to our objection and conclusion that the proposal should be refused.

9 Extension of Listed Buildings

In our opinion, both new wings would dominate and overwhelm the listed building, challenging its primacy on the site, and would diminish significantly the building's status as an internationally-acclaimed exemplar of Greek Revival architecture. We believe that the harm to the setting and character of the listed building would be considerable. The scale, massing and height of the new extensions would dominate and significantly damage both its character and special interest while making it impossible to view and appreciate Hamilton's masterpiece, either by itself or in context, without the oversized extensions taking precedence.

The linking of the listed buildings to the new bedroom wings would bring particular and permanent harm to Hamilton's considered side elevations.

Historic Environment Scotland's *Managing Change* guidance on Extensions advises that extensions to listed buildings:

- Must protect the character and appearance of the building;
- Should be subordinate in scale and form;
- Should be located on a secondary elevation; and
- Must be designed in a high-quality manner using appropriate materials.

Consequently, any extension, or extensions, should not dominate a listed building either through scale, materials, location or height. The document also notes that extensions should:

- Be sensitive and modestly scaled;
- Be skilfully sited; and
- Generally, be lower and set-back behind the principal façade.

The current proposals clearly fail to address these key considerations – they are not subordinate or modest in scale, and they are higher than the existing principal façade, which they would visually appear as a disjointed continuation of.

We understand that as early as 2009, Historic Scotland was advising that any development in the area to the west of the original building was required to be very carefully considered, and later suggested a pavilion structure of around one storey might be acceptable, subject to design.

The applications clearly propose alterations far greater than they were advised, and such strong concerns lead us to object and conclude that the applications should be refused.

10 Architectural Design and Treatment

The design and architecture, including the detailing, materials, shapes and forms proposed are not acceptable or appropriate for the special architectural and historic interest, significance and setting of this unique and pre-eminent site. Continuity of materials, style and respectful architecture all currently contribute to an exceptionally consistent whole, and create an ensemble effect which, in our opinion, is severely missing from the current proposals. The proposed materials for the wings do not draw upon established materials used within the site or the wider designed landscape. The design elements (randomly-placed window interspersed with oddly angled elements, set in a generically modern composition) do not in any way reflect or respond to the essential principles of neo-classicism, unlike all the

existing buildings on the site and many surrounding buildings, from Regent Terrace to St Andrew's House.

The proposal is therefore clearly contrary to Local Plan *Policy Des 1 Design Quality and Context* which states that planning permission will be granted for development where it is demonstrated that the proposal will create or contribute towards a sense of place. Design should be based on an overall design concept that draws upon positive characteristics of the surrounding area. Planning permission will not be granted for poor quality or inappropriate design or for proposals that would be damaging to the character or appearance of the area around it, particularly where this has a special importance. This policy applies to all new development, including alterations and extensions. The council expects new development to be of a high standard of design. The purpose of the policy is to encourage innovation in the design and layout of new buildings, streets and spaces, where the existing quality and character of the immediate and wider environment are respected and enhanced, and local distinctiveness is generated.

We also believe there is conflict with Local Plan *Policy Des 12 Alterations and Extensions* which states that planning permission will be granted for alterations and extensions to existing buildings which: a) in their design and form, choice of materials and positioning are compatible with the character of the existing building; b) will not result in an unreasonable loss of privacy or natural light to neighbouring properties; and c) will not be detrimental to neighbourhood amenity and character. The impact of a proposal on the appearance and character of the existing building and street scene generally must be satisfactory, and there should be no unreasonable loss of amenity and privacy for immediate neighbours. We have already outlined how the design and form of the materials are incompatible with the character of the existing building, but the treatment of the building adjacent to Regent Terrace Private Lane also conflicts with section C of DES 12.

There is also conflict with *Policy Des 4 Development Design – Impact on Setting* which states that 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 townscape and landscape, and impact on existing views, having regard to: a) height and form; b) scale and proportions, including the spaces between buildings; c) the position of buildings and other features on the site; and d) materials and detailing. This policy applies to all new development of one or more buildings. 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. Where the surrounding development is fragmented or of poor quality, development proposals should help repair the urban fabric, establish model forms of development and generate coherence and distinctiveness – a sense of place. The siting and design of development should also be guided by views within the wider landscape and an understanding of local landscape character, including important topographical features, e.g. prominent ridges, valleys and patterns of vegetation.

Calton Hill's designed landscape is quite clearly of the highest quality, with a settled character, and the new proposals quite clearly do not have a similar character or grain. Given these failures to comply with policy and concerns we object and conclude that the applications should be refused.

11 Other Listed Buildings

The height, scale and massing of the proposed extensions is excessive. The applicant's design fails to draw upon the positive characteristics of the surrounding area, or to reinforce the existing sense of place at this highly sensitive and prominent location, within the curtilage of the Category A listed building, in the New Town Conservation Area, and the World Heritage Site. As a result, we are of the opinion that the proposed development would have an adverse effect on the appearance, amenity and setting of the surroundings of the site, including other listed buildings in the vicinity, the designed landscape of Calton Hill and the Edinburgh World Heritage Site. Therefore, it would also have a detrimental effect on the heritage of the city. We are highly concerned that the introduction of the new buildings would destroy the architectural promenade which currently exists from Register House to the Calton Hill Terraces, along which there is a unique continuity and consistency of materials and architectural style with no deviation or post-1945 interventions. In addition, we have detailed concerns regarding:

- **Regent Terrace Private Lane:** The impact on the setting of the landscape and character of the private lane between the site and Regent Terrace;
- **Regent Terrace:** The impact on the setting of the listed buildings of Regent Terrace. The height and massing of the new building will overpower the character of the listed terrace that currently terminates at the site;
- **St Andrew's House:** The loss of the architectural relationship with this Category A listed building that was carefully designed and sited with the Royal High School ensemble in mind; and
- **Listed buildings on Calton Hill:** The relationship between the school buildings and its Picturesque setting on the side of the hill, with its skyline monuments, is reproduced in numerous images, and would be harmed by the large extensions to either side of the Hamilton building. The sheer scale and visibility of the new bedroom wings would immediately draw the eye, reducing the former school in stature and prominence, and harming the links between the unfinished Parthenon and its Propylaea. This would have a severely adverse effect on one of Scotland and the city's 'sacred spaces'.

12 Inventory Landscape

It is our strong opinion that the proposed development would affect the character, setting and integrity of Calton Hill, as an essential part of the designated Inventory gardens and designed landscape.

There is no primary legislation that gives protection to gardens and designed landscapes. Scottish Planning Policy, however, confirms that maintaining and enhancing the quality of the historic environment and preserving the country's heritage are important functions of the planning system. Designed landscapes are part of that heritage.

Scottish Planning Policy also requires that local development plans and, where appropriate, statutory and non-statutory supplementary guidance, should set out policies and criteria that apply to the protection, conservation and management of designed landscapes (Scottish Planning Policy, paragraph 148). Where relevant, such policies should inform planning authorities' consideration of individual planning applications in the development management process. Some additional statutory provisions also apply.

Accordingly, Local Plan *Policy Env 7 Historic Gardens and Designed Landscapes* states that development will only be permitted where there is no detrimental impact on the character of a site recorded in the Inventory of Gardens and Designed Landscapes, adverse effect on its setting or upon component features which contribute to its value.

We believe that the proposals would have an adverse impact on the key characteristics and landscape features of the designed landscape, and introduce development that would harm its established and carefully planned character and integrity. The proposed development would also have an adverse impact on views to, from, across and within the Inventory site. The proposal is therefore clearly contrary to Local Plan policy.

These concerns and policy conflicts lead us to object and to the conclusion that the applications should be refused.

13 Landscape Quality and Special Landscape Areas

We believe that the proposals would have a significantly adverse impact on the special character and qualities of the Special Landscape Area at Calton Hill and views thereof because of changes to the balance between the semi-natural hillside and the built features of the hill, as well as the appreciation of the profile of this prominent landscape formation.

The proposal is also contrary to Local Plan *Policy Env 11 Special Landscape Areas* that states that permission will not be granted for development which would have a significant adverse impact on the special character or qualities of Special Landscape Areas. This policy aims to protect Edinburgh's unique and diverse landscape which contributes to the city's distinctive character and scenic value. Special Landscape Areas are local designations, which safeguard and enhance the character and quality of valued landscapes across the council area.

These conflicts and concerns lead us to object and to the view that the applications should be refused.

14 Conservation Area

After a conservation area (an area of special architectural or historic interest the character of which it is desirable to preserve or enhance) has been designated, as is the case here, it becomes the duty of the planning authority and any other authority concerned, including Historic Environment Scotland, to pay special attention to the desirability of preserving or enhancing the character and appearance of the area when exercising their powers under the planning legislation.

Accordingly, Local Plan *Policy Env 6 Conservation Areas - Development* states that development within a conservation area or affecting its setting will be permitted which: a) preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant conservation area character appraisal; b) preserves trees, hedges, boundary walls, railings, paving and other features which contribute positively to the character of the area; and c) demonstrates high standards of design and utilises materials appropriate to the historic environment. The purpose of this is to protect and, where possible, enhance

the character and appearance of Edinburgh's many conservation areas. By controlling the demolition of buildings and ensuring new development is of appropriate design and quality, their aim is to protect the city's heritage for future generations.

The policy goes on to state that applications for demolition will be permitted only where this does not erode the character and appearance of the conservation area. The general presumption will be in favour of retaining buildings that make a positive contribution to the conservation area, particularly where it can be demonstrated that the building can support a new viable use, or might be capable of such in the future.

It is our view that the proposed development would have a negative (i.e. worse than neutral) effect on the conservation area and would detract from, rather than preserve or enhance, its special architectural or historic interest, character and setting. It would also involve the unjustified loss and replacement of buildings that contribute to the character and appearance of the conservation area. This leads us to object and to the conclusion that the applications should be refused.

15 World Heritage Site

We strongly believe that the development would have significant adverse impact on the settings of both the A-listed buildings on the site and of Calton Hill. By extension, it would therefore have an adverse impact on the qualities which justified the inscription of the Old and New Towns of Edinburgh as a World Heritage Site which, in relation to the application site, comprise the outstanding set-piece of Neoclassical architecture that is the topography, townscape, and juxtaposition of the Old and New Towns. Thus, this would have a serious detrimental impact on the site's Outstanding Universal Value.

The development is therefore clearly contrary to Local Plan *Policy Env 1 World Heritage Sites*, which states that development which would harm the qualities that justified the inscription of the Old and New Towns of Edinburgh and/or the Forth Bridge as World Heritage Sites, or would have a detrimental impact on a site's setting, will not be permitted. This policy requires development to respect and protect the Outstanding Universal Values of the World Heritage Sites and their settings. Setting may include sites in the immediate vicinity, viewpoints identified in the key views study and prominent landscape features throughout the city. The high significance of the Royal High School to the World Heritage Site was highlighted in the first Management Plan, and the proposed development would, in our opinion, have an overall adverse impact on its Outstanding Universal Value.

For these reasons, we object and hold that the applications should be refused.

16 Tall Buildings

It is our opinion that as the proposed extensions would rise above the prevailing building height in the surrounding area, they would fail to enhance the skyline and would have an adverse impact on important views of the Category A, principal school building at this site, which is a key landmark, and have an adverse impact on views of the landscape on Calton Hill and its listed monuments.

The proposal is therefore contrary to Local Plan *Policy Des 11 Tall Buildings – Skyline and Key Views* that requires that planning permission will only be granted for development which rises above the building height prevailing generally in the surrounding area where: a) a landmark is to be created that enhances the skyline and surrounding townscape and is justified by the proposed use; b) the scale of the building is appropriate in its context; and c) 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.

Proposals for development that would be conspicuous in iconic views of the city, as here, should be subject to special scrutiny to protect some of the city's most striking visual characteristics. In particular, the views available from many vantage points within the city and beyond must be protected: of landmark buildings, the city's historic skyline, undeveloped hillsides within the urban area, and also the hills, open countryside and the Firth of Forth, all of which create a unique landscape setting for the city. In addition, the height of new buildings should always be suppressed where necessary so that the city's topography and valley features continue to be reflected in roofscapes. This policy is intended to play an important role in protecting the setting of the World Heritage Sites.

As these proposals would result in an inconsistently modern intrusion into a much older designed landscape that forms one of the key views of Edinburgh, and would disguise the understanding of Calton Hill's topography, the World Heritage Site setting would be compromised. For all these reasons, we object and conclude that the applications should be refused.

17 Heritage Statement

In our opinion the applicant's assessment in relation to the Historic Environment does not adequately consider the impact of the proposed development on all key historic environment designations, including the listed buildings in the vicinity, the Inventory Landscape, the conservation area and the World Heritage Site. In addition, it does not adequately or appropriately measure the impacts of the proposed development on the listed buildings on site. Accordingly, we do not agree with the full findings or accept its conclusions, and object and take the opinion that the applications should be refused.

B Further Details and Information

It is noted that the applications as submitted contained adequate information to allow them to be validated, registered and advertised by the planning authority. However, as with all applications, it is important that the fullest range of information should be made available to allow the planning authority and Historic Environment Scotland to properly assess the impact of the proposed development on the amenity, character and setting of the listed building. Such information is also necessary to inform discussions between the planning authority and the applicants on how the proposal might be adjusted and for helping the authorities reach proper conclusions on whether the consents should be granted, and any conditions that might be attached to them. It also enables amenity bodies, affected neighbours and the public overall to properly understand what is proposed and the impact it would have on their interests.

Legislation requires that applicants should submit to the planning authority such plans and drawings as are necessary to describe the works which are the subject of the application as well as any other particulars as may be required by the planning authority. Furthermore, national policy on the historic environment requires that applications should be supported by sufficient information to allow the proposed works and their impact upon a listed building's character to be understood. It also notes that the amount of information required will depend on the nature of the building and the proposals. In general, it says, the more extensive the intervention which is proposed, the more supporting information applications should provide. Accordingly, it is our view that prior to reaching a determination on the application the planning authority should seek and give due consideration to additional information as detailed below.

1 A Conservation Plan

As guided by Historic Environment Scotland Policy Statement: 'knowing what is important about a building is central to an understanding of how to protect its special interest. Applications should demonstrate that in arriving at a strategy for intervention, the importance of the building has been clearly understood and those features which contribute to its special interest have been identified'.

Historic Environment Scotland expects that the information provided with applications for listed building consent should be sufficient to enable planning authorities, Historic Environment Scotland and ultimately Scottish Ministers to form a judgement, not only on the intended development of the listed building itself, but also any associated development of which the listed building forms a part. They also state that the conservation of any part of Scotland's historic environment should:

- a. be based upon sound knowledge and understanding of the particular site, building, monument or landscape, and of its wider context;
 - b. be founded on full awareness and consideration of its cultural significance and all phases of its development;
 - c. be carried out in accordance with a conservation plan, which brings together all of the information and research necessary to guide the proposed action.
- Such a plan should show a detailed appreciation of the architectural, historic and cultural significance of the buildings affected. This should be an independent, expert

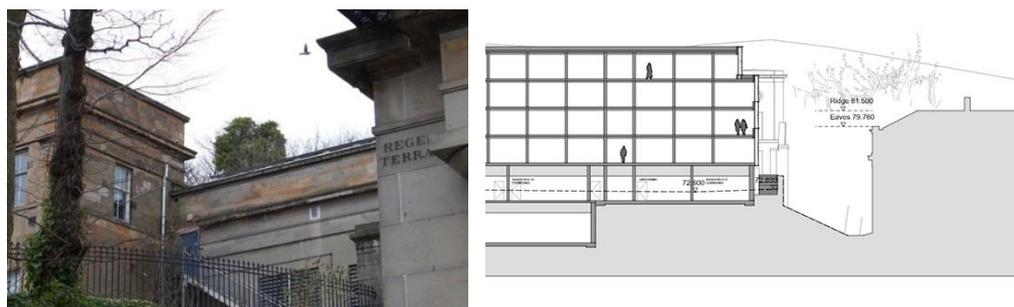
exercise bringing together the fullest understanding of the site's history, significance and international context.

In the absence of a plan, and it is our view that the planning authority should seek one before determining the application.

In our view the application as it stands fails to demonstrate a sensitive understanding of the special significance, history, symbolism, design and character of the building. Appreciating the nature of this significance is important to understanding the need for, and best means of, conservation. Appreciating the extent of that significance is also important because this can, among other things, lead to a better understanding of how adaptable the asset may be, and therefore improve viability and the prospects for long term conservation.

2 Impact on Regent Terrace

As stated in our objections above, we hold that there would be an adverse impact on the setting and amenity of Regent Terrace. As our photograph and the section provided in the application (AA-3) shows, the proposed construction area is very close to the open space bounding the east side of the site and the Category A listed buildings of Regent Terrace. Furthermore, there are concerns that the proposed buildings will tower over the existing space and listed buildings more than the existing listed structure which it will replace.



In the interest of properly demonstrating the extent and impact of the new building it is therefore suggested that, prior to reaching a determination, the council should ask the applicants to provide:

- Visualisations of the east gable of the east wing as viewed from Regent Terrace,
- A 3-dimensional scale model showing this relationship, and
- An on-site, full-scale temporary structure indicating the height and massing of the east most part of the new wing.

Given the significance of the buildings and area and the potential impact on their setting and the amenity and character of the area this is a reasonable request.

3 View into the site from the West

To help the public and decision-makers appreciate the impact of the new west wing when viewed from the west it is recommended that the council require the applicants to arrange for a temporary demonstration on site of the height and massing of the new building. This could be achieved by use of a 'cherry picker', scaffold and hoardings.

4 Other Considerations and Legislation

As indicated in Historic Environment Scotland Policy, work to listed buildings should take account of other considerations and it is the responsibility of the applicant to satisfy these and any other legal requirements.

In our experience, large-scale and complex schemes which gain approval for planning permission and listed building consent are often the subject of subsequent applications and amendments before they can be satisfactorily implemented because of the requirements of other legislation. This can mean that the level and form of change and impact on the amenity, character and setting of a building or area when constructed on the ground are greater than anticipated during the processing of the applications as matters have not been fully tested, or their design implications examined.

This can work against refined and light detailing if dimensions and details need to be upscaled to meet requirements and become more prominent or clumsy. For example, the level of detail deemed acceptable to process applications for planning permission and listed building consent often do not show the full impact of meeting matters of Building Regulations, environmental, health & safety, fire and access. It is our view that in order to remove doubt, and to ensure that the proposals as submitted can be constructed as applied for, that the applicants should be required to develop their proposals to a level of detail that such matters can be tested. In addition, compliance with Buildings Regulations and other such matters should be demonstrated.

Given the sensitivity of this building complex and the extent and radically contrasting form of the new buildings proposed it is crucial that nothing should be left to chance. This would also help avoid the delayed identification of the need for necessary sundry minor developments such as sentry boxes, security gates and other practical facilities not shown in the original proposals plans.

Testing for compliance with Building Standards should include:

- The green roof detailing, including the wallhead detail on and around flat roof areas;
- Roof fall protection on flat roofs;
- Roof plant;
- Ventilation;
- Access facilities for all abilities.

5 Joinery Survey

A detailed survey and inventory of all existing joinery, including doors, windows, skirtings and panelling, is required to allow a full analysis of what might be lost, salvaged or altered.

6 Ironwork Survey

A detailed survey and inventory of all existing ironwork is required to allow a full analysis of what might be lost, salvaged or altered.

7 Sample Panels

Prior to determination, the applicant should be required to erect on site a series of sample panels to demonstrate the detailing of the new build external form and

finishes including colour, textures and materials. This reasonable request would help address the current confusion and lack of understanding of the proposals and clarify the applicant's intentions.

C Conclusion

This document has set out how the proposals fall short of numerous statutory planning policies, and thus should be rejected. The AHSS wishes all these points to be considered as individual objections and as part of one overarching objection to the proposals in both the LBC and FUL application.

Yours faithfully,

Alastair Disley
on behalf of
Forth & Borders Cases Panel