



Report to the Scottish Ministers

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

Report by Dannie Onn and Scott M Ferrie, reporters appointed by the Scottish Ministers

- Site Address: New Parliament House, 5-7 Regent Road, Edinburgh EH7 5BL
- Appeals by Duddingston House Properties and Urbanist Hotels against the decisions by the City of Edinburgh Council
- **Case reference: PPA-230-2178**
- Application for planning permission, ref. 15/03989/FUL dated 3 September 2015, refused by notice dated 18 December 2015
- The development proposed: change of use, alterations to and restoration of principal former Royal High School building and pavilions (original Thomas Hamilton-designed school buildings), demolition of ancillary buildings including the former Gymnasium Block and Lodge, new build development, new/ improved vehicular, service and pedestrian accesses, landscaping, parking, public realm and other works to create a world class hotel of international standing with associated uses (including publicly accessible bars (public house) and restaurants (Class 3))
- **Case reference: PPA-230-2213**
- Application for planning permission, ref. 17/00588/FUL dated 21 February 2017, refused by notice dated 11 September 2017
- The development proposed: change of use, alterations to and restoration of principal former Royal High School building/ pavilions (original Thomas Hamilton-designed school buildings). Demolition of ancillary buildings including former Gymnasium Block/ Lodge, new build development, new/ improved vehicular, service/ pedestrian accesses. Landscaping/ parking/ public realm and other works to create a world class hotel of international standing with associated uses (including publicly accessible bars (public house) and restaurants (Class 3))
- Dates of inquiry sessions: 18 September – 19 October 2018
- Dates of hearing session: 23 October 2018
- Dates of accompanied site inspections: 10-11 May 2018

Date of this report and recommendations: 2 June 2020



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Appeal reference: PPA-230-2178

The development proposed: change of use, alterations to and restoration of principal former Royal High School building and pavilions (original Thomas Hamilton-designed school buildings), demolition of ancillary buildings including the former Gymnasium Block and Lodge, new build development, new/ improved vehicular, service and pedestrian accesses, landscaping, parking, public realm and other works to create a world class hotel of international standing with associated uses (including publicly accessible bars (public house) and restaurants (Class 3))

Appeal reference: PPA-230-2213

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• Case reference	PPA-230-2178 and PPA-230-2213
• Case type	Planning permission appeals
• Reporter	Dannie Onn and Scott M Ferrie
• Appellants	Duddingston House Properties and Urbanist Hotels
• Planning authority	The City of Edinburgh Council
• Other parties	Historic Environment Scotland The New Town and Broughton Community Council The Architectural Heritage Society Of Scotland The Edinburgh World Heritage Society The Cockburn Association The Royal High School Preservation Trust The Regent, Royal and Carlton Terraces and Mews Association
• Date of applications	3 September 2015 and 21 February 2017
• Date cases received by DPEA	17 March 2016 and 8 November 2017
• Method of consideration and dates	Written submissions Accompanied site inspections on 10 and 11 May 2018 Unaccompanied site inspections on various dates before, during and after the inquiry Inquiry sessions from 18 September 2018 -19 October 2018 Hearing session on 23 October 2018
• Date of report	2 June 2020

<ul style="list-style-type: none"> • Reporter’s recommendation 	<p>That appeal reference PPA-230-2178 be dismissed That appeal reference PPA-230-2213 be dismissed</p>
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Background to the proposals:

The appeal site is the former Royal High School on Regent Road, Edinburgh and its immediate grounds. It occupies a prominent position on the southern slopes of Calton Hill. The former Royal High School is a category A listed building in the New Town Conservation Area of Edinburgh and within the Old and New Towns of Edinburgh World Heritage Site. This report examines two separate listed building consent appeals against the refusal of applications to convert and extend the building, essentially to provide a hotel. Both appeal proposals entail the conversion of the main Hamilton building and the provision of modern extensions to either side. The Scheme 1 appeal would provide 147 bedrooms; the Scheme 2 appeal is of reduced scale and would provide 127 bedrooms. Concurrent appeals into the refusal of listed building consent for the same developments are the subject of a separate report to Scottish Ministers.

The appellants’ case:

A luxury hotel is needed and beneficial to the economy; the building would be restored with minimal intervention and brought back into use; the rear retaining wall and belvedere would be exposed and celebrated; the setting would be improved because the new building would reinforce how Hamilton intended his building to be seen. This approach says that the restoration is so desirable and the design so exemplary, that the impact overall would be beneficial.

City of Edinburgh Council’s case:

The appeal scheme would harm the special architectural and historic interest of the listed building and the character and appearance of the conservation area. A number of other heritage assets would be adversely affected. There is no exceptional case which would justify overriding that presumption on the basis of the benefits the hotel would bring, or the lack of other options to bring the building back into use with less harm.

Historic Environment Scotland’s case

The former Royal High School is one of the most important listed buildings in Scotland and of international significance for its architecture and setting. The proposed extensions would not protect the character and appearance of the listed building; they would not be subordinate in height, scale or form; the Hamilton building would lose its primacy on the carefully designed and assembled site. This does not support a case for departing from the presumption against the works set out in the HES policy statement.

The New Town and Broughton Community Council/ The Edinburgh World Heritage Society/ The Cockburn Association’s case

A new, sustainable use for the listed building is supported, given its deteriorating condition. It also accepts that change will be required to support that. The proposed hotel extensions would have a detrimental impact on the setting of the listed building. The integrity of the

listed building would be adversely impacted. A number of other heritage assets, including the World Heritage Site, would be adversely affected. The apparent offer of a more sympathetic and less intrusive development by the Royal High School Preservation Trust is relevant to the consideration of the proposals here.

The Architectural Heritage Society Of Scotland's case

The Royal High School is one of the relatively few Scottish buildings that are recognised as being of international standing by the wider architectural community. AHSS supports appropriate, sympathetic, high quality modern architecture and initiatives to bring historic buildings back into economic and social use. However, the proposed schemes would result in over-development of the site. The design and materials of the proposal would not be appropriate to the special interest of the listed building.

The Royal High School Preservation Trust's case

The Trust objects to the proposed works because of the impact they would have on the listed building and its setting.

The Regent, Royal and Carlton Terraces and Mews Association's case

Of principal concern to the association is the impact of the proposed development on the special interest and significance of Calton Hill and the two listed terraces to the east. The unique combination of landscape and buildings was no accident and is recognised by the World Heritage Site inscription. The elegant Regents Terrace would be debased by becoming the only service entrance for the development.

Reporters' conclusions:

The restoration of the building and part clearance of later additions to expose and enhance the original setting are desirable outcomes. The architects' approach to the proposed extensions is exemplary and would produce high quality contextual modern architecture. However, for both appeals, this does not add up to an acceptable or beneficial solution. The impact of the scale of the extensions is harmful to the integrity and setting of this nationally and internationally important listed building in its highly valued setting. The proposed works would not preserve the listed building or its setting and the character and appearance of the Edinburgh New Town Conservation Area would be neither preserved nor enhanced. That would be contrary to Sections 14 and 64 respectively of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

The proposals are contrary to those policies of the Edinburgh Local Development Plan relating to impacts on the listed building and its setting; impacts on the character and setting of the New Town Conservation Area and on the setting of the Old Town Conservation Area; impacts on the qualities of the Old and New Towns of Edinburgh World Heritage Site; impacts on the character and attractiveness of the city centre; impacts on the character and appearance of the area; impact on the character of a site recorded in the Inventory of Gardens and Designed Landscapes; impact on the special character or qualities of a Special Landscape Area; and impacts on the skyline and key views of the city centre. The proposal is consistent with policies of the Edinburgh Local Development Plan in regard to impact on neighbouring residential amenity; and as it entails hotel development within the city centre. Overall it is concluded that the proposal is contrary to the development plan.

Weighed against that, there would be significant tourism and economic benefits. However, in applying the planning balance, those benefits are not sufficient to outweigh the many adverse effects of both proposals. The proposals do not represent the right development in the right place and do not therefore, benefit from the presumption in favour of development that supports sustainable development, as set out at paragraph 28 of SPP.

Recommendations:

That appeal reference PPA-230-2178 be dismissed

That appeal reference PPA-230-2213 be dismissed

Scottish Government
Planning and Environmental Appeals Division
4 The Courtyard
Callendar Business Park
Callendar Road
Falkirk
FK1 1XR

DPEA case references: PPA-230-2178 & PPA-230-2213

The Scottish Ministers
Edinburgh

Ministers

In accordance with our minutes of appointment dated 4 April 2016 and 4 December 2017, we conducted inquiry and hearing sessions in connection with four appeals (two planning permission appeals and two listed building consent appeals) at New Parliament House, 5-7 Regent Road, Edinburgh. The building is more commonly known as the former Royal High School, and we use that name throughout our reports.

Both planning applications which are subject of this report were refused permission by the City of Edinburgh Council and then appealed by Duddingston House Properties & Urbanist Hotels. You recalled the planning permission appeals for your own determination because they raise issues of national importance in terms of potential impacts on the historic environment, including the Old and New Towns of Edinburgh World Heritage Site, and in relation to potential economic and tourism benefits.

This report relates to the planning permission appeals. A separate report has also been submitted to Scottish Ministers in regard to the listed building consent appeals.

We held a pre-examination meeting on 20 July 2016 in relation to the first appeal. The appellants requested that we sist the examination of that appeal pending the decision by the City of Edinburgh Council on the revised proposal for the site. We agreed to this. The revised proposal was refused, appealed and recalled. We then held a second pre-examination meeting on 1 February 2018. Links to the notes of both pre-examination meetings are included at Appendix 1 of this report.

Following those meetings and a review of the information before us, we issued a procedure notice on 8 February 2018. Inquiry sessions into specified matters were held between 18 September and 19 October, followed by a hearing session on 23 October 2018. Following the inquiry and hearing sessions, we requested further written representations on Historic Environment Scotland's revised Historic Environment Policy for Scotland.

We undertook accompanied site inspections on 10 and 11 May 2018 and a number of unaccompanied inspections from places around the site on various dates before, during and after the inquiry sessions.

We invited the parties to make closing statements with the final of these submissions lodged on 14 December 2018. Hyperlinks to those statements are contained in Appendix 6.

We now report to you in respect of the two planning permission appeals and invite you to make separate decisions in respect of each. Mindful of the separate requirements for planning and listed building consent appeals, we have issued a separate report in respect of the two associated listed building consent appeals, which are essentially for the same schemes.

In March 2019 Historic Environment Scotland issued revised policy and guidance in relation to the historic environment. By procedure notice of 10 April 2019, we requested the views of the inquiry parties on how the new policy should be applied in the context of the appeals. The last of the submissions was received 15 May 2019.

At our first pre-inquiry meeting and also in writing, Mr Black made representations to the effect that the inquiry should not proceed because the applications were not made in compliance with the proposals resulting from the appellants' selection as the preferred developer for the site by the City of Edinburgh Council. Mr Black cited European law to contend that the appellants in these cases are not legally competent to make the applications and that Scottish Ministers should not proceed to a decision in either case. We note that our powers are restricted to reporting to you on the merits of the cases before us, within the scope of the Planning Act and the Listed Buildings and Conservation Areas Act.

In those circumstances, it matters not to us who submitted the applications or the extent of their interest in the land, provided the required notification had been made to the landowner. In this case the landowner is the City of Edinburgh Council itself, which has been properly notified of the applications and appeals. We therefore continued with the examination of the appeals. It is a matter for you, Ministers, whether you wish to seek further legal advice on this matter. We responded that, in our opinion, these were matters outwith the scope of our consideration of the appeals, but that we would forward Mr Black's representations to Scottish Ministers together with our reports. Hyperlinks to those representations are included at Appendix 7.

We note also that there have been some critical comments, accusations and counteraccusations between some of the parties. We have preferred to concentrate on the facts, the expert evidence as tested in cross-examination, and our own judgement in reaching the conclusions in our reports.

At the pre-inquiry meeting, the Edinburgh World Heritage Trust made an application for expenses against the appellants. This application was withdrawn at the close of the inquiry sessions. Also at the close, an application was intimated by the Architectural Heritage Society of Scotland against the appellants, and a separate application for expenses was intimated by the appellants against the Edinburgh World Heritage Trust. These applications are the subject of a separate report to ministers.

Our report, which is arranged on a topic basis, takes account of the precognitions, written statements, documents and closing statements lodged by the parties, together with the evidence heard at the inquiry and hearing sessions. It also takes account of the Environmental Impact Assessment and other environmental information submitted by the parties, and the written representations made in connection with the proposals.

We have structured the report in three parts: Part 1 covers the relevant statutory duties and issues common to both appeals. Our conclusions in Part 2 (the Scheme 1 appeal) and Part 3 (the Scheme 2 appeal) are informed by our conclusions at Part 1 of the report.

On 16 May 2017, the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017 came into force. The 2017 regulations revoked the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011 with certain exceptions. The 2011 Regulations continue to have effect for an application (and any subsequent appeal) for planning permission where the applicant submitted an environmental statement in connection with the application before 16 May 2017. That was done in these cases. These appeals should, therefore, be determined in accordance with the 2011 regulations as they applied before 16 May 2017.

We now report to you in respect of the two planning permission appeals and invite you to make separate decisions in respect of each. Mindful of the separate requirements for recovered planning and listed building consent appeals, we have issued a separate report in respect of the two linked listed building consent appeals which are essentially for the same schemes. We respectfully suggest that you consider each of the four appeals with reference to the others and issue separate decisions, but at the same time.

Abbreviations

AHSS	Architectural Heritage Society of Scotland
CA	Conservation Area
CEC	City of Edinburgh Council
DHP	Duddingston House Properties (joint appellant)
EWHT	Edinburgh World Heritage
DPEA	Planning and Environmental Appeals Division (Scottish Government)
GDL	Garden and Designed Landscape
HES	Historic Environment Scotland
HIA	Heritage Impact Assessment
NPF3	National Planning Framework 3
OUV	Outstanding Universal Value
RHS	Royal High School
SLA	Special Landscape Area
SNH	Scottish Natural Heritage
SoOUV	Statement of Outstanding Universal Value
SPP	Scottish Planning Policy
SSSI	Site of Special Scientific Interest
TCA	Townscape Character Area
TVIA	Townscape and Visual Impact Assessment
UH	Urbanist Hotels (joint appellant)
WHS	World Heritage Site

PART 1 BACKGROUND

This part of our report applies to both planning permission appeals before the Scottish Ministers.

The appeal site is the former Royal High School on Regent Road, Edinburgh and its immediate grounds. It occupies a prominent position on the southern slopes of Calton Hill, overlooking the Waverley Valley towards the distinctive townscape of Edinburgh's Old Town. It is located about 500 metres to the east of Waverley Station, just beyond St. Andrew's House – the imposing Scottish Government administrative building on Regent Road.

The former Royal High School is a category A listed building located within the New town Conservation Area of Edinburgh and within the Old and New Towns of Edinburgh World Heritage Site. This report examines two separate appeals against the refusal of planning applications to convert and extend the building, essentially to provide a hotel.

Concurrent appeals into the refusal of listed building consent for the same developments are the subject of a separate report to the Scottish Ministers.

1 Policy context and determining issues

1.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 requires Ministers to determine these appeals in accordance with the development plan unless material considerations indicate otherwise.

The development plan

1.2 The development plan comprises of the [SESplan Strategic Development Plan 2013](#), together with the [Edinburgh Local Development Plan 2016](#).

1.3 [SESplan](#) was approved by Scottish Ministers in 2013.

1.4 No particular policies of SESplan have been brought to our attention. We accept the general contention that SESplan requires local authorities to bring forward local development plans that include policies and proposals which will ensure that there are 'no significant adverse impacts' on heritage assets, and that the Edinburgh Local Development Plan does so.

1.5 The [Edinburgh Local Development Plan](#) was adopted in 2016.

1.6 Policy Del 2: City Centre states that: "Development which lies within the area of the City Centre as shown on the Proposals Map will be permitted which retains and enhances its character, attractiveness, vitality and accessibility and contributes to its role as a strategic business and regional shopping centre and Edinburgh's role as a capital city. The requirements in principle will be for:

- comprehensively designed proposals which maximise the potential of the site in accordance with any relevant development principles, development brief and/or other guidance
- a use or a mix of uses appropriate to the location of the site, its accessibility characteristics and the character of the surrounding area
- where practicable, major mixed use developments should provide offices, particularly on upper floors. At street level, other uses may be more appropriate to maintain city centre diversity, especially retail vitality on important shopping frontages
- the creation of new civic spaces and traffic-free pedestrian routes where achievable."

1.7 Policy Env 1: World Heritage Sites states that: "Development which would harm the qualities which 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."

1.8 Policy Env 2: Listed Buildings – Demolition 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."

1.9 Policy Env 3: Listed Buildings – Setting states that: “Development within the curtilage 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.”

1.10 Policy Env 4: Listed Buildings – Alterations and Extensions 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.

1.11 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. Planning applications should be submitted in a sufficiently detailed form for the effect of the development proposal on the character and appearance of the area to be assessed.”

1.12 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 effects on its setting or upon component features which contribute to its value. Elsewhere, adverse effects on historic landscape features should be minimised. Restoration of Inventory sites and other historic landscape features is encouraged.”

1.13 Policy Env 11: Special Landscape Areas states that: “Planning permission will not be granted for development which would have a significant adverse impact on the special character or qualities of the Special Landscape Areas shown on the Proposals Map.”

1.14 Policy Des 1: Design Quality and Context 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.”

1.15 Policy Des 4: Development Design – Impact on Setting 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) position of buildings and other features on the site; d) materials and detailing.”

1.16 Policy Des 5: Development Design – Amenity states that “Planning permission will be granted for development where it is demonstrated that: a) the amenity of neighbouring developments is not adversely affected and that future occupiers have acceptable levels of amenity in relation to noise, daylight, sunlight, privacy or immediate outlook; b) the design will facilitate adaptability in the future to the needs of different occupiers, and in appropriate locations will promote opportunities for mixed uses; c) community security will be promoted by providing active frontages to more important thoroughfares and designing for natural

surveillance over all footpaths and open areas; d) a clear distinction is made between public and private spaces, with the latter provided in enclosed or defensible forms; and e) refuse and recycling facilities, cycle storage, low and zero carbon technology, telecommunications equipment, plant and services have been sensitively integrated into the design.”

1.17 Policy Des 11: Tall Buildings – Skyline and Key Views states 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.”

1.18 Policy Emp 10: Hotel Development states that: “Hotel development will be permitted: a) in the City Centre where developments may be required to form part of mixed use schemes, if necessary to maintain city centre diversity and vitality, especially retail vitality on important shopping frontages; b) within the boundaries of Edinburgh Airport, the Royal Highland Centre and the International Business Gateway; and c) in locations within the urban area with good public transport access to the city centre.

1.19 The Scottish Ministers’ policy is set out in [National Planning Framework 3](#) (NPF3) and [Scottish Planning Policy](#) (SPP). Both documents, approved in 2014, are the most recent expressions of national planning policy and weight should be afforded to them accordingly.

1.20 NPF3 recognises that the historic environment is an integral part of our well-being and cultural identity. It seeks proactive and innovative environmental stewardship. It looks forward to a planned approach to development to help strike the right balance between safeguarding assets that are irreplaceable and facilitating change in a sustainable way.

1.21 In respect of listed buildings, paragraph 136 of SPP states that the historic environment is a key cultural and economic asset and a source of inspiration that should be seen as integral to creating successful places. Culture-led regeneration can have a profound impact on the well-being of a community in terms of the physical look and feel of a place and can also attract visitors, which in turn can bolster the local economy and sense of pride or ownership.

1.22 Paragraph 137 of SPP states that the planning system should promote the care and protection of heritage assets and their contribution to sense of place, cultural identity, social well-being, economic growth, civic participation and lifelong learning. At the same time, it seeks to enable positive change in the historic environment which is informed by a clear understanding of the importance of heritage assets affected, and to ensure their future use. It says that 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.

1.23 SPP also expects, at paragraph 141, that change to a listed building should be managed to protect its special interest while enabling it to remain in active use, and that it should be protected from demolition or other work that would adversely affect it or its setting.

1.24 SPP expects that proposals for development within a conservation area and proposals outwith which would impact on its 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.

1.25 SPP introduces a presumption in favour of development that contributes to sustainable development. Paragraph 28 states 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. The aim is to achieve the right development in the right place; it is not to allow development at any cost.”

1.26 The council’s [Development Brief for Princes Street Block 10](#), approved by the council in 2008, encompasses the appeal sites and immediately surrounding area, and sets out the main planning and development principles on which development proposals for the area should be based. The development brief is stated to be a material consideration in the determination of planning applications that come forward for the area.

1.27 We also require to have special regard to the desirability of preserving the listed building or its setting, as well as the setting of nearby listed buildings, in accordance with section 59(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (the listed building Act).

1.28 Conservation areas are designated for their special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance. Section 64(1) of the listed building Act requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of a conservation area. This applies to the conservation area in which the building sits, which is the New Town Conservation Area.

1.29 Policy guidance on the application of the listed building Act can be found in the [Historic Environment Policy for Scotland](#) of 2019 (HEPS). This is a non-statutory statement directing decision-making that affects the historic environment. It is not the policy of the Scottish Ministers, but that of their specialist advisors on the historic environment. Nevertheless, we note that the Scottish Ministers consider that it sits alongside national policies in NPF3 and SPP. It must therefore be a guiding document of some weight in these decisions.

1.30 HEPS sets out six policies for managing the historic environment, which seek to ensure understanding (HEP1), enjoyment, protection, enhancement and promotion of the historic environment (HEP2, HEP3, and HEP4). If detrimental impact is unavoidable, policies HEP3 and HEP4 seek to minimise it, saying that steps should be taken to demonstrate that alternatives have been explored, and mitigation measures should be put in place. We discuss the value of these below in relation to the principles within HEPS.

1.31 Policy HEP5 expects decisions to contribute to sustainable development of communities and places. This has little impact in terms of the requirements of the listed building Act, but we recognise that finding a suitable use for a listed building is key to a sustainable future for the building. Policy HEP6 expects that decisions will be informed by an inclusive understanding of the potential consequences for people and communities. It adds that decision-making processes should be collaborative, open, transparent and easy to understand.

1.32 The policies set out in HEPS are underpinned by principles. There is no dispute that the evidence in support of the proposed works is well-researched and comprehensive. Our inquiry has allowed us and other participants in the process to contribute further to our understanding. In our view we have sufficient information to identify the significance of the listed building and its setting. The principles underlying policy HEP1 are met in these cases.

1.33 Policies HEP2, HEP3 and HEP4 relate to managing change. HEP2 expects that decisions affecting the historic environment should be approached in a way that protects and promotes the historic environment. In these cases we have applied this policy in the context of the statutory duties in the listed building Act.

1.34 Policy HEP3 relates to plans, programmes and resource allocation rather than decisions. Policy HEP4 applies the same principles to managing change. This policy is directly relevant in these cases and is underpinned by the core principles that:

- Some change is inevitable.
- Change can be necessary for places to thrive.
- Caring for the historic environment benefits everyone, now and in the future.
- Good decisions take a long-term view.
- Good decisions reflect an understanding of the wider environment.
- Good decisions are well-informed, transparent, robust, consistent and proportionate.
- Good decisions make sure that nothing is lost without considering its value first and exploring options for avoiding its loss.
- To manage the historic environment in a sustainable way, its cultural significance and the cultural significance of elements within it have to be understood.

1.35 Where decisions must be made, the principles advise decision-makers to:

- Avoid negative impact where possible.
- Minimise any impact that cannot be avoided.
- Keep intervention to a minimum.
- Ensure changes to a site or place are proportionate to its cultural significance.
- Consider less detrimental alternatives if they can deliver the same objectives.
- Identify opportunities for mitigation throughout, and as early as possible.
- Identify opportunities for furthering our knowledge and understanding where possible.

1.36 The policies and principles in HEPS are supported by published [Interim Guidance on the Principles of Listed Building Consent](#). The guidance largely restates earlier HES guidance in the now superseded policy statement examined at our inquiry. In particular, the current guidance includes recommendations that:

- 6. The majority of listed buildings are adaptable and have met the needs of successive generations while retaining their character. Change should therefore be managed to protect a building's special interest while enabling it to remain in active use. Each case must be judged on its own merits but in general terms listing rarely prevents adaptation to modern requirements but ensures that work is done in a sensitive and informed manner.
- 8. Once lost, listed buildings cannot be replaced. They can be robbed of their special interest either by inappropriate alteration or by demolition. There is therefore a

presumption against demolition or other works that adversely affect the special interest of a listed building or its setting.

- 9. Listed buildings will however, like other buildings, require alteration and adaptation from time to time if they are to remain in beneficial use, and will be at risk if such alteration and adaptation is unduly constrained. In most cases such change, if approached carefully, can be managed without adversely affecting the special interest of the building.
- 10. 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.
- 11. In general the more extensive the intervention which is proposed, the more supporting information applications should provide. Where proposals involve significant intervention, evidence that less intrusive options have been considered should be provided. Where the application would have a significantly adverse effect on the building's special interest but is believed to offer significant benefits to economic growth or the wider community, applicants should prepare a statement which justifies the intervention in relation to these benefits. This statement should demonstrate that the benefits could not be realised without the intervention proposed.
- 14. Where a proposal involves alteration or adaptation which will sustain or enhance the beneficial use of the building and does not adversely affect the special interest of the building, consent should normally be granted.
- 15. Where a proposal involves alteration or adaptation which will have an adverse or significantly adverse impact on the special interest of the building, planning authorities, in reaching decisions, should consider carefully:
 - the relative importance of the special interest of the building;
 - the scale of the impact of the proposals on that special interest;
 - whether there are other options which would ensure a continuing beneficial use for the building with less impact on its special interest; and
 - whether there are significant benefits for economic growth or the wider community which justify a departure from the presumption against demolition or other works that adversely affect the special interest of a listed building or its setting.

1.37 HES also publishes more detailed guidance on aspects of intervention in the historic environment in its Managing Change in the Historic Environment series. Of relevance here are those publications on [Setting](#); the [Use and Adaptation of Listed Buildings](#); and the [Demolition of Listed Buildings](#).

1.38 Good practice guidance: '[New Design in Historic Settings](#)' was published jointly by HES, Architecture and Design Scotland and the Scottish Government in 2010. Its stated purpose is to explore how good design in historic settings is achieved. It aims to set out an approach to design which will help to break down the design process into a series of steps involving interrogating, analysing and designing effective solutions that are appropriate for the specific context being considered. Its desired outcome is high quality design of new buildings and spaces in historic settings. One of its aims is to showcase good design in historic settings as a way of delivering key objectives, particularly the fundamental Scottish Government objective of sustainable economic development.

1.39 The New Design in Historic Settings guidance supports contemporary design responses, demonstrating an honesty and confidence in our modern architecture which will

be valued by future generations, but cautioning against a modern building that disregards its setting. The guidance sets general principles for new design and then goes on to suggest a methodology to ensure the design fulfils those principles.

1.40 HES has published guidance on its [designation policy and selection guidance](#) for listed buildings which includes criteria for assessing whether a building merits listing. The guidance includes a section on the importance of setting.

1.41 We have read and heard in our inquiry that the philosophy of conservation is relevant to our consideration of the issues. Constructive conservation aims to achieve a balance between sustaining heritage values whilst achieving viable solutions. This suggests that the integrity of a building may be compromised to secure its future and thereby preserve much of its special interest, provided that this understands or is founded on the significance of the listed building and its setting.

1.42 The Old and New Towns of Edinburgh was inscribed as a property on the UNESCO list of World Heritage Sites in 1995. This confirms that the site, because of its architecture, its homogeneity of place and its place in the landscape, is of outstanding universal value from the point of view of history, art or science.

1.43 The UK has signed up to obligations under the World Heritage Convention. In these particular cases, that means that the UK, and by virtue of devolution the Scottish Ministers, must endeavour in so far as possible to adopt a general policy to give the cultural and natural heritage a function in the life of the community and integrate the protection of that heritage into comprehensive planning programmes. The [Statement of Outstanding Universal Value](#) relating to that inscription includes that the site has adequate protection and management mechanisms to ensure the conservation of the nominated cultural properties. Buildings within the World Heritage Site and its special architectural and historic character and appearance are protected by the statutory list and the conservation area designations which cover it. On that understanding, the provisions of the Listed Building Act and the duties it places on decision-makers are deemed sufficient to comply with the obligations under the convention.

1.44 These duties are reinforced by the guidance within the local and national policy set out above. In particular, SPP expects planning decisions to protect and preserve the outstanding universal value of the site. The [management plan](#) for the World Heritage Site also provides guidance on its protection. It includes that: ‘balancing the needs of the city to maintain its economic vibrancy and the need to protect the heritage is essential to both. The relationship between outstanding universal value and economic success needs to be protected, developed and celebrated.’ We have dealt with the balance of economic interest and listed building preservation in Parts 2 and 3 of this report.

The main points for the appellants

1.45 SESplan requires local authorities to bring forward local development plans that include policies and proposals which will ensure that there are ‘no significant adverse impacts’ on international, national and local designations and classifications including World Heritage Sites, listed buildings and designed landscapes.

1.46 The proposals would make a positive contribution to the city in architectural and urban design terms and bring a redundant listed building back into productive and long-term

use. In overall terms, the impact on heritage and environmental assets would in some respects be beneficial, with only limited adverse impact.

1.47 The proposals are therefore, in accordance with the relevant aspects of the SDP.

1.48 The Edinburgh Local Development Plan sets out to ensure that development in the city centre is on the basis of achieving an appropriate balance between competing priorities in terms of realising economic potential, with protection of its built and natural heritage. City centre development proposals are to be assessed in relation to policy Del 2. This policy confirms that development proposals in the city centre will be permitted where these maintain and enhance its character, attractiveness, vitality and accessibility and contributes to its role as the strategic business and regional shopping centre, and its role as a capital city. The appellants' evidence demonstrates that the proposals meet these requirements.

1.49 The LDP also includes policies on design principles. Policy Des 1 confirms that planning permission will be granted for new development where this contributes towards a sense of place. It requires proposals to be based on an overall design concept that draws on the positive characteristics of the surrounding area. Policy Des 3 promotes incorporation of existing characteristics and features worthy of retention on the site. Policy Des 4 confirms 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 matters such as height and form, scale, spaces, materials. Policy Des 11 provides for development exceeding the prevailing building height where a landmark is created, the scale of building is within context, or there is no adverse impact on views of buildings, skyline, landscape setting or landscape features.

1.50 The appellants' evidence demonstrates that the proposals are based on a well-considered design concept and meet these requirements.

1.51 Other LDP design policies seek to safeguard and enhance levels of amenity from neighbours, best practice on waste and recycling, cycle storage, low and zero carbon technology (Des 5). Sustainable building technology and measures are required (Policy Des 6). Development layout is to involve a comprehensive and integrated approach to transport connections, open space and drainage (Des 7). Any external spaces are to be designed as an integral part of the proposed scheme and to be of a high design standard and quality (Des 8). Des 11 relates to tall buildings and isn't likely to be directly applicable in this case.

1.52 The proposals address the relevant detailed requirements arising from these policies.

1.53 The LDP includes various policies that address the historic and natural environment. Developments that would harm the qualities which justify the inscription of the World Heritage Site or would have a detrimental impact on its setting are not to be permitted (Env 1). The appellants' evidence is that this would not be the case.

1.54 Policy Env 2 states that the demolition of listed buildings will be supported in exceptional cases considering the following:

- The condition of the building, and the cost of repair and maintenance;

- The adequacy of efforts to retain the building in or adapted to a use that would safeguard its future, including marketing at a price reflecting its location and condition to potential restoring purchasers for a reasonable period; and
- The merits of alternative proposals for the site and whether the public benefits to be derived from allowing demolition outweigh the loss.

1.55 Development within the curtilage or affecting the setting of a listed building will be permitted only if it is not detrimental to the architectural character, appearance or historic interest of the building or its setting (Policy Env 3). Proposals to alter and extend a listed building will be permitted where those alterations or extensions are justified, where there will be no unnecessary damage to historic structures or diminution of its interest and where any additions are in keeping with other parts of the building (Env 4).

1.56 New development within a conservation area, including demolition of an unlisted building, will be permitted where it would preserve or enhance the special character of the conservation area, the key existing features are preserved and where high standards of design and materials appropriate to the historic environment is used (Env 5, Env 6). This includes the preservation of trees, boundary walls and railings.

1.57 Any development affecting the site which is recorded in the inventory of gardens and designed landscapes, will only be approved where there is considered to be no detrimental impact on its character (Env 7). Further landscape considerations are set out in policy Env 11.

1.58 The appellants' detailed evidence demonstrates that there would be no overall detriment to these acknowledged interests from the proposed development, and that there would in fact be benefits arising in some respects.

1.59 The LDP includes policies on transport. New developments are to include various sustainable transport measures and be coordinated with any public transport proposals and safeguards. The proposals would meet these requirements.

1.60 The proposals are in accordance with the relevant aspects of the LDP.

The main points for the council

1.61 The proposals are considered contrary to LDP Policy Env 2. In particular, the public benefits (including economic benefits) do not outweigh the loss. Moreover, given the significant impacts on listed buildings arising from their demolition, there is a strong presumption against the grant of planning permission in terms of section 59 of the listed building Act.

1.62 The proposals are contrary to LDP Policies Env 3 (Listed Buildings – Setting) and Env 4 (Listed Buildings – Alterations and Extensions) as referred to in the reasons for refusal of both planning applications. Adverse impacts on nearby listed buildings further demonstrate that the proposals fail to comply with LDP Policy Env 3.

1.63 The damaging impacts arising as a result of the height, scale, massing and positioning of the proposals, demonstrate that the proposals fail to meet the provisions of LDP Policy Des 11.

1.64 Calton Hill is noted in the New Town Conservation Area Character Appraisal as: “the most prominent natural landmark within the area”. In both appeal proposals it is contended that the character and appearance of the New Town Conservation Area would be adversely affected, contrary to the requirements of Section 64 of the listed building Act and Policy Env 6 of the LDP.

1.65 The proposals are considered to be contrary to LDP Policy Env 11 as they fail to safeguard the essential qualities and characteristics of the special landscape area.

1.66 The proposals fail to comply with HES's Managing Change guidance on development within the New Town Gardens Inventory Site. It is therefore contended that the proposals are contrary to LDP Policy Env 7.

1.67 The proposals are contrary to LDP Policy Env 1 as they fail to safeguard the outstanding universal value of the Old and New Towns of Edinburgh World Heritage Site.

1.68 The adverse impacts of the proposals mean that, whilst the proposed buildings themselves may be considered a sophisticated architectural response, the sheer scale and massing of the proposals mean they are contrary to LDP Policies Des 1 and Des 4.

1.69 The negative impacts of both proposals on the city skyline and important views of landmark buildings and features and the city’s landscape setting also demonstrate that the proposals are inappropriate for this sensitive location and contrary to the provisions of LDP Policy Des 11.

1.70 The provision of a proposed hotel at this central location complies with the general provisions of LDP Policy Emp 10 (Hotel Developments). The proposals comply, in part, with LDP Policy Del 2 (City Centre) and the [Princes Street Block 10 Development Brief](#). However, both proposals fail to accord with the development plan overall as they breach a significant number of LDP policies.

The main points for the other parties

1.71 The other parties to the inquiry contend that the proposals are contrary to those policies of the development plan, and are inconsistent with other relevant policies and guidance, relating to the protection of listed buildings, conservation areas, other heritage assets and good design.

Determining issues

1.72 Having regard to all of the submitted material, we find that the main issues in these appeals are:

- impacts of the proposals on the listed building, the conservation area, the world heritage site and on other heritage assets;
- townscape and visual impacts;
- impact on residential amenity;
- impacts on tourism and the economy; and
- whether any other material considerations point towards approval or refusal of planning permission.

1.73 We deal with each of these issues, and consider impacts of the proposals against the relevant policies and guidance, in the following chapters of this report.

1.74 In doing so we require also to have special regard to the desirability of preserving the listed building or its setting, as well as the setting of nearby listed buildings, in accordance with section 59(1) of the listed building Act; and we pay special attention to the desirability of preserving or enhancing the character or appearance of the New Town Conservation Area, in accordance with Section 64 (1) of the listed building Act.

2 Description of the application site and its surroundings

2.1 The appeal site is the former Royal High School of Edinburgh. The school moved to a new site in 1968, since when the building has had a variety of uses in parts and for different lengths of time. No settled re-use has been found.

2.2 The building was category A listed in 1966. The list includes the lodge, classroom block, retaining/ boundary walls, gateposts and railings. The list entry includes a description of these and a statement of special interest, which have informed our assessment below.

2.3 The building was built for the City of Edinburgh as a replacement building for an earlier High School. It was opened in 1829. The site was extensively remodelled to provide a platform for the building, including rock-blasting. A Greek revival building was placed prominently and largely symmetrically upon the platform, with elaborate steps, gates, walls and railings providing routes between the main building and Regent Road below, and with the backdrop of Calton Hill. Further description of the building is included under special interest in Chapter 3 below.

2.4 The building has been owned and maintained by the City Council. It is on the Buildings at Risk register, where the condition of the parts of the principal building is described as fair and the risk as low but where the lodge and gymnasium block are at higher risk because of the threat of demolition. The listed building is cared for by the council and has been largely closed down since 2010 to reduce running costs, although these remain high.

2.5 The building lies within the New Town Conservation Area of Edinburgh. Across the road to the south of the site is the Old Town Conservation Area. Descriptions of these can be found in the council's character appraisals for the [Old Town](#) and the [New Town](#).

2.6 The building is set on the southern slope of Calton Hill. This prominent Edinburgh landmark hill is included in the national inventory of Designed Gardens and Landscapes. Calton Hill has evolved as a special place in Edinburgh, containing the National Monument, Nelson's Monument and other notable structures. Together these form a place of monuments in a public open space, which offers an excellent view point for appreciating the rest of the city in its wider setting.

2.7 The appeal site is located a little away from the twin hearts of the city but is prominently sited and sits within the dramatic views available from the well-visited Salisbury Crags and Arthur's Seat.

3 Special interest of the listed building

3.1 The special interest of the listed building is not in doubt. That the building in its setting is of special interest is obvious to all and not in dispute between the parties to our examination. Aspects of significance have been known since before the listing process was established. The appellants have provided detailed historical research, which furthers our understanding, and which was not contradicted to any meaningful degree by other parties. The factual understanding provided does not conflict with that of the Ministers' own specialist advisors, Historic Environment Scotland. The listed building is clearly of national and international importance.

3.2 However, in assessing the proposed works, we find it useful to consider what is of the most significance in these cases and what is of lesser special interest.

Architectural interest

3.3 The statement of special interest attached to the list entry tells us that the former Royal High School is one of the finest examples of Greek Revival architecture in Scotland, designed by Thomas Hamilton, a leading Scottish architect of the early 19th century. Its unique and powerful combination of setting, massing and masterful use of classical architectural language cemented Edinburgh's reputation as the Athens of the North, and also alluded to the academic aspiration and achievement of both the school and Scotland as a nation.

3.4 Inspired by the dramatic setting, and the backdrop of the unfinished National Monument on the hill above (based on the Parthenon at the Acropolis in Athens), Hamilton created a monumental composition based on the temple (the Propylaeon at the Acropolis), the lesser temple (that of Unwinged Victory in relation to the Propylaeon) and the Stoa or market colonnade. In doing so he strongly reinforced the similarities between Calton Hill and the Acropolis, and thus between Edinburgh and classical Athens. The order of the central temple-style pavilion is based on the Temple of Theseus, illustrated in Stuart and Revett's *Antiquities of Athens*, published in 1794. The outer pavilions are loosely based on the monument of Thrasyllos.

3.5 The description goes on to explain that earlier drawings show that Hamilton had experimented with various details such as carved wreaths to the parapets of the outer pavilions, a sculpted tympanum to the central pediment, and oculus windows to the projecting basement of the central pavilion. A pair of statues representing distinguished literary characters associated with the school was to have been installed on the top of the projecting gateways in front of the central pavilion, but this never happened due to a lack of funds.

3.6 We also learn from the description that, aside from its aesthetic impact, the building is also highly successful for the way in which Hamilton solved the main disadvantage of the Greek Revival style, namely that of adapting a windowless Greek temple form to modern use. The central hall is lit by windows high on the wall of the main 'temple', providing cross lighting for the coffered ceiling and yet invisible from the front of the building. The Rector's room and Library are lit from above through octagonal clerestories.

3.7 The principal building on the site is the main school, erected between 1825 and 1829. There is no dispute that this is a unique example of Greek revival architecture and acknowledged to be one of the finest monuments of neo-classicism in Britain. It is designed

to sit on a deliberately elevated platform and has a prominent position in the city. It was built to compliment an ensemble of architectural monuments intended to display Edinburgh's enlightenment credentials and its aspirations to be the Athens of the North. Although there are other prominent Greek revival buildings in Edinburgh and across Scotland, this must surely be the most important of them.

3.8 The building is in a pure Greek style derived from antiquity. Hamilton never travelled to Greece, but his work here is heavily influenced by those who went there, studied the remains of ancient Greek structures and brought back faithful drawings of them. Hamilton cleverly adapted the archetypes in producing a bespoke and original composition for the new school. The building is modelled on the propylaea of the Acropolis in the sense that it suggests movement up and though the site to the monuments on the hill above (although such movement was never physically possible). There is a central temple at the heart of the design, with a series of stairs and doorways connecting to Regent Road below. These features were more symbolic than useful. We heard that they were used mostly for the final exit of pupils on graduation.

3.9 The building is designed with a hierarchical approach to elevation and detail. The principal south-facing elevation is clearly the most important, but it should be understood on the basis of how it would be seen. Angled views from the south-east and south-west show how the sculptural form should be read in three dimensions. The elevations to the east and west are therefore integral to the presentation of the building on the site as are the angled pavilions at the lower road level. The north elevation is less monumental and more practical. Nevertheless, the form, materials and detail of construction on all sides are confident and of high quality.

3.10 The detailing of the principal building is consistent with the attention paid to the proportions and composition. It completed the Greek ethos of the architecture, faithfully reproducing the proportions of the ancient examples. There are many features of special architectural interest bound up in the extraordinary quality of the design.

3.11 We noted on our site inspections that the construction of the principal building is of the highest quality. Stonework and detail are constructed using the finest materials and highly skilled craftsmanship, particularly in the columns and entablatures of the prominent southern elevations. The astonishing level of skill evident in the precise cutting of the stonework is testament to the quality of the craftsmen at the time and the ambition of the architect. Despite gradual deterioration and some insensitive alterations, the outside of the building still conveys this sense of perfection. The principal building dominates the site. It is by far the most important part of the listed building.

3.12 The principal building was built with retaining and boundary walls, gateposts and railings. Playgrounds were laid out east and west of the main building. The rear retaining wall recognises the excavation on the site to form the platform for the building. This wall terminates in a belvedere at its easternmost end. The belvedere has been largely hidden from view by the later and extended gymnasium block. Exposing these features by removal of later structures would clearly be of some benefit to appreciating the site in its setting. We find that the boundary walls, belvedere and railings that were included when it was first built are of equal importance to the principal building.

3.13 Internally, the school was configured around the central hall within the temple building. Originally a series of interconnected rooms behind the columned arcades either side gave access to classroom wings on upper and lower ground floor levels. This general

arrangement persists, but over time significant changes have been made to the layout and fabric. In our view, the interior arrangement is an important part of the special interest of the principal building, but the fabric and detail is less so.

3.14 The listed building also includes the outbuildings within the site.

3.15 A gate lodge was added in 1885 (designed by Robert Wilson). This retains much of its original fabric. It is designed to be respectful in its simplified neoclassical style. Its small scale and location limit the impact on the principal building, although it impedes views from Waterloo Place to the rear and side of it. It is clearly part of the special interest of the listed building as a whole. However, it is of considerably less significance than the original building, gates, wall and belvedere, which form a coherent concept for the site.

3.16 A gymnasium was also added in 1885 to Wilson's design. This was later extended, and heavily compromised, by works of 1894. This building masks a part of the high retaining wall and belvedere, which were an integral part of the original design for the site. Although a part of the listing and of respectful design, we consider that the gymnasium block detracts from the integrity and setting of the principal building. It is of lesser significance in our view than the principal building and the gate lodge.

3.17 Further buildings were added to the grounds in the 20th century. There is no dispute from any party that these are of no particular merit and detract from the significance of the listed building and its setting.

3.18 In our view, the boundary walls, gateposts and railings are significant to the overall integrity of the listed building. The gate lodge is less significant to integrity, but is an historic addition of architectural merit and in a prominent position. We have found that the gymnasium is of lesser significance, but is of historic interest and, taken with the gate lodge and other demolitions, contributes to a substantial loss of fabric, which should not be lost unless the tests set out by HES policy are met.

Historic Interest

3.19 The former Royal High School is closely linked with the Enlightenment in Edinburgh of the late 18th and early 19th century. It is a product of the politics, arts, science and culture of its time. As a temple to learning, it embodies as a work of art the egalitarian advances of an enlightened Edinburgh. We have already observed that the building has been a prominent part of the historic Calton Hill, as a place of monument and a focus for aspects of city life. It is a significant part of the story of Edinburgh and a cultural contribution to its historic development as a city. We therefore consider that this historic interest is an integral part of the special interest of the listed building. We consider that it is of equal importance to its architectural interest.

3.20 Although late in the Greek Revival compared to England, the building was an inspiration to others at home and abroad, including Alexander 'Greek' Thompson in Scotland and proponents of the Greek revival in American civic architecture.

3.21 Historical associations are not close. Although there are well-recorded connections with and to significant figures in the political life of the city, none as far as we can see are of significance to the desirability of preserving the building and would not justify a listing on their own. They do however, colour the architectural and historical understanding of the building and must therefore add some weight to its significance overall.

3.22 The architect is undoubtedly of renown and of significant historic interest for his part in the development of Edinburgh. The fabric of the building is his doing and therefore reflects his standing as an architect. Whilst the building fabric is the principal legacy, the close historical association with the architect and his other works is also of some weight in the assessment of significance of the listed building.

3.23 As a magnificent edifice set purposefully on a prominent site in the nation's capital, Hamilton's intentions, as demonstrated by his watercolours and drawings, have been reproduced in historic painting and photography. Examples of these were presented to the inquiry. Whilst these have been useful in our assessment of setting, we consider that they and their artists have more to say about the development of their own art forms and do not form part of the significance of the listed building itself.

3.24 The former school is more recently remembered in the context of the movement in support of Scottish Independence. It was chosen as the new assembly building and adapted in anticipation of the outcome of the devolution referendum in 1979. Although this later proved unsuitable for the parliament, the works have left their mark upon the fabric of the building, internally at least. Nevertheless, this has been at the expense of some of the original fabric and arrangement of the building. On balance therefore, we consider that this use is not an historical association of great significance to the special interest of this listed building.

3.25 The main gates were for a time the scene of a vigil, lasting until devolution was eventually achieved in 1997 after a further referendum. This, however, is not reflected in the fabric of the building and is of little significance to the special interest in our view.

Authenticity

3.26 The building has been altered over time. As a school, new additions and alterations were made to adapt to the school's needs. These arose from the inflexibility of the building and the need to expand to meet the needs of a wider curriculum.

3.27 Since the school relocated in 1968, the building has had a number of short-term uses and other proposals for re-use. The main elements of the school and its principal elevations remain largely intact. This must partly be due to the inflexibility of the original design, itself reflecting the purity of purpose in that design.

3.28 The works of alteration in the 1970s were useful in helping to maintain the fabric of the building against the elements, but detrimental in terms of the loss of original fabric and alteration of original layouts. Alterations to the main hall to create a debating chamber are generally agreed to be unsympathetic to the character and special interest of the listed building. The works to create a new space in the undercroft to the main portico have also damaged the special interest of the interior of the building.

3.29 The school was designed with east and west playgrounds, resulting no doubt from the central position of the symmetrical main building. The original walls and railings were supplemented by planting on the slopes towards Regent Road, which would both frame the central building and mask the playgrounds behind. Later landscaping of the west playground and the profusion of street furniture have diluted the dramatic impact of the listed building to some extent.

Features of special architectural or historic interest

3.30 Since 1897, the school building has had a built-in armorial panel from an earlier school, dated 1578. This is a feature of special interest unrelated to the modern design of the building. Its retention or safe re-location is also of negligible significance to the cases before us. Apart from the undoubted qualities of the principal building set out above, we note no other features of special interest.

Summary of special interest

3.31 In summary we find that the most significant elements are the principal building together with those elements of the boundary walls, belvedere and railings included when it was first built. Of equal importance, in our view is the setting of these elements on the site and in the townscape of Edinburgh and surrounding landscape. We deal with this aspect of special interest in Chapter 4 below.

3.32 We note that there are other buildings of merit on the site, notably the Gate Lodge. Nevertheless, we consider that the historic fabric, the purity of the original design and the significance of the building in the history of Scotland suggest that these most significant features would be in an enhanced setting if the others were removed. In effect, we say that the principal building is of such significance to override the special interest in the building's later evolution.

3.33 We do not find that the elevations should be ranked in importance. All are of merit in their own context. Rather the transient views of the building in its three-dimensional form are key to its appreciation and its setting. The south elevation is the most visible across the landscape and represents the Greek influence in its purest form. Thus, we say that the oblique views of the south-west and south-east corners of the principal building are of greatest significance and the north-west and north-east views of only slightly lesser significance.

4 Setting of the listed building

4.1 We devote a separate chapter to this aspect of the special interest of the listed building. It is the subject of much of the evidence before us, is a concern to the majority of those who submitted representations, and was subject to lengthy cross-examination at the inquiry sessions, both in terms of its landscape setting and the visual impacts of the proposed extensions.

4.2 The former Royal High School is set deliberately and boldly on a prominent site in the capital city. Edinburgh city centre is a celebrated architectural, urban and historical place of international repute. It is recognised locally, nationally and internationally for its special cityscape. The following sections set out some of the designations which recognise the characteristics which define the setting of the building.

4.3 Of equal significance to the principal building, in our view, is its setting on the site and in the townscape of Edinburgh and its surrounding landscape. Eighteenth and nineteenth century evolution in landscape design and the concept of *rus-in-urbe* (the countryside in the town) are key to understanding the setting of the former Royal High School. The Picturesque movement broadly relies on designing landscape beauty from landscape painting. The sublime, a feeling of awe from the supremacy of nature, is an aspect of this. In general terms, the dramatic setting is used to advantage by the designer. We listened with great interest to the evidence on these matters. There can be no doubt that the setting of the building as accepted and modified by Hamilton was significantly influenced by the prevailing ideas of landscape design.

4.4 The embracing of Calton Hill by the city came about during the 18th century, seemingly encouraged by the laying out of the first New Town and the North Bridge. It became at first a place of leisure with circular walkways for health and recreation of citizens as well as the admirable views of the city afforded to visitors. Buildings followed: the observatory; then the Bridewell jail, both in the late 18th century. The Bridewell stood where St Andrew's house now stands. The Nelson Monument followed in 1816, just off-axis from Princes Street, but nevertheless terminating the vista from the New Town. Thereafter a series of classically inspired buildings were erected. The new observatory was started in 1818, the National Monument around 1827 and the monuments to Burns and Dugald Stewart around 1830. These structures and their setting on the hill were inspired by the early 19th century fervour for classical antiquity as experienced in the archaeological books and the classic paintings of those who visited Greece at the time. Landscape paintings increased interest of the Picturesque and Sublime at the time of the Enlightenment in Edinburgh.

4.5 Edinburgh bestowed upon itself the title of the Athens of the North in a spirit of romanticism which found expression in the Neo-Classical and Neo-Gothic architecture, and their Picturesque and Sublime landscape settings. This expression on and around Calton Hill is largely down to the vision of William Stark and his ideas on the Picturesque principles of planning and his pioneering use of the Greek Revival style. He advocated studying the topography to ensure that the proposed design would work naturally with the contours and for retaining trees as a foil to the architecture.

4.6 In turn, Stark's proposals for extending the New Town were taken up by his former pupil, William H Playfair, not least in his layouts for Regent Terrace and Royal Terrace. Regent Terrace was begun at the time the plans for the Royal High School were being drawn up.

4.7 The approach to Calton Hill from the New Town was built as an extension of Princes Street rising up through Waterloo Place over the Regent Bridge. From there a serpentine road connected the head of Waterloo Place to Regent Road, the new London road.

4.8 The Royal High School was built around 1829. The building is designed with its most detailed and purist Greek revival architecture facing south. This is where it is most exposed to view, particularly in views from Salisbury Crags and other viewpoints in the wider landscape and townscape. It is clear to us, however, that the three-dimensional form has been beautifully conceived, such that the grandeur of the building is most appreciated in oblique views from near and far. Thus, the significance of the setting also includes views along Waterloo Place as it turns and becomes Regent Road. The hierarchy of architectural detail, with its subtle shift from the austere temple to the windowed wings and pavilions, is important to the setting of the building. It affords a clear understanding of the functional concept of the school's design. It also exalts the three-dimensional beauty of the building. This relies on the deliberate setting of the building so that the oblique views can be appreciated.

4.9 Calton Hill is its principal setting. Here sit some of the most important and visible monuments of the city. By setting a neo-classical temple on the side of this hill, Hamilton has matched his design to this prominent, monumental setting. The setting of the building must also include the city centre as a whole because of the significance and visibility of Calton Hill. It also extends further into the landscape at Holyrood, Arthur's Seat and Salisbury Crags, where the intervisibility of monument and rugged landscape relates directly to the choice of site and the design of the building. These factors raise the special interest of the setting to a highly significant part of the special interest of the listed building as a whole. In our view, the setting of the listed building is as significant as the building itself.

5 The New Town Conservation Area

5.1 The New Town Conservation Area covers an area almost four kilometres by two kilometres. It is centred on James Craig's original New Town layout of the late eighteenth century and extends to encompass successive developments up to the late nineteenth century. It is an outstanding concentration of planned ensembles of ashlar-faced, neo-classical buildings associated with internationally renowned architects. It is of great significance for its architectural, urban planning and historic interest. We consider that this is essentially the character and appearance of the conservation area, both of which it is desirable to preserve or enhance. We note that the conservation area includes sites and buildings which do not form part of its special interest, including some incongruous modern insertions. These are not part of the special character which should be preserved or enhanced.

5.2 The council's conservation area character appraisal of 2017 says that its purpose is to help manage change and that it provides an agreed basis of understanding of what makes the area special. It draws attention to Planning Advice Note PAN 71, which includes that physical change in conservation areas does not necessarily need to replicate its surroundings, but should ensure that all new development respects, enhances and has a positive impact on the area.

5.3 Of particular relevance in this case is the appraisal of Calton Hill, the most prominent natural landmark within the area, and which forms a dramatic punctuation to the east of the area. This recognises the impact of the bridge over Calton Valley and Waterloo Place, which provided a grand entrance to the city and an opportunity to develop the hill. As part of a Picturesque plan for the area, the hilltop was retained as public open space. With informal planting and new streets, the hillsides gave opportunity for sweeping panoramas and important point vistas. Into this commanding setting, Hamilton introduced the Royal High School, which sits on the hill with the monuments constructed around the same time. This distinguished collection embellishes the Calton skyline and is a major contributor to the architectural and historic interest of the conservation area and Edinburgh's World heritage Site. The hill is surrounded by neo-classical terraces to the north and south, with Regent Gardens between them, and by Leith Street to the north-west. Other significant features are St Andrew's House, constructed in 1936 in a monumental Art Deco style, and the Old Calton burial ground, somewhat older.

5.4 The area immediately around the appeal site is not attributed any significant vistas or panoramas in the appraisal, but the hilltop is noted as a focal point. Monuments make a significant contribution to the historic and architectural character of the area.

5.5 The conservation area appraisal of 2017 gives a great deal of advice in relation to the streets and buildings of the bulk of the New Town, but little in relation to the appeal site and the monuments around Calton Hill. In general terms, it supports good, contemporary design that is sympathetic to the context and expects extensions to be sensitive to the existing building and in keeping with the character and appearance of the area. It adds that extensions should be subservient to the building, of an appropriate scale, use appropriate materials and should normally be located on the rear elevations of a property.

6 Other considerations

6.1 The Old Town Conservation Area is centred on the spine of the hill which tails down from the steep outcrop of rock at Edinburgh Castle in the west to the Palace of Holyrood to the east. It borders the New Town Conservation Area to the north and is also a large part of the World Heritage Site.

6.2 Edinburgh's old and new towns are well known for their clear topographical distinction, which accentuates a significant period of expansion of the city and a dramatic change in urban planning. This is recognised in the two conservation areas which cover the city centre. The proposed development is not within the Old Town and we have no duty to consider whether the character or appearance of that area would be preserved or enhanced by the proposed development.

6.3 Nevertheless, the proposed development would be clearly visible from parts of the old town and in key views which contribute to and enhance its special interest. The character appraisal for the Old Town Conservation Area recognises its setting and views in and out of the area. These include views from Arthur's Seat and Salisbury Crags across the Old Town to Calton Hill. We therefore consider that the impact of the proposals on other parts of the city is a consideration of some significance, consistent with SPP. The council's character appraisal for the area includes that proposals outside of the area should not erode the character and appearance of the Old Town. We therefore consider that the character and appearance of the Old Town is a consideration of some weight.

The council's efforts to find use for the building

6.4 The appellants' scheme derives from a competitive bidding process. The appellants would not expect that a successful bid to be the preferred developer for the site would necessarily lead to listed building consent being granted.

6.5 Furthermore, the appellants have contracted with the council as a result of that successful bid and now have an exclusive right to develop the site. We have assessed the proposals on their merits having regard to the requirements of the listed building Act and have given no weight to the appellants' relationship to the City of Edinburgh Council.

Alternative proposals

6.6 In December 2015, between refusal of the appellants' first scheme and their second scheme, the Royal High School Preservation Trust applied for planning permission and listed building consent to redevelop the listed building and its site as a music school. The Trust is unable to implement its proposals because the appellants have effective control of the site. The appellants therefore submit that with no prospect of the Trust's scheme going forward at this time, it is not relevant for the determination of the appeals.

6.7 The appellants also cast doubt on the funding and commitment of the RHSPT and refer to unresolved issues with the permission and consent for their proposal. We consider that these are concerns that do not fundamentally affect an assessment of the merits of the appellants' scheme.

6.8 The recommended test at paragraph 15 of the HES interim guidance asks whether there are other options which would ensure a continuing beneficial use of the building with less impact on its special interest. The use of the conditional 'would' indicates a consequence of a changed situation. Put simply, an option which would have less impact if it were developed instead. If the advice had intended that it is only an option if the owner of the site chose it, that could circumvent the intention of the advice. In effect, an owner could refuse to entertain other proposals because of personal or commercial preference. We therefore consider that the test should be read more broadly. An alternative proposal can be considered an option if it is shown to be viable, technically feasible and has (or would be likely to get) consent.

6.9 The stewardship of a listed building carries with it the likelihood of restrictions as to the works that may be carried out and a responsibility towards the preservation of the building, its setting and special features. The justification for demolishing or altering a listed building which would result in harm to special interest or setting must be compelling. Policy advice contemplates that all possibilities are considered to minimise the harm. That would be consistent with other HES interim guidance, particularly the Managing Change guidance on use and adaptation, which says that demolition is a last resort when every other option has been explored and the Managing Change guidance on demolition, which includes that marketing the building is necessary to demonstrate that every effort has been made to secure a buyer who would retain the building. These contemplate the possibility of another owner restoring the building.

6.10 The Act further allows that a building in need of repair can be compulsorily purchased following service of a repairs notice. Although these examples are not directly applicable in the cases before us, listed building law and policy clearly suggest to us that if there would be harm, the authority must consider whether an alternative proposal would cause less harm, irrespective of ownership and control of the listed building.

Other examples

6.11 The appellants give several examples of new building within an historic context and in particular within the setting of listed buildings. We were also shown examples of historic buildings where new work had been inserted into the old. We note here that none of these examples can so closely be compared that they amount to a precedent for what is proposed in this case. However, the examples show that there can be no objection to the principle of modern architecture, either as an extension to a listed building or as a new building in an historic context. They also show that dramatic interventions into the structure and fabric of listed buildings can be a successful way to bring a listed building back to life or to keep it in use.

6.12 Further examples of new design in an historic context were provided in the HES publications we have referred to already. These reinforce the ability of new design to complement the character and setting of listed buildings and historic areas. They also reflect the thrust of HES policy that change in the historic environment needs to be managed rather than prevented.

PART 2: PPA-230-2178 – SCHEME 2

7 Description of the 2015 proposal (Scheme 1)

Proposed Use

7.1 The proposed use would be a 147 bedroom hotel. This would involve alterations to the existing building and its grounds and two large extensions. The proposed works are shown on the application drawings, which show a site plan, building plans at each level, and elevations of the site and buildings. These are shown as existing and as proposed. Photographs of the existing buildings were also submitted as plans. A set of demolition plans was submitted. These show the proposed demolition of outbuildings and the removal of parts of the existing building to make way for the proposed conversion and extensions. Proposed sections and visualisations were submitted to illustrate the proposals in their context. The proposed alterations and extensions to the listed building were shown in a set of detailed plans, sections, elevations and visualisations. Landscape proposals were shown on a further set of plans. A schedule of the application plans is attached at Appendix 10.

Summary of proposed works

7.2 Total demolition of some of the buildings within the overall site is proposed. The former lodge, gymnasium block, classroom block and luncheon hall would be entirely removed together with the entrance gates and piers. The remaining listed structures would be repaired and brought into good condition.

7.3 There would be substantial alterations to the remaining buildings, the retaining walls, boundary walls, gateposts and railings. The main building on the site would be altered internally and externally. Two extensions would be built, one on each side of the main building, largely over the east and west playgrounds of the former school.

7.4 The proposed extensions would be positioned to ensure a clear separation from the original building. The new hotel floors would be stepped back from the principal building, on plan and in elevation. They would be higher than the existing. The architects' intention is to mimic geological strata and rock outcrops as a reference to the Picturesque setting. The structure would be clad with a faceted, dark brown, pre-patinated copper cladding and plain glass windows.

7.5 Symmetry would be maintained by having broadly similar wings, although they would be different in response to their location. The east wing would be aligned with, but step back from the building line of Regent Terrace. The west wing would be larger and form a round corner at the sweeping bends of Regent Road. The architects' intention here is to have a bold curve; at once to open views and to avoid being overwhelmed by the hill and by St Andrew's House.

7.6 The west wing would be set away from the retaining wall and, with the lodge demolished, views would be opened to the central temple of the principal building.

7.7 The roofscapes of the new wings would be visible from certain viewpoints on the hill behind. They have been designed to be planted to complement the existing setting.

7.8 The hotel entrance door, where vehicular drop-off of guests would take place, would be at the rear of the principal building, with glazed corridors between the central temple and the extensions. There would then be a secondary vehicular drop-off point on Regent Road

adjacent to the new west wing of the hotel. This location would allow the lower ground floor ballroom and conference facilities to be accessed discretely from the main hotel entrance, allowing flexibility and the opportunity for the whole lower level of the west wing to be used for public and private events without impacting on the daily workings of the hotel. The lobby area serving the ballroom affords access onto one of the south-facing front terraces and it is this terrace that is also served by Hamilton's original Regent Road entrance stair sequence.

7.9 Proposed refurbishment and re-lighting of the gates and stairs themselves would allow guests and visitors to access the front terraces of the hotel from Regent Road and then enter the hotel itself via original Hamilton doorways under the imposing central portico. The lower level lobby of the hotel accessed off the terraces would be provided with a lift and stair up to the central reception hall above. Visitors could continue on their way up Calton Hill via a new external staircase accessing the hill's approach road to the rear of the hotel.

7.10 Service vehicle and staff access to the building would be in the south-east corner of the site onto Regent Road, leading to new basement service and delivery areas excavated under the east playground.

Landscape works

7.11 The proposals entail the removal of 26 out of the 29 viable trees on site, half of which have been identified in the submitted tree constraints plan, as being worthy of retention. The proposals for soft landscaping include the provision of a series of green roof gardens on the new buildings. These are to be planted with a variety of low growing plants suitable for this location, including sedums and wildflowers. Ferns are used on the north side of the building. A low-maintenance lawn is proposed on the roof terrace at either side of the main building, edged with a yew hedge. At ground level, in front of the Royal High School, a formal arrangement of clipped hedge of various species is proposed. On the west side, at street level, a long bed of ferns and ivy with three pine trees is proposed. The existing woodland area to the rear of the site is to be planted with ivy.

Public realm

7.12 The proposed works to the public realm around the building includes:

- widening of the public footway on the frontage of the Hamilton Building and its resurfacing with sandstone slabs;
- widening of the section of public footway to the west of the pedestrian and vehicular access from Regent Road and resurfacing with sandstone slabs;
- replacement of existing setts and tarmac at the entrance to the site from Regent Road with new granite setts;
- re-surfacing with new granite setts of the courtyard to the rear of the Hamilton Building;
- the laying of sandstone setts on the proposed pedestrian and cycle circulation area to the rear of the proposed western wing;
- formation of one bus lay-by and one taxi lay-by on the site frontage on Regent Road, each to be surfaced with granite setts;
- formation of a service entrance, at the western end of Regent Terrace. The existing bollards at this end of Regent Terrace would be retained in situ. The proposed service entrance is to be re-surfaced, using a combination of new and reclaimed granite setts;
- removal of central reservation barriers along Regent Road and resurfacing of central reservation with reclaimed granite setts;

- formation of three pedestrian crossing points on Regent Road, one of which would be located close to the main entrance to the hotel on this frontage;
- removal of the on-street, pay and display parking along the southern carriageway of Regent Road; and
- relocation of the existing bus stop on the Regent Road site frontage to a position east of the junction with Regent Terrace.

Condition

7.13 The building is in a relatively stable condition. Roof voids are dry and with little sign of rot although dry rot has been found and addressed in the stairwell at the east wing. The façade is in good condition, although some remedial work is required to pointing and some walls are disfigured by evidence of graffiti cleaning. There is some plant growth which could lead to damage. There are structural cracks around the lower levels towards Regent Road on the front boundary walls. Repointing is required to the retaining wall adjacent to the north boundary.

7.14 The building is on the HES register of buildings at risk but is currently graded as low risk overall. Although not in much use, the listed building is being maintained by the City of Edinburgh Council.

7.15 Efforts to find an alternative new use have been made over several decades, with little long-term success.

8 Consultation responses and representations

Consultation responses

- 8.1 The following key consultation responses were received by the council prior to its determination of the planning application:
- 8.2 Historic Environment Scotland objects due to the proposal affecting a number of important heritage assets; it is not considered possible to deliver a hotel of this scale on the site without unacceptable harm to the historic environment.
- 8.3 Edinburgh World Heritage Trust states that the proposals would have a strongly negative impact on the Old and New Towns of Edinburgh World Heritage Site and as such garners its strongest opposition.
- 8.4 Scottish Natural Heritage states that the proposed development would have adverse effects on the appreciation of the landform of Calton Hill, an important and prominent landmark. There would also be adverse effects on the landscape character of Calton Hill, as a result of changes to the balance between the semi-natural hillside and its built features. The proposal would also intrude into views towards other key landscape features within the city.
- 8.5 Architecture and Design Scotland (ADS) understands that owing to the importance of the setting, the nature of the building, its listed status and the demolitions proposed, development of the scale and type proposed may only be considered acceptable should it be clear that the proposals address a number of critical policy tests, both national and local, and in particular that development is the minimum necessary to secure the re-use of the original Thomas Hamilton school building. Should these tests be met, ADS believes that the current proposals are of sufficient design quality to be capable of being supported, subject to stated revisions.
- 8.6 Trunk Roads Directorate has no comment to make as there would be minimal impact on the trunk road network.
- 8.7 Scottish Environment Protection Agency does not object to the proposal.
- 8.8 Network Rail has no objection in principle to the proposal. Due to its close proximity to the Calton Railway Tunnels, it is requested that appropriate conditions or advisory notes are attached to any grant of permission.
- 8.9 CEC Archaeology does not object, subject to conditions.
- 8.10 New Town and Broughton Community Council/ Regents, Carlton and Royal Terrace Residents Association object to the proposals.
- 8.11 Police Scotland make recommendations in regard to security and public safety measures.
- 8.12 City Transport makes no objection subject to conditions.

Letters of representation

8.13 2162 letters of representation were received by the council. The main points of representation are as follows:

- other more appropriate uses would be possible;
- lack of demand/ oversupply of hotels in Edinburgh;
- other less sensitive sites are available;
- the proposal is exclusive in nature and would limit full public access;
- the proposal has limited cultural value;
- jobs created would be mainly low paid;
- there would be a potential negative impact on tourism due to loss of historic assets/ impact on landscape;
- the proposal focuses on financial viability and profit versus safeguarding cultural heritage;
- the design/ scale/ massing is unsuitable and represents over-development of the site;
- the proposal entails the use of inappropriate materials;
- the design is incompatible with the site's setting;
- there would be a threat to the World Heritage Site;
- there would be unacceptable impacts on townscape and on key views/ skyline;
- there would be an unacceptable impact on the character and setting of listed buildings on the site, on nearby listed buildings, and on the character of conservation areas;
- unacceptable impact on character/setting due to the demolition of listed buildings;
- unacceptable impact of the proposed new wings on character/ setting of listed buildings;
- unacceptable impact on landscape character and on the setting of historic gardens/ designed landscapes;
- impact on public open space provision and lack of proposed landscaping/ loss of existing landscaping;
- impact of public house/ restaurant uses on neighbouring character/ amenity;
- concerns regarding increased noise activity;
- overshadowing and loss of privacy and sunlight to houses on Regent Terrace;

- impact of potential increase in traffic generation;
- impact owing to increased demand for parking; and
- concerns regarding safety of the proposed delivery access.

8.14 The following representations were made in support of the proposal:

- increased range of tourist/ business accommodation;
- there would be economic benefits for the city;
- there would be significant job creation;
- the proposal would result in increased local expenditure/ economic activity;
- there would be a positive impact on anti-social behaviour on Calton Hill due to passive surveillance;
- the proposal would result in the return of the listed school building to sustainable use, with provision for future upkeep and maintenance;
- the proposal entails a sensitive design of new build and interventions as well as a good quality design of new-build elements; and
- there would be a positive impact on the setting of the listed building.

8.15 A number of non-material issues were also raised.

8.16 A further 129 representations were received by DPEA following submission of the appeals. These representations largely reinforce the grounds of representation made to the council and contain no new substantive points of representation.

9 Impacts on heritage assets

Main points for the appellants

The proposed design

9.1 The proposed development has been designed with extreme care to respect the siting and design of the principal building on the site. The form and appearance of what will be placed on the site in relation to the listed building has been carefully considered whilst at the same time providing the accommodation required to secure a viable new use for the listed building. The new design is informed by the careful study and analysis of the nature, form and history of the listed building in its specific location. The hotel bedroom wings are designed to be seen and to provide a new strong backdrop to the principal listed building on the site. They would appear as inhabited 'knowes', chiming with Hamilton's own depiction and acceptance of the rugged setting of his design as a craggy (sublime) contrast to his perfect classical forms. The colour and texture of the materials are chosen so that the new extensions would be recessive and blend in with the surroundings. They would not replicate the principal building, but keep it as the focus, allowing itself to dominate. The ability to appreciate the original building and its design concept in its setting would not be diminished.

9.2 The listed building would be diminished by sandstone additions, but that does not mean that no new building is acceptable. In this proposal, the architects have provided a carefully considered, sophisticated architectural response where the proposed extensions have been set away from the main building and provide additional context to the setting. The design is intended to be visually recessive and subservient, which would integrate skilfully with the existing topography of the area and mature well. The extensions would reflect the topographical context, the rugged hillside, where Hamilton set his masterpiece.

9.3 The guidance published by HES, Architecture + Design Scotland and Scottish Government: 'New design in historic places', seeks to ensure that the quality of new design matches that of its surroundings. It sets out how good design by talented architects can enhance sensitive heritage buildings and settings. The appellants have followed this guidance and responded directly to the principles set out in this document. The appellants' assessment concludes that the setting of the building would be enhanced by the high quality and innovative design of the proposed.

9.4 The proposed works would provide for the complete restoration of the principal building.

9.5 The principal building is already compromised in its setting by St Andrew's House, while the extended gymnasium block appears to coalesce with Regent Terrace to the east. The symmetry and clarity of the original design has become somewhat lost by the clutter of additional buildings of differing scale and lesser quality. These have had a detrimental impact on the setting of the principal building. The proposed works would remove these. In their place would be carefully considered new buildings in a confident, contemporary architectural language which would reinstate the Hamilton building as the focus within the site. Notionally symmetrical, they would respond to the site in a balanced way.

9.6 The appellants say that the impacts of the proposed scheme would not be significantly adverse and that the works therefore would comply with HES policy and guidance. The imaginative design minimises the potential harm to the special interest of the building and its setting.

9.7 In particular, the proposal has been designed to minimise the impacts on the fabric of the original Hamilton building. The profile of the extensions and their impacts on the setting of the principal school building in its playgrounds are greater as a consequence. The impact on setting is then mitigated by the high quality of the architecture of the extensions. The architects have designed an honest and confident modern architectural response to development within the setting of the former Royal High School. The extensive research and analysis carried out by the appellants' team has informed the design of the new proposals. This was not recognised by the council in assessing the applications.

9.8 The loss of the outbuildings would be outweighed by the benefits of the proposed works.

9.9 The innovative and sustainable design would reinvigorate this long-neglected site by night and day. It would become a positive destination at the threshold between city and country and a memorable place once again.

Setting

9.10 The value of the setting is what, and to what degree, it contributes to the special interest of the listed building. This will not be fixed for all time because the surroundings will change over time and because new information may alter what might previously have been understood to comprise the setting and its significance to the listed building.

9.11 The relationship between the principal building on the site and the monuments on Calton Hill, the National Monument in particular, is of great importance to appreciation of the building in its setting. This would not be adversely affected. This is a landmark building on the southern slope of Calton Hill.

9.12 The appellants say that the conservation and setting of the principal building would be enhanced by the demolition of other buildings within the site. Through their in-depth studies and robust assessments, they find no impacts to be significantly adverse in respect of either the setting or the special interest of the principal listed building. Some are of no special interest. The special interest of the gate lodge has been consistently overstated.

9.13 The setting includes the monuments on Calton Hill and St Andrew's House, which is recognised in the Calton Hill Conservation Plan (CD481) as a distinguished addition, where the sublime manner in which it responds to the magnificent site adds greatly to the importance of the composition of the hill. If the appeal scheme is regarded as distinguished and the setting can be enhanced by removal of less important and detrimental buildings, then it too may enhance the sublime experience.

9.14 The proposed development would equally have no adverse impact on the setting of other listed buildings or the ability to understand and appreciate them or their relationship to each other.

At risk

9.15 The appellants say that the building has had no long-term occupier since 1968 when the high school left. It is on the register of Buildings at Risk where the entry covers all five buildings on the site. The appellants say that is wholly inappropriate and a national embarrassment or disgrace. They say that this should add considerable weight to granting consent.

9.16 The appellants say that consent should be granted along with the planning permissions to bring an end to the vacancy and increasing dereliction of one of Scotland's most important buildings. Hotel use would make good use of the existing fabric and is a good use of a listed building where some compromise is essential to allow a viable scheme to secure long-term future for the building, whilst providing public access and re-integrating the building into the daily life of the city.

Conservation Area

9.17 The appellants have evaluated impacts on the conservation area. Viewpoint analysis shows that no harm would be caused to the character or appearance of the conservation area.

Outstanding universal value of the WHS

9.18 The appellants have carried out a proper assessment of the impacts on the WHS based on good practice and using skilled professionals. A Heritage Impact Assessment was undertaken in accordance with recommended practice for major developments. None of the views considered was deemed to be in the category of major adverse and on balance, the impact on the World Heritage Site was predicted to be of minor negligible benefit in respect of the most important views. No lasting damage would be caused to the Outstanding Universal Value of the World Heritage Site. Where an adverse effect is noted, it falls short of the magnitude that would threaten the World Heritage status.

9.19 The appellants point to the challenge of an evolving city where so much must be preserved. According to the current [management plan for the WHS](#): 'Balancing the needs of the city to maintain its economic vibrancy and the need to protect the heritage is essential to both. The relationship between OUV and economic success needs to be protected, developed and celebrated.'

9.20 The appellants' Heritage Impact Assessment [Part 1 – Understanding the Site](#); [Part 2 – Evaluation of Legislation and Policy Guidance](#); [Part 3 – Heritage Impact Assessment](#); and in the Heritage Statement [Addendum to Part 3](#) identifies the direct impacts on the setting and special interest of the listed building. It demonstrates a range of impacts from moderate/ minor adverse to moderate beneficial, and with an overall impact of beneficial. The methodology derived from ICOMOS guidelines objectively considers the impact on the

outstanding universal value of the World Heritage Site from every important viewpoint. The analysis of this supports the conclusion of beneficial impact.

Alternative schemes

9.21 Listed building consent and planning permission has been granted for an alternative scheme, as submitted by the RHSPT and with the intended occupation by St Mary's Music School. In the view of the appellants, this does not provide an option with less harm to the listed building. The appellants recognise that not developing the playground to the west would meet the objectives of the council and Historic Environment Scotland. However, greater harm would be caused in several respects.

9.22 Firstly, the introduction of a main entrance into the main portico facing Regent Road would be a travesty of the original design intentions and would fail to appreciate what is significant about the site. It would be visible in important views of the building. The upper set of railings and gates are essential components of the design, emphasising its horizontality. These would be lost.

9.23 Secondly, little survives of the original internal fabric due to extensive alterations in the 1970s. Despite this, the area below the portico is a series of spaces where original fabric can be experienced. This is unique on the site. The extensive work to hollow out an entrance foyer so deep into the plan would add to the risks to the historic fabric which the appeal scheme seeks to avoid.

9.24 Thirdly, the positioning of accommodation to the north is a flawed concept. Although this had been considered in an earlier schemes for the site and is where additional accommodation has been provided in the past, Hamilton's concept was to have a clear and rational access from the west end of the site and the access on the northern side. He deliberately resisted an imposing new access on Regent Road. Introducing one now would confuse the clarity of the layout. Hamilton set his 'temple' at the highest point of the site, as far forward from the rear retaining wall as the site allowed. Further, the rear elevation is the main entrance to the Hamilton building. It should not be sacrificed to a location for new development.

9.25 Lastly, the new accommodation required for that scheme is considerable and would require greater alteration to the principal building than the appeal scheme. Although intended to be recessive, it would be readily apparent, particularly in close views, detracting from Hamilton's masterpiece. The design also derives its architectural language from the Hamilton building: octagonal pavilions from the octagonal rooms laid out asymmetrically and expressed with simplified classical details and modern materials, and a natural stone that would weather differently from the original Craigleith sandstone.

9.26 The appellants recognise that the Gate Lodge of 1885 is part of the listed building and of some architectural and historic merit. The RHSPT scheme would preserve it. However, that would not be a major conservation benefit. Its special interest has been overstated by objectors to the appeal proposal and a case for its removal was considered in the [conservation plan of 2004](#). Further, the removal of original structure within the principal building as a result of the RHSPT scheme would be greater than the loss of fabric at the Gate Lodge.

9.27 The appellants also say that the Preservation Trust scheme would expose the upper parts of the rear retaining wall and belvedere where they are currently obscured and mainly in long and elevated views. However these would be crowded at the base by new accommodation and obscured by mature trees for much of the time. The visual separation of the rear wall and belvedere from the principal building would be an adverse impact.

9.28 Overall, the appellants do not consider that the RHSPT scheme would have less impact on the special interest of the listed building.

9.29 The appellants say that the RHSPT scheme does not meet the requirements of the HESPS test at paragraph 3.47(c). The Trust has no legal control over the site, nor any certainty that they ever could have. There is no certainty to their funding or that the proposed school would provide a continuing beneficial use. The proposal would leave no room for further expansion. The Scottish Government may not grant consent to relocate the school under the St Mary's Music School (Aided Places) (Scotland) Regulations 2015.

9.30 In summary, the Music School scheme is not an option; it would not ensure a continuing beneficial use of the building; and it would not have less impact on the special interest of the listed building.

9.31 The alternative scheme proposed by the appellants (Scheme 2) is also an option for the site which could as readily be developed. The appellants say that this scheme has responded to the reasons for refusal at Scheme 1 and its reduced physical form would have a less harmful impact on the listed building. However, Scheme 1 has greater architectural ambition at the point of arrival at the site, which would enhance the potential to animate the spaces that are created around the building and more effectively enhance the public realm.

9.32 The developer competition in 2009 required a commercially sustainable proposal for the property. The appellants say that the design stems from the competitive bid for the site. The competition-winning design envisaged wings as extensions to the principal building.

Other examples

9.33 The appellants note the examples of new design in historic places found in the [guidance of HES](#) and others. They also refer to two buildings which they say are high quality, innovative designs that are based on similar general principles and are pertinent to understanding the potential of the appeal scheme. They demonstrate the exceptional architectural quality and great design vision of the architects in this case. Both are set within sensitive heritage and urban contexts and are unashamedly modern and confident.

9.34 The first example is the award-winning Blavatnik School of Government at Oxford, which has a stepped curvilinear form placed into a conservation area and has two listed neo-classical buildings for neighbours. To one side is the former church of St Paul, built in 1936 with a portico in the classical Ionic order. Opposite is the University Printing House which has two wings joined by a screen with a central monumental entrance in the classical Corinthian order. This building is contemporary with the former Royal High School. The relevance to this appeal case is that a considered design response to a specific site can be a successful addition to a highly sensitive heritage site.

9.35 The second example is the Bloomberg European HQ in the City of London, which demonstrates the use of bronze pre-patinated sculptural fins. These allow the otherwise large expanses of glass to fit into the historic context. That context includes the listed church of St Stephen Walbrook by Sir Christopher Wren – the Bank of England and a conservation area.

9.36 In both these cases, the buildings have left their historic settings unharmed. Arguably they have enhanced them. The appeal scheme has likewise responded to the special topography and the effects on views. It would have a minimal effect on the listed building. It would preserve its setting and potentially enhance its context.

In summary

9.37 The appellants say that a luxury hotel is needed and beneficial to the economy; the building would be restored with minimal intervention and brought back into use; the rear retaining wall and belvedere would be exposed and celebrated; the setting would be improved because the new building would reinforce how Hamilton intended his building to be seen. This approach says that the restoration is so desirable, and the design so exemplary, that the impact overall would be beneficial.

Main points for the council

9.38 The appeal scheme would harm the special architectural and historic interest of the listed building and the character and appearance of the conservation area, thereby conflicting with sections 14(2) and 64(1) of the listed building Act. There is no exceptional case which would justify overriding that presumption on the basis that the hotel would be desirable on the ground of the economic benefit it would bring or the lack of other options to bring the building back into use with less harm.

Other options

9.39 Scheme 1 is clearly preferable from an operational point of view because there would be a link at lower ground floor between the bedroom wings, which would also give access to the lower ground terrace areas. Scheme 1 may also be more economically sustainable.

9.40 Scheme 2 is clearly preferable in that the impact on the physical form and setting of the principal listed building would be less.

9.41 The Trust's scheme has the benefit of planning permission and listed building consent. It cannot proceed because of the contractual relationship between the council and a third party. The long stop date for obtaining permission and consent for the appeal proposal in that agreement could be as late as 31 December 2021. That would have passed before the expiry of the consent for the Trust's music school proposal, which would be seven years after 27 February 2017, that is in 2024.

9.42 Funding for the music school scheme is secured and not subject to macroeconomic factors; it is privately funded and with a clearly defined user. The Trust's scheme is

therefore an 'other option' for the purposes of HES interim guidance. Given that HES did not object to that proposal, it is not difficult to conclude that it would also have less impact on the listed building.

9.43 Scheme 2 for the hotel would have less impact than Scheme 1.

Main points for Historic Environment Scotland

9.44 The former Royal High School is one of the most important listed buildings in Scotland and of international significance for its architecture and setting. This is not in dispute. It includes the outbuildings by Hamilton and others, which contribute to our understanding of the site.

Special interest

9.45 The building represents an expression of Picturesque ideals as understood at the time of its construction, a deliberate neo-classical, monumental composition in a setting described as 'rus in urbe' – the country within the town. It also represents the aspirations of Scottish identity at the time it was built by comparison with Greek civilisation as then understood and as exemplified by the Acropolis in Athens. The Hamilton building serves as a symbolic Propylaea to the National Monument as Parthenon atop Calton Hill. There is no physical gateway, but a threshold to higher elevations can be imagined. This increases the sensitivity and significance of the site and the potential for adverse effects from large bedroom extension wings on the listed building and the outstanding universal value of the World Heritage Site.

9.46 The building is intended to be seen in the round. The evidence of Hamilton's perspective watercolour illustrates his appropriation of the view espoused by Stark, that 'public buildings break upon the eye at the most favourable point of view, showing at once a flank and a front'. The main approach to the building is from the west and the school main entrance was always to the north. The building was intended to be seen from the west, even accepting a proposal by Hamilton to site a Burns monument on Miller's Knowe. In any event, the monument was placed elsewhere and the knowe has been removed. Even when the jail existed on the site of St Andrew's House, the north-west of the principal Hamilton building would have been experienced on the journey eastwards towards the school. Later Hamilton buildings did not obscure the west elevation. The views from the west to the rear elevation are of lesser importance and are partly obscured by the historic Gate Lodge.

9.47 The building has a strong sense of monumentality. This comes from the prominent positioning on an artificial ledge with built sub-structure; classically derived architecture; juxtaposition with the rugged setting of Calton Hill; relationship with the monuments on the hill; the absence of large buildings which would compete for prominence on the site; and the incorporation of delicate pavilions to frame the main building, emphasising its relative scale and mass.

Demolition of outbuildings

9.48 The canteen and classroom blocks are agreed to form no part of the special interest of the listed building and their removal would benefit the setting of the remainder. The Gate Lodge is of special interest in its own right. The Gymnasium is also of some special interest.

9.49 Without an acceptable scheme for the re-use of the former Royal High School, demolition of the Gate Lodge and Gymnasium building is not justified.

Setting

9.50 Setting in this case is a critical factor in the special interest of the listed building. The principal relationship is with Calton Hill. The surroundings and context of the setting contribute significantly to our ability to appreciate and understand the Hamilton building, not least due to the minimal change that has occurred over two centuries.

9.51 The principal building is a prominent and dominant feature within the landscape, set spectacularly on an elevated position against the backdrop of Calton Hill, the most conspicuous feature of the New Town. It contributes to its surroundings as a nationally important architectural feature and as a component of a landscape-inspired addition to the first New Town.

9.52 The building was set to be prominent in views from the Old Town to the south and west, as well as from close by on Regent Road. It should be viewed in the round. Any interventions should not harm the immediate setting. The careful accumulation of architectural elements when viewed on the approach from Waterloo Place rely on the open setting of the Hamilton building. This open setting also ensures adequate light and views from the building, particularly the classrooms in the east and west façades and in views from the playgrounds. The notion of framing views with the new extension has no benefit. Hamilton's temple is already framed by the original wings and pavilions.

9.53 The proposed would form an urbanised wall of development between Regent Terrace and St Andrew's House, reducing the sense of *rus-in-urbe* of the existing. That would reduce the internationally renowned standalone masterpiece to a structure within a wider whole, encapsulated as a piece of streetscape.

9.54 The scale, size and height of the proposed bedroom wings would dominate the building to such an extent that they would fundamentally change our current understanding and appreciation of the Hamilton building on its carefully composed site. They would build over the majority of the original playgrounds, each with a footprint larger than the principal building. The open backdrop separating the Hamilton building from development to the east and west would be infilled. The buildings would be taller than the original and dominate it by their size, prominence and height, reducing the monumental classical building to a secondary element confined within a new composition. Too much development is proposed for this sensitive site.

9.55 The setting necessarily includes the later additions by others, and these contribute to our understanding of the site and listed building. Their loss may be balanced against the increased understanding and appreciation of the principal building.

9.56 The belvedere and rear retaining wall would be further exposed by the proposed works. This would be a benefit in that they are a part of the original building and designed by Hamilton as elements of the architectural conception for the site. Some weight should be attached to this as an improvement on the setting of the principal building. However, that would not begin to compare with the adverse effects of the proposed extensions on other aspects of the setting of the listed building.

The proposed extensions

9.57 Such is the importance of Hamilton's masterpiece that redevelopment should ideally not include any new substantive buildings that might compete with it. HES accepts that high-quality contemporary architecture can be appropriate in historic settings, but, in this case, the scale, height, massing and siting would be unacceptable, regardless of style or material.

9.58 The scale of the proposed extensions is justified by the appellants on the grounds that it would be the level of accommodation required to deliver a functionally and financially stable hotel. The architectural response may have been considered and sophisticated but that does not necessarily make it successful.

9.59 There would be a discordant contrast between the materials of the existing building and those of the extension. That would be exacerbated by floor to ceiling glazing, with the potential for reflection of light by day and internal illumination at night.

9.60 The impact of the proposed works on the setting of the listed building would be permanent and irreversible.

9.61 In terms of the HES guidance on extensions to listed buildings, the proposed extensions would not protect the character and appearance of the listed building; they would not be subordinate in height, scale or form; they would read as a continuation of the front façade; and the materials used would inevitably 'signpost' the extensions, drawing the eye from the Hamilton building, which would lose its primacy on the carefully designed and assembled site. This does not support a case for departing from the presumption against the works set out in paragraph 3.38 of the HES policy statement.

The music school scheme

9.62 HES considers that the music school scheme would have far less impact than the appeal proposals. It would involve greater interventions in the fabric of the building, particularly opening up the screening wall below the portico and internal works to create a new public entrance and foyer. However, the appeal scheme would involve interventions into the building, radical changes to the interior and significant works at basement level, including substantial excavation within the former playgrounds.

9.63 In terms of setting, the music school scheme would retain the gate lodge, would not involve building on the western playground and would be set at a much lower elevation on the eastern playground. It would thus have a much lesser impact. Each of the important side elevations would remain visible from within and without the site.

Other listed buildings

9.64 There are several important listed buildings within the setting of the former Royal High School, whose settings would also be affected by the proposed development. These are St Andrew's House, Regent Terrace, the National Monument and Nelson's Monument. Each is category A listed. In particular the extensions would impinge on the setting and views of Nelson's Monument in short views such as Regent Road and middle-distance views such as Canongate Kirkyard. The settled pattern of 19th century architecture would be disrupted by the contemporary appearance of the extension wings – by turns dark and brooding in subdued light conditions and assertive and contrasting in bright light. Either way, the effect would be to draw the eye away from the National Monument and diminish the special relationship it has with the former Royal High School.

9.65 The relationship with the listed buildings on either side would be harmed, the setting of each would not be preserved.

Main points for The New Town and Broughton Community Council

9.66 The community council supports a new, sustainable use for the listed building, given its deteriorating condition. It also accepts that change will be required to support that. The issue here is whether the quantum of development can be accommodated without detrimental impact on the building, its setting and the wider conservation area and the outstanding universal value of the World Heritage Site. The community council has a clear preference for aesthetic, educational and intellectual use. The apparent offer of a more sympathetic and less intrusive development by the RHSPT is relevant to the consideration of the proposals here.

9.67 The community council accepts that some of the later buildings on the site could be demolished to support the sustainable re-use. That would allow some new development within the site. Demolition of the Gate Lodge is not supported because it makes a significant contribution to the vista at the foot of the access road to Calton Hill. At the extreme west of the site, it could be retained whilst allowing some redevelopment of the site as a whole.

9.68 The proposed hotel extensions would have a detrimental impact on the setting of the listed building. The integrity of the listed building, which includes its associated pavilions, screen walls, gateways and railings, would be adversely impacted. The proposed extensions, by their height, scale and massing would dominate and overwhelm the listed building, challenging its primacy on the site and diminishing significantly its status. They would block key views of the listed buildings and other monuments and their landscape setting. The relationship of the building to the surrounding landscape is fundamental to its setting and architectural philosophy.

9.69 The community council accepts that alterations will be needed for any new use. However, such uses should be sensitive, sympathetic and necessary. In this case many are necessary and they have been reduced to a minimum. However, the interruption of the plinth for service access from Regent Road is not supported.

9.70 The scale of development for commercial viability is above the capacity of the site. No arrangement can achieve this without harm to the setting of the listed building, irrespective of the architectural style proposed. Unfortunately, the stepping back of the bedroom storeys leads to an overhang at the west end which ruins the views on approach from the city centre. The community council considers that the western playground should remain undeveloped.

9.71 The prevention of further deterioration is a key benefit of the proposals. However, the same aim can be achieved with a less intrusive scheme. The proposed relocation of St Mary's Music School, backed by Dunard Fund, is a credible alternative to re-use the building for teaching and to allow public access.

Main points for the Architectural Heritage Society of Scotland

9.72 The Royal High School is one of the relatively few Scottish buildings that are recognised as being of international standing by the wider architectural community. It is one of the most important Greek revival buildings anywhere and a key monument to the nineteenth century. In the context of Enlightenment and post-Enlightenment Edinburgh, and its much-vaunted claim to be the Athens of the North, it is more important than any other single building in the city. It is also part of a major urban design and embodies modern and specifically urban ideas about the Picturesque movement in landscape design.

9.73 The Picturesque deals principally with how a building or landscape is seen. Uvedale Price in particular argued that the Picturesque landscape should be modelled on landscape painting. Humphrey Repton argued to the contrary that what we see in a painting is decidedly not what we see in reality. The greatest impact of the proposed extensions would be seen when approaching rather than in any particular view selected by the architects' renderings, historic paintings or photographs.

9.74 The building was designed in the spirit of the Picturesque, as it was emerging in the early 19th century, and with a distinctly urban character. At the time of the building of the Royal High School, the understanding of how buildings are seen in the landscape had begun to move on from the literal and static conception of a painting. The idea that landscape design should learn from painters and model their landscapes on the painting itself was countered by the idea that what is shown on a painting (or photograph) is not what we actually see. Our field of vision is generally wider and we turn our heads and move along. The notion of a static, Picturesque view was being challenged before the end of the 18th century.

9.75 William Stark had been a profound influence on the development of Edinburgh in the late 18th century. In his unfinished report to the city in respect of the competition to extend the New Town to Leith, he talked of much beauty and perhaps the most striking effects being in the 'bending alignment of the street'. He noted that public buildings break upon the eye at the most favourable points of view, 'shewing at once a front and a flank'.

His support for a careful contextual approach is evident in the disposition of the former Royal High School, and is appreciated on approach from the east and the west. The Royal High School is part of a grander urban design for the expansion of the New Town. Stark's approach was taken up by his pupil William Playfair, who was also influenced by the work of John Nash, particularly at Regent's Park, London. This Picturesque in motion is how the setting of the Royal High School should be understood. From the west, the building takes advantage of a long and gradual approach consistent with the most advanced thinking at the time.

9.76 The proposed western extension would cut across and dominate the oblique views of the Hamilton building from the west. It would severely impinge upon the gap between the former school and St Andrew's House and the sense of separation created by setting the principal school building within open playgrounds to the east and west.

9.77 The setting of the building was conceived with the emerging symbolism of Calton Hill as a place of commemoration and identity. This landscape setting is connected with national identity, politics, commemoration, education, criminality, enlightenment, science and art. It includes themes related to aspects of the visual; astronomy, photography, the invention of the panorama, and the Picturesque. It is a powerful and precious cultural landscape. Thomas Hamilton carefully inserted his building into it in a way that mediates between and negotiates some of those themes and in particular its role in helping to establish the idea of Edinburgh as Athens.

9.78 The proposed wings would not retain the sense of separation and individuality of Hamilton's building. They would be read together and the hotel wings would undermine the delicate balance of actual size, scale and monumentality achieved by Hamilton. The original building would appear as a small precious object in a reticulated glass box.

9.79 The AHSS notes that the existing building makes a significant positive contribution to the character and appearance of the New Town Conservation Area, as well as to the setting of the Old Town Conservation Area.

9.80 The AHSS supports appropriate, sympathetic, high-quality modern architecture and initiatives to bring historic buildings back into economic and social use. However, they say that the proposed scheme would result in over-development of the site. The balance of open and developed space would be harmed. The design and materials of the proposal would not be appropriate to the special interest of the listed building. The design elements would not reflect or respond to the essential principles of neo-classicism found in the existing buildings and surrounding area.

Main points for The Edinburgh World Heritage Trust

9.81 The EWHT recognises that the appeal site can accept a degree of development in support of the restoration and re-use of the main building. However, it is abundantly clear that the proposals for a hotel of this size could not be built on the site without having a major impact on the building and its setting and therefore the outstanding universal value of the World Heritage Site. The proposals would diminish the building and remove its setting. The principal building on the site would be turned into an object rather than an integrated part of an historic urban landscape. The failure of the proposed hotel wings to work with the

topography would have a negative impact on outstanding universal value. There would be no discernible relationship to the role of Calton Hill in the cityscape. The visual connection of the building to the Picturesque movement would be broken.

Main points for the Cockburn Association

9.82 The association objects strongly to the proposed works. The dynamic composition of Calton Hill and the Royal High School would be compromised with the addition of the wing buildings either side, effectively linking it into a staggered terrace. The height of the wings would be higher than the central school building but also the adjacent regent Terrace. There is a fundamental discord in the adaptation of a building with no windows to the view into an hotel. The proposals would undermine the building's important relationship with its context. The volume of accommodation said to be needed would not be appropriate.

9.83 The association is disappointed to see that the entrance lodge would be demolished. It works well within the set-piece design and ties into the wall and railings. It could be put to beneficial use.

9.84 The proposed wings are too high in relation to the principal building. This would be exacerbated by the extensive use of glass and inevitable illumination at night. The increase in scale over the principal building would be apparent despite some disguise by the elevation treatment.

9.85 Development of the western terrace would obscure important side views of the principal building. The spatial arrangement between buildings including the relationship with St Andrew's House would be weakened.

9.86 Adding further pavilions to the central building would unbalance the composition. The problem with a set-piece design so perfectly conceived is that it doesn't lend itself to any extension.

Main points for the Regent, Royal and Carlton Terraces and Mews Association

9.87 Of principal concern to the association is the impact of the proposed development on the special interest and significance of Calton Hill and the two listed terraces to the east. The unique combination of landscape and buildings was no accident and is recognised by the World Heritage Site inscription.

9.88 The elegant Regents Terrace would be debased by becoming the only service entrance for the development.

Main points for the Royal High School Preservation Trust

9.89 The Trust objects to the proposed works because of the impact they would have on the listed building and its setting.

9.90 The trust also objects to the proposed works on the basis on which the appellants' carried out their economic assessment. They say the appellants have consistently

overstated the benefits and have not used the correct methodology, that is the HM Treasury Green Book, to derive the net economic benefit. The key issue is whether there would be new business to Scotland as opposed to diverting trade from existing hotels.

Main points for others/ written representations

9.91 We also heard from three individual objectors: Ruth MacDonald, Neil Harrison, and Rosemary Addison. About 55 written representations were also received following receipt of the appeal.

9.92 That evidence, and much of the additional representations, object to the proposed works on the basis of the unacceptable impacts on the character, appearance and setting of the listed building. No other relevant issues were raised that we have not already dealt with in this report.

Reporters' findings

The main issues

9.93 The main issues in this chapter are the impacts of the proposed works, including demolition, on the special architectural and historic interest of the listed building; on its setting; and on the setting of other listed buildings.

9.94 In the event that the Scottish Ministers find harm, we must also consider whether there are other options which might secure a beneficial future with less harm and any wider benefits that might stem from consent.

9.95 Other relevant issues include the impact of the proposed works on the New Town Conservation Area and on the Old and New Towns of Edinburgh World Heritage Site.

9.96 None of the parties to the inquiry and no other representations to the appeals dispute the importance and significance of the principal building on the site. It is clearly a building of national and even international importance. This includes the remaining original elements such as the retaining and boundary walls, gates and railings and the belvedere tower in the north-east corner of the site. We have assessed the relative importance of all elements of the listed building in Part 1, Chapter 3 of this report.

9.97 The basis for assessing impacts on a listed building is the building as it existed on the date of listing. At that time, the school had added buildings to the yards and in front of the rear retaining walls and belvedere. We note that these buildings and the historical development of the school are of some special interest but also note that they detract from the understanding and appreciation of the significance of the principal building. Were this understanding and appreciation to be enhanced or left unharmed by any particular scheme, we might consider that demolition of historic outbuildings would be justified.

9.98 More recent additions such as the canteen block and classroom block are not regarded by any party to be significant to the special interest of the listed building and their loss would be acceptable in our view, whatever the impact of the proposals before us.

9.99 The interior has been considerably altered since the school left the site and after it had become listed. Many of the alterations also show progression of the use of the principal building, but in so doing detract from its special interest overall.

9.100 The grounds of the building were altered by the newer buildings and by landscape alterations to the playground areas. These changes, along with the later buildings which clutter the outside space, also detract from the special interest of the listed building.

9.101 We recognise that the rear retaining wall and the belvedere are elements of the original design for the site and that they were carefully considered as part of the setting of the whole against Calton Hill. We therefore understand the merit in restoring these to view and the benefit of improving the understanding of the design from important viewpoints. However, we note that this experience has been lost for some time and was not possible at the time of listing.

9.102 The proposed development would help to preserve the listed building by a sympathetic repair and restoration of the fabric of the building. The outside of the principal building together with the majority of the boundary walls and railings would be brought into good condition. The proposed use would involve substantial alterations to some of the internal fabric but would re-use the main spaces for public areas. Proposed internal alterations would be sensitively done to protect adjacent fabric and minimise loss of the original. These impacts alone would amount to preservation by repair, protection and beneficial re-use of the listed building. This must carry substantial weight in favour of the proposed new uses.

9.103 The recommendation of HES in their interim guidance, at paragraph 15, applies consideration of four specific criteria. Failure to meet any one of the criteria could be grounds to conclude that the presumption against works which adversely affect the special interest of the listed building or its setting should not be departed from.

9.104 The general approach of the appellants is to minimise the interventions in Hamilton's original work and design the necessary accommodation to add to the quality of that building in its setting. This is a valid conservation approach and one that responds well to a hotel design. Public rooms can be arranged in the larger spaces of the original school whilst the bedrooms and other requirements are best suited to new build. We consider the impacts of this further in our findings on setting.

9.105 The appellants accept the primacy of the southern elevation and the importance of the oblique views in the understanding and appreciation of the principal listed building. We consider that these would inevitably be significantly compromised by the addition of large-scale wings to each side, however they are cloaked.

9.106 Impacts on the setting of the listed building would be considerable. The prominence and dominance of the building in certain views would be spoiled by the overwhelming scale of the extensions proposed.

9.107 Having said that, we note that the extensions to and interventions in the principal building have been designed to minimise their impact. A great deal of careful consideration has arrived at a multifaceted framework of subdued framing, together with green roofs. The

extensions would be behind the line of the main elevation and their elevations would be curved and stepped. The intentional mimicry of the rocky, verdant setting is skilfully handled by the architects. They would rationalise what has become a cluttered site.

9.108 Nevertheless, the large amount of glass would inevitably sparkle in the daylight, drawing attention to the mass of the new wings. The scale of the extensions would mask a large part of the background setting to the sides of the principal listed building. At night, the light reflecting from the surfaces and activity in the rooms would be potentially more prominent still. We do not consider that this would be mitigated sufficiently by the technical specification of the proposed lighting, where surfaces, furniture and activity would be likely to reflect the light outwards. We therefore say that these extensions would not blend with the hillside nor disappear into the background. They would appear overbearing, urbanising and out of context. They would be a distraction in significant views of the principal building and harmful to its setting.

9.109 The proposed works would be permanent development. They would attach to the existing building to a relatively limited extent, sufficient only to provide links between them. Although in theory the works could be reversed, we attach little weight to that in our assessment. Firstly, the successful re-use of the building would assume a sustained use. Secondly, the impact on setting would be immediate. Thirdly, the outbuildings could not reasonably be restored without loss of authenticity. Our considered view that the proposed extensions would be detrimental to the setting of the listed building would not be affected to any significant degree by whether the works could be reversed at some time in the future.

The RHSPT scheme

9.110 This proposal has planning permission and listed building consent, although some details remain to be resolved. It has the financial backing of Dunard Fund, a charity established to promote the arts. The music school proposal is designed by architects and engineers of equal renown to those responsible for the appeal scheme. In our view, there is no reason why the RHSPT scheme would not be a viable and achievable alternative to the appeal proposals.

9.111 It is not our role here to revisit the merits of the RHSPT scheme except to assess whether it would cause less harm to the listed building. We have therefore assessed the impacts on the listed building and its setting in a similar way to our assessment of the appeal scheme, but only to compare with it for the purposes of applying the HES guidance.

9.112 The fact that the music school option has listed building consent does not mean that the proposed hotel is acceptable even if it would cause less harm. That is only one consideration. Conversely, the fact that the music school scheme has listed building consent does not mean that it would necessarily cause less harm.

9.113 The immediately obvious benefit of this proposal is that it is a school use, where the existing spaces could be re-used and where the intended occupier, like the RHS, has a distinguished reputation. Also, the visibility of the scheme (and its impact on setting) has been kept low by burying much of the school accommodation around internal top-lit courtyards, and it has been designed to accommodate the northern and eastern parts of the site, leaving the west side as designed landscape.

9.114 That said, the proposal includes extensive new building, major excavation and radical intervention into the existing fabric.

9.115 In assessing the overall balance of impacts on the special interest of the listed building, we rely on our findings in regard to hierarchy of importance and significance set out in Part 1 of this report.

9.116 We consider that whichever option were to be established the original pattern of use would be further lost to the new arrangement. We therefore attribute less significance to the internal alterations. We note, however, that the appeal proposal would involve considerably less removal of original fabric of the principal building. In terms of the preservation of the listed building itself, the appeal proposal would better preserve the building. Set against this is the much greater visual impact of the proposed hotel wings on the setting of the listed building. In our consideration of the special interest in Part 1 we have found that the preservation of the magnificence of the principal building in its setting is what is most significant to the special interest. It is what survives best from the original intention and conception of the building and what lifts it beyond the architecture to an icon of the cultural development of Edinburgh in Scotland and the world.

9.117 It is not for us to consider, or for Ministers to decide, whether the music school scheme would preserve the listed building or its setting or its features of special architectural or historic interest. We do, however, conclude that it is an option that would cause less harm to these attributes of the listed building than the appeal scheme, because of its lesser impact on setting.

Other options

9.118 Of course, Scheme 2 prepared by the appellants is another option for the listed building in this case, in terms of consideration of the HES guidance. It could, we heard, be as readily developed. It would certainly have reduced levels of impact and this was recognised in the review of the scheme design carried out during the workshop process in 2016.

9.119 The appellants say that this scheme has responded to the reasons for refusal at Scheme 1 and its reduced physical form would have a less harmful impact on the listed building and its setting. Although the economic balance would shift, there is no suggestion that the reduced scheme would not be viable. Scheme 2 is an option which would ensure a continuing beneficial use for the building with less impact on its special interest. On that basis too, Scheme 1 would fail to meet the criteria at recommendation 15 of the HES guidance.

Whether there would be significant benefits

9.120 The appellants seek to build a world-class hotel. Their view is that this will add to the offer in this world-class city and create wealth and jobs. They base the economic argument on the quality of the hotel. We have found in the parallel planning appeals that the economic and tourism benefits of the appeal proposal would be at least regionally significant.

9.121 However, any benefits that might result from the proposals would rely on the quality of the hotel being secured indefinitely. In general terms, planning regulates the use of land in the public interest and permissions run with the land. Restricting a permission to a specific class of occupier is generally undesirable and should only be used when there are special grounds and where the alternative would be refusal. Any attempt to control the level of service and the price of a room would be fraught with difficulty and an interference in the market. The operating model of the hotel would be vulnerable to change to maintain the business. We therefore place limited weight on the proposal to define the particular quality or level of service at the hotel and the proposed conditions to restrict it. The benefit of the proposed hotel to the economy should not therefore, be determined on the ambitions for a world-class hotel.

9.122 The appellants also say that the Scheme 1 proposal would have an improved urban design at the western end where it engages with Waterloo Place/ Regent Road and the foreground to St Andrew's House. The impact of that is discussed in our report on the planning applications. For the purposes of the listed building consent applications, we do not consider that any benefit to that part of the public realm would be of such significance to conclude overall that there would be no harm to the special interest of the listed building or its setting, nor to overcome the policy presumption against the harm we have found.

9.123 It has long been a tenet of historic building conservation that 'if you don't use it you may well lose it'. If successfully completed, the proposed scheme would remove the building from the at-risk register. That would reflect a significant change in fortunes for the building. However, we consider that the consented scheme for the RHS Preservation Trust indicates that there could be other ways in which the former Royal High School could be converted and altered to a viable use, thereby significantly reducing the risk to its preservation.

The conservation area

9.124 The proposed works would be a radical intervention in a sensitive part of the New Town Conservation Area. As set out in our analysis of the impact on the listed building and its setting, these works would appear as two major extensions out of keeping with the character of the principal school building and its prominent setting. For that reason, the character and appearance of the conservation area would be neither preserved nor enhanced by what is proposed.

World Heritage Site

9.125 The current management plan says that balancing the needs of the city to maintain its economic vibrancy and the need to protect the heritage is essential to both. It seems to us that this implies that the economic vibrancy must not be at the expense of protection of the heritage. Indeed, the outstanding universal value is a key driver of the economic success of the city and must be protected, developed and celebrated. We consider that this supports the statutory approach to protection of the listed building and to the preservation or enhancement of the character and appearance of the conservation area. Therefore, we say, the proposed works would to some degree harm the outstanding universal values of the World Heritage Site.

9.126 Beyond that, we heard argument that the proposed development may lead to the loss of World Heritage Site status. It seems to us that such a likelihood would be at best uncertain and not for us to conclude on within the confines of this appeal.

Other matters

9.127 We acknowledge the efforts made better to understand the building and its setting and to explain the proposed works in that context. There is no doubt that this has led to increased understanding of the importance of the building.

9.128 However, we note that the mitigation proposed is predicated on the need for an amount of new development, rather than an assessment of the amount that could be developed without harm to the building, its setting and the character or appearance of the conservation area. This is not outweighed by the improved understanding of the building and its setting provided in evidence to the inquiry.

Conclusions on policy

9.129 Based on these conclusions, and drawing on the policy context set out at Chapter 1 of this report, we find that:

- the proposal is contrary to Policies Env 2, Env 3 and Env 4 of the Edinburgh Local Development Plan, due to its adverse impacts on the listed building and its setting;
- the proposal is contrary to Policy Env 6 of the Edinburgh Local Development Plan, due to its adverse impacts on the character and setting of the New Town Conservation Area;
- the proposal is contrary to Policy Env 1 of the Edinburgh Local Development Plan, due to its adverse impacts on the qualities of the Old and New Towns of Edinburgh World Heritage Site;
- the proposal is contrary to Policy Del 2 of the Edinburgh Local Development Plan, due to its adverse impacts on the character and attractiveness of the city centre;
- the proposal is contrary to Policies Des 1 and Des 4 of the Edinburgh Local Development Plan, due to its adverse impacts on the character and appearance of the area;
- the proposal is inconsistent with those provisions of NPF3 and SPP relating to heritage assets, due to the adverse impacts on the World Heritage Site, the listed building, the setting of nearby listed building, and on the character and appearance of the conservation area; and
- the proposal is inconsistent overall with the Historic Environment Policy for Scotland (and its supporting guidance), due to the adverse impacts on the World Heritage Site, the listed building, the setting of nearby listed building, and on the character and appearance of the conservation area.

9.130 We take these conclusions into Chapter 14 where we apply the Section 25 test.

10 Townscape and visual impacts

Main points for the appellants

The New Town Gardens and Designed Landscape (GDL)

10.1 The designated area comprises a series of individual gardens and public open spaces, which extend across the full extent of the New Town. The 'Importance of the Site' is set out in the Inventory entry according to seven criteria which are used to determine whether a GDL is of national importance and should be included within the Inventory.

10.2 The Inventory entry includes descriptions of several 'principal' gardens within the New Town Gardens GDL, including a description of Calton Hill, which is described as "a public open space [which] is visible from a wide range of locations. Its monuments give it characteristic form" (CD 541). The Inventory also states that "panoramic views are obtained from Calton Hill and Regent Gardens to the Scott Monument and over the city of Edinburgh and the Firth of Forth".

10.3 A number of views are specifically mentioned in the Inventory description. Two of the views (views from the North Bridge and from the Old Town looking northwards; and from Arthur's Seat looking north-west) include the Hamilton building. However, it is noted that the Hamilton building is not specifically mentioned in the Inventory, and that the description of the 'Calton Hill' area of the New Town Gardens focuses its attention upon the summit area of the hill, and the collection of monuments thereon. There is no mention made in the Inventory description of any association between these buildings and the Hamilton building.

10.4 The proposed development area occupies a small plot at the south-easternmost corner of the extensive area covered by the New Town Gardens Inventory GDL designation. Scheme 1 would not be visible from the majority of the designated area, and it is considered that the scheme would have a minor effect upon the setting of the New Town Gardens GDL as a whole.

10.5 Historic Environment Scotland's assessment focuses on a limited number of the larger assemblage of viewpoints which were prepared for the Visual Assessment of the ES. These visualisations cannot be considered representative of the many and varied viewpoints within or around the GDL as a whole. HES does not consider the effect of the proposed development upon other key views specifically mentioned in the Inventory entry, and its assessment provides only a partial and skewed assessment of the impact that the proposals would have on the 'overall integrity' of the New Town GDL designation as a whole.

10.6 Scheme 1 would have a minor, neutral effect upon the setting of the New Town Gardens GDL. Key views within the GDL, as mentioned in the Inventory entry, would not be unacceptably affected, and it would remain entirely possible to understand and appreciate the manner in which picturesque design principles were applied to the Calton Hill area of the New Town, and how this contrasts with the more formal approach taken in other areas.

Townscape and visual assessment (TVIA)

10.7 The scope of the TVIA and viewpoint selection was discussed with the City of Edinburgh Council, Scottish Natural Heritage, Historic Environment Scotland and other consultees. The study area extends to 5.5 km from the site. A 2 km study area would have been sufficient to identify all potentially significant visual effects.

10.8 The Scheme 1 TVIA considers 35 viewpoints, which is unusually high. Given that many viewpoints were found to have no significant visual effect, it is surprising that the Scheme 2 assessment of a reduced scheme assesses even more viewpoints.

10.9 The TVIA considers the nature of effect (beneficial, neutral or adverse).

10.10 The council stipulated that the visualisations were to be prepared in accordance with Landscape Institute Note 1/11 (CD 543) and with Visual Representation of Windfarms (version 2, 2014). SNH guidance was updated in February 2017 (CD 546), and postdates the production of photomontages of the 2017 application.

10.11 Additional visualisations have prepared visualisations in accordance with current guidance (CD 546) for viewpoints 1, 3a, 8c, 9b, 10, 11a, 11c, and 19c (CD 596). These viewpoints are representative of a range of views and viewing conditions. The council and RHSPT are critical of the submitted photomontages. Both appear to take issue with the 'rendering' of these photomontages. The council is also concerned that the montages do not represent the worst-case scenario. Updated SNH guidance (CD546) states: "...photomontages can never exactly match what is experienced in reality" but that they: "should, however, provide a representation of the proposal that is accurate enough for the potential impacts to be fully understood."

10.12 Disagreements about the accuracy and rendering of photomontages do not help the decision-maker nor do 100% accurately rendered photomontages in any way materially improve the assessment. Clearly, if photomontages are misleading this should be highlighted but, assessments of the effect on a view or on visual amenity must be done by visiting viewpoints.

10.13 RHSPT is also critical of the fact that no updated photomontages were produced from Regent Road immediately outside the RHS portico, and from Calton Hill Drive immediately to the rear of the RHS. It considers both the Calton Hill Drive and the Regent Road locations to be "critical to a full appreciation of the visual effects". However, photomontages 32a-c for Scheme 1 and 32a-d for Scheme 2 illustrate the likely change in view that would be experienced from Calton Hill Drive, and because of the generally narrow angle of view available when walking up or down this road, a panoramic view would not provide additional viewing context. There are several photomontages which clearly illustrate the effect on views from Regent Road. In addition, views to Arthur's Seat, Salisbury Crags and to the Old Town from the front of the RHS on Regent Road are not affected.

10.14 It is contended for the appellants that the assessment has been undertaken in accordance with GLVIA3, clearly identifying significant and non-significant effects. The threshold of EIA significance set in the TVIA is appropriate. The TVIA included in the ES is based on good practice guidance.

Townscape assessment

10.15 Chapter 12 and Appendices L1-L4 (CD16 and CD165) include the assessment of potential effects of the proposed development on the site and on townscape character of the surrounding area. This also includes effect on the visual component and perception of landscape/ townscape designations.

10.16 The TVIA found a significant beneficial effect on the character of the site. However, because a relatively large area of the site would change from being 'undeveloped' to being built on, the appellants inquiry evidence is that this effect on the character of the site would be adverse.

10.17 The TVIAs of Scheme 1 and Scheme 2 identified a significant effect on the Calton Hill TCA, with the magnitude of change judged to be moderate. The appellants' evidence to the inquiry is that the magnitude of change of the proposal on the Calton Hill TCA would be small at most, because its relationship with the wider landscape is not affected, the urban grain remains unchanged, the topography remains unchanged, the hilltop remains open and the proposed buildings are not out of scale with existing development. The effect on the Calton Hill TCA would be minor.

10.18 SNH provided a consultation response dated 30 October 2015, and a response in 2017 which is almost identical. The appellants agree with SNH that the profile of Calton Hill represents 'crag and tail' landform with the 'crag' to the west and the 'tail' running eastwards. The Old Town, from Edinburgh Castle down the Royal Mile, has a similar form. The visual character and profile of these landforms is most striking in views from the south or north.

10.19 The profile of the 'crag and tail' landform of Calton Hill is clearly perceptible from several viewpoints but in none of these views does the proposed development affect the perception of this profile. It is accepted that in some closer views (e.g. VP19 and VP21) the development would be seen in front of or in close proximity to the steep-sided crag. However, this would not diminish the ability to appreciate the profile of Calton Hill.

10.20 SNH states that there would be adverse effects on landscape character of the hill "...by virtue of the perceived changes to vegetation cover and composition of features on the hill" (CD308). It is noted that vegetation on the hill would not change (except for the site itself) and that the west wing would reduce the extent of visible vegetation in some views. The appellants disagree that the development would affect the composition of features on the hill.

Views of Key Landscape Features

10.21 The appellants disagree with SNH that the proposed development would affect important characteristic views towards other key landscape features within the city. SNH's response refers to the sequence of viewpoints from Waterloo Place to Regent Terrace (VP 4d to 4a). Firstly, parked tourist coaches often obscure views from the northern pavement blocking views east but if these are not present, the proposed development would become a feature in these views. Secondly, the visualisations demonstrate the visual influence of street furniture and other features in the public realm. Thirdly, Salisbury Crags and Arthur's Seat are not visible from locations 4c and 4d. Finally, SNH refers to the western building as a focal point, however, the skyline of Arthur's Seat and Salisbury Crags would not be

affected by this building and there would be no delay to “.the experience of the spectacular open panoramas of Salisbury Crags and Arthur’s Seat.” The effect would be neutral.

10.22 Views from the open top of Calton Hill towards other key landscape features within the city are not generally affected by the development because it is not generally visible. The proposed development would be visible from the top of the Nelson Monument (VP16) and from the southern edge of the top of Calton Hill (VP6). In these views it would be below the line of sight towards Salisbury Crags and the Old Town.

Public Realm and Landscape Statement

10.23 A Public Realm and Landscape Statement was part of the Design and Access Statement for Scheme 1 (CD43-46) and as a standalone report for Scheme 2 (CD192-195).

10.24 The latter discusses the illusion of countryside in the city and analyses the relationship between woodland, open space and buildings and how these elements relate to the landform of Calton Hill. The analysis shows that the top of Calton Hill provides an open skyline which gives prominence to the monuments on the hill. Built development consists of the substantial gently sloping residential terraces along the tail side of the hill (both to north and south) and on the terrace on the south side.

10.25 The Statement concludes:

- that the roofline of any built development should not be symmetrical and could relate to the general profile of the hill;
- the importance of development on the west playground being limited in height; and
- the desirability of maintaining space between the base of the Nelson Monument and other built development.

10.26 In response to these points the scale of the proposals was reduced in Scheme 2. This is clearly visible in the photomontage from Canongate Parish Church burial ground (VP19c). The reduction in height of the west wing is also clearly perceptible in the Scheme 2 photomontages prepared from viewpoints VP8c and VP03a (CD596).

Garden and Designed Landscape

10.27 The New Town Gardens citation refers to ‘visual interconnections’ of the ‘open spaces, circuses and squares’ and ‘long distance views’.

10.28 When applying the inventory criteria to determine if the GDL, with the proposed development present, would still be regarded to be of national importance, it is concluded that there would be no change to the values or status. The proposed development does not affect the placement and visibility of the monuments which give Calton Hill a ‘characteristic form’ nor would it impinge on the ‘unforgettable city skyline’ and long views towards Calton Hill. The ES has fully considered effects on the GDL: any effect would at most be minor and not significant.

Special landscape areas (SLA)

10.29 Potential effects on eight Special Landscape Areas have been assessed. The Calton Hill SLA is susceptible to development that could affect the appreciation of the hill form and skyline, but the TVIA finds that there would be no significant effect on the SLA.

Conservation areas

10.30 The TVIA considered effects on conservation areas and none were found to be significant.

Visual effects

10.31 Visual effects are set out in Chapter 13 of the Scheme 1 ES (CD16) and Scheme 2 ES (CD165).

10.32 For Scheme 1, Table 13.3 (see para 13.9.23 of the ES 2015) provides a summary of the effects on all viewpoints and categorises significant effects as either beneficial or adverse. Significant effects were identified from views 04, 06, 08, 16, 17, 19a&c, 21, 27, 29 and 32. The assessment concludes that effects on views from locations 04, 19a&c, 21, 32 are adverse but that the other significant effects are beneficial.

10.33 The appellants maintain these findings of significance, except for VP29, Arthurs Seat. The magnitude of change in this view is small and taking account of the wide panoramic view available and absorbed by people from this vantage point it is judged the effect would not be significant.

10.34 It is important to note that viewpoints 04, 06, 16, 17, 21, 27 and 32 are immediately adjacent or very close to the site (VP04d: 206 m, VP06: 50 m, VP16: 83 m, VP17: 50 m, VP21: 20 m, VP27: 30 m from the site boundary) and only viewpoints 08, 19a&c and 29 are at little distance (VP8: approximately 900 m, VP19a: approximately 210 m and VP29 is approximately 1500 m from the site boundary). Assessments of the change in views from locations in proximity to development proposals are almost always likely to be significant. This should come as no surprise and is indeed the case here. The assessment also confirms that the geographic extent of significant effects is very limited for this development.

10.35 The appellants disagree with the council's contention that the 'form of Calton Hill' would be lost in view 03b or 03c. It is noted that for viewpoints 10, 11a, 19b, 22 and 23, the council suggests that if reversibility is judged differently for these viewpoints this could result in a significant effect. A consistent reversibility 'level' of moderate has been adopted in the ES for all viewpoints. No information is provided as to why the reversibility level for viewpoints 10, 11a, 19b, 22 and 23 should be raised to high.

10.36 In response to other concerns raised by the council, the appellants respond as follows:

- VP10 (CEC key view E5), VP 29 and VP 08a. The council considers the change in these views would be significant. The proposed development is not in the appellants' opinion '*out of rhythm with the existing buildings*' nor does it '*compete with the National Monument*'.
- VP8a and b (CEC key view E2d). The council states that the proposed wings would draw the eye away from the skyline because of their size and that they are the only buildings in the monument area which would be of the same architectural style. However, the proposed

development is located on the artificial terrace below the skyline and does not in the appellants' opinion 'draw the eye away', and Regent Terrace comprises buildings of the same architectural style.

- VP9a and b (CEC key view Ec3). The council states that there would be a significant impact on view 9a because "it blocks a 'significant' proportion of the hillside which provides a setting for the RHS and the Nelson Monument". In the appellants' opinion the effect on view 9a is borderline significant for the Scheme 1 proposal. The reduced height of the west wing reduces the effect to minor and not significant for the Scheme 2 proposal.
- VP19 a, b and c. The appellants agree that effects on these views would be significant but note that the views from locations a and b are fleeting and glimpsed.
- It is not clear whether the council considers the effect on views 22 and 23 to be significant but it is contended for the appellants that the effects would not be significant. It is not clear on what basis the council claims that the space between St Andrews House and the RHS has been specifically designed to allow them to be perceived as separate entities.
- VP13: The potential perceptible change in view is judged to be negligible.

Conclusion on visual effects

10.37 Any adverse visual effects of the proposed development are limited and contained due to careful siting and design.

Main points for the council

Impact on the Old Town Conservation Area

10.38 Views from the Old Town to this prominent New Town landscape and appreciation of its topography would be damaged by the proposals. The essential character of the Old Town Conservation Area, which is located to the south of the site would also be damaged. The key elements of the [Old Town Conservation Area Character Appraisal](#) 2017 include reference to an environment of enclosed streets and dramatic changes of level with numerous framed distant views. The character appraisal also states that: "Proposals outside the boundaries of the Conservation Area should not erode the character and appearance of the Old Town or intrude into views of the Castle"

10.39 In the existing clear view from the Canongate Parish Church and burial ground, the location in the Old Town where the former Royal High School is closest, the proposed development would interrupt the distinctive ridgeline of the Hill and damage the relationship of the Hamilton Building with Nelson's Monument (EIA views 19a and 19c) (CD30). The effect on views from the Old Town is also demonstrated in EIA view (CEC key view C1a - Edinburgh Design Guidance CD474 page 25, CD475 page 24) (Vol. 17 (CD30)), where the western extension would block part of the landscape on Calton Hill. The adverse impacts on views of this distinctive and characteristic landscape feature from the Old Town, is especially noticeable closer to the application site, at Canongate Parish church burial ground (EIA viewpoints 19a and 19c) (Vol. 18 CD31).

10.40 These adverse impacts on important views from and towards the Conservation Area are damaging to its special character, which is contrary to LDP policy Env 6 (Conservation Areas – Development). Accordingly, a strong presumption against grant of planning permission arises under section 64(1) of the listed building Act.

Impacts on the designed and natural landscape of Calton Hill

10.41 The application site is located at a prominent location, on the lower flank of the southern slope of Calton Hill. As well as being a public park, this prominent landmark feature is subject to a number of important designations. The site itself is included in an important element of the Inventory Gardens and Designed Landscapes: 'The New Town Gardens'. Calton Hill is also part of the nationally designated 'Arthurs Seat Volcano, Site of Special Scientific Interest' (SSSI) and the Edinburgh Local Development Plan designated Special Landscape Area. Both of these designated sites lie directly to the north of the application site.

10.42 The landscape of Calton Hill is part of the geological formation of the Arthur's Seat Volcano, along with Salisbury Crags and the Castle Rock. It is a 'crag and tail' landform that is a result of geological processes including glaciation. Its designation as an SSSI is largely as a result of its geological characteristics. The appreciation of the visual aspects of this geological landform also derives protection under this policy. Any development which has the potential to impact on the Arthur's Seat Volcano Site of Special Scientific Interest requires assessment against LDP policy Env 14. There would be no direct physical impact on this designation as a result of the development, as it is just outside the site boundary. However, as highlighted in the Environmental Statement, there is a risk that the proposed development could cause indirect impacts on this designation. The images used in the appellants' Townscape and Visual Impact Assessment demonstrate that the proposals would have significant, adverse effects on the appreciation of this important landform and its landscape character.

10.43 The distinctive character and scenic quality of this landscape are recognised through its development plan designation as a Special Landscape Area. LDP Policy Env 11 states: "Planning permission will not be granted for development which would have a significant adverse impact on the special character or qualities of the Special Landscape Areas shown on the Proposals Map...". The description of the Calton Hill Special Landscape Area notes that the pressures on the landscape integrity of this designation include: "Built development affecting the appreciation of the hill form and skyline".

10.44 Some of the photomontages contained in the Townscape and Visual Impact Assessment (TVIA), which forms part of the Environmental Statement, indicate that the appreciation of this hill formation, particularly where the development rises above the landform and blocks views to the hill, would be damaged. Such adverse impacts and others are identified in Scottish Natural Heritage's consultation response. It is contended that the proposals will cause further adverse effects on the natural heritage qualities of this designated landscape feature, including: adverse effects on the appreciation of the profile of Calton Hill - an important and prominent 'crag and tail' landform which also serves as a landmark of major importance within the City of Edinburgh; adverse effects on the appreciation of the landscape character of the hill, particularly resulting from the changes to the balance and visual composition between open, semi-natural hillside and built features of the hill and its fringes; and impacts on the hill's particularly strong physical relationship to Arthur's Seat and Salisbury Crags, which are related geological features and as one of Edinburgh's seven hills.

10.45 The proposed extensions (particularly the west wing) would, owing to their scale and massing, reduce the proportion of the undeveloped skyline visible in views of Calton Hill, and have adverse effects on the appreciation of its natural profile. This is demonstrated in a number of viewpoints (CD30, CD31) including:

- (a) EIA view point 21 – (Regent Road) where the development rises dominantly and directly in front of the hill, fully or partly obscuring its profile and views to its monuments.
- (b) EIA View point 22 - (Market Street) which demonstrates how the west wing damages appreciation of the ridgeline.
- (c) EIA View point 19 – (Canongate parish church burial ground) which further highlights the adverse impacts caused by the significant massing and visual prominence of proposed buildings, breaking the hill’s skyline and diminishing the extent of the visible hill profile.

10.46 From this location the: ‘overall effect on the appreciation of the relative steepness of the crag and tail landform’ is noted by SNH in its consultation response. The development also impacts on the landscape character of Calton Hill, as a result of the changes that the built form would bring to its rugged natural form of exposed rock, gorse and tree cover, which is juxtaposed with buildings and monuments.

10.47 The proposed development would impact on the appreciation of views towards the iconic landmark features of Salisbury Crags and Arthurs Seat, as illustrated in EIA view 4a) to-d) (EIA Vol. 17 (CD 30)). The proposed west wing would provide a new and competing element in views from Waterloo Place, disrupting the experience of spectacular open panoramas of Salisbury Crags and Arthurs Seat from this aspect.

10.48 In EIA viewpoints 32c and 32d from Calton Hill Drive, the scale and proximity of the proposed development would also restrict views of distant landmark features, including the Castle Rock, Arthurs Seat and Salisbury Crags. The Scheme 1 proposal, by virtue of its scale and location, adds substantially to the skirt of built form around the platform on the southern side of the hill. This additional development would reduce the proportion of the undeveloped skyline visible in views towards Calton Hill, diminishing appreciation of the natural topography and the crag and tail upon which the existing built features of the hill lie, and reduce the proportion of steep craggy and wooded slopes visible on the hill.

10.49 The harmful effects on the skyline, character and views of the Calton Hill, demonstrate that the proposal fails to safeguard the essential qualities and characteristics of this topographical and landscape feature, contrary to LDP Policies Env 11, Des 11 and Des 4.

Impact on the New Town Gardens Inventory Site

10.50 LDP Policy Env 7:Historic and Designed landscapes states that: “Development will only be permitted where is no detrimental impact on the character of a site recorded in the Inventory of Gardens and Designed Landscapes, or upon component features which contribute to its value.”

10.51 The guidance note on ‘Managing Change in the Historic Environment: Gardens and Designed Landscapes’ (2016) (CD507) states that in assessing the impact of a proposed development on a Gardens and Designed Landscapes Inventory Site, a three stage approach should be undertaken, which includes (1) identifying the significance of the Garden and Designed Landscape and establishing its baseline, (2) assessing the impact of the change on the site and its setting and; (3) mitigate: identify options to avoid, reduce or compensate for adverse impacts and to enhance positive characteristics.

10.52 The site lies at a highly prominent location in the New Town Gardens Inventory Site, which comprises 18th and 19th century town gardens and squares, which together with the surrounding buildings are collectively known as the 'New Town'. They were designed to take full advantage of the topography and townscape and are located at visible or prominent locations, to create an illusion of the countryside in the city.

10.53 The public park on Calton Hill was envisaged as part of a picturesque rural scene that connected with, and brought in, the rural landscape to the town. Each monument within this landscape was placed for dramatic effect in relation to views and paths. There is sufficient landscape space around each monument to allow them to be appreciated individually and sequentially. The way this arrangement comes together creates a unique urban picturesque landscape.

10.54 The Hamilton building was placed on an artificial terrace which retained the building's relationship with the topography and base of the hill. The landscape and monuments of the hill form a sensitive part of the Inventory site. The proposed development damages the composition of the hill and alters key characteristics, including the space around each element and the semi-rural character, as well creating new focal points, which in certain lights would be particularly visible. The EIA view points from Radical Road (EIA Vol. 17 (CD30) View 08a- 08c) and Queens Drive (EIA Vol. 17 view 09a-9c)) demonstrates such impacts.

10.55 In conclusion, Calton Hill is an urban, picturesque landscape with unique monuments, one of which is the Royal High School. The composition of the monuments evoke a sense of connection to places, particularly Athens in Greece. This composition results in a series of characteristic scenes, which are internationally recognised and have led to Edinburgh's name as the Athens of the North. It is visible from many locations in the city and has a strong sense of place, enjoyed by many international and national visitors for a variety of reasons. It is highly sensitive to change.

10.56 The assessment of the impacts of the development on this sensitive part of this Inventory site demonstrates a failure to comply with Historic Environment Scotland's Managing Change guidance on proposals for development within these Inventory designated sites, as the proposed means of mitigation through the design of the building and public realm do not mitigate the significant adverse impacts on this designation. It is therefore concluded that the proposals are contrary to LDP Policy Env 7, as the proposed extensions by reason of their inappropriate height, scale and massing at this highly prominent and sensitive site on Calton Hill would be detrimental to the character of Calton Hill which is part of the Inventory Gardens and Designed Landscapes 'The New Town Gardens' and would have an adverse impact on views to, from and within this Inventory site.

Townscape impacts

10.57 The ES assessed the impacts on the characteristics of the appeal site, Calton Hill, the Gardens and Designed Landscape and the Special Landscape Area. It is important that the proposed architectural design solution would not damage important characteristics of these areas. The impacts would be significant and adverse for all these areas.

10.58 In the assessment of the site, the characteristics relating to the building being part of a composition and the cultural connections were not included in the baseline. This assessment concluded that the outcome in both applications would be significant and

beneficial. Due to the impact on these key characteristics it is contended that it is significant and adverse.

10.59 In the assessment of Calton Hill in the Scheme 1 ES, the appellants identify that there are isolated monuments at the top of Calton Hill and public buildings with space around them, noting that the Royal High School site is 'clearly part of an urban composition', but miss out the cultural connections between the monuments. In the Scheme 2 ES the baseline changes and the description 'space around the buildings' in the Scheme 1 ES has been removed. As this characteristic is associated with being part of the composition, loss of this characteristic is adverse.

10.60 The appellants contend that the development is in scale with other development along the road, putting more emphasis on the relationship of buildings along the road than the building being part of a composition on a hillside. The council disagrees with this assessment: 'buildings along a street' is not a unique characteristic.

10.61 The appellants find insignificant impacts in the Scheme 1 and Scheme 2 appeals for the New Town Gardens and Designed Landscape assessments. However, due to the area it can be viewed from, and the loss of the characteristic 'composition on the hill', it is the council's opinion that the effects would be significant and adverse.

10.62 The appellants find an insignificant effect on the Special Landscape Area. It is contended for the council that the sensitivity is higher, giving a significant adverse effect due to damage to the landscape setting of the monuments.

Visual impacts

10.63 It is important that new design proposals do not damage important characteristics of existing views. In both the visual assessments there are significant adverse visual effects recorded for four views. Three of these views and support the council's opinion that locally the buildings would create a strong adverse visual effect. These are Viewpoints 35, 32 and 21. This is because the height and mass of the wings would block views across the Hamilton building and over to the townscape and would alter the picturesque and historically significant composition of the Hamilton Building with Calton Hill as a backdrop.

10.64 The fourth view acknowledged by the appellants to be adversely affected is Viewpoint 19c from Canongate Parish Church. In this relatively local view, the proposed development interrupts the view of the distinctive ridge line of Calton Hill and compromises the relationship of the Nelson Monument to the hill, again damaging the picturesque and historically significant composition of the Hamilton building with Calton Hill.

10.65 The effect on the sequence of views from Regent Road, View 04 and 27 moving eastwards, is disputed. The effect on Viewpoint 4 in the Scheme 1 ES is noted as adverse by the appellants. The council agrees. In the Scheme 2 ES the appellants changed the impact to beneficial. Whilst the development is different, slightly set back and slightly lower, its height and mass would introduce a new, visually powerful focal point in the view. The introduction of the new building disrupts the sequence of views created to 'reveal' the Hamilton building.

10.66 Viewpoint 27 further along the road is noted as a significant beneficial effect. The council considers it to be adverse, again due to the new building creating a powerful focal point. When local people and tourists walk along the pavement today the visual effect of

the Hamilton building is dominant. The new proposals by virtue of their scale, mass and height would overpower the Hamilton building so that would no longer be the case. Views to the existing features of Calton Hill would also be blocked, damaging a unique visual experience.

10.67 In views from the Castle and North Bridge, Viewpoints 1 and 3c, the appellants conclude that there are no significant effects. However, the unusual nature of the Hamilton building being surrounded by landscape would be lost and therefore the impacts would be adverse.

10.68 More distant views can be seen from within the Royal Park. VP 08b (north end of Radical Road) is one such view. This is assessed as a significant view and beneficial and relies on the bedroom wings receding into the hillside. The council considers that this would be an adverse effect.

10.69 Other distant views are not considered significant by the appellants. However, it is considered that Viewpoints 9, 10 and 11 (views from Queens Drive, Arthurs Seat and St Anthony's chapel) demonstrate significant and adverse effects. This is because in certain conditions the development would be a highly noticeable component of the view and detract from the Hamilton building's landscape setting.

10.70 In summary, many views would be significantly and adversely affected by the development; there would be no beneficial visual impacts in either proposal.

Main points for Historic Environment Scotland

10.71 The proposed development site is located on the southern-flank of Calton Hill, a major element of the GDL and the most significant topographical feature of the Edinburgh New Town. The Inventory site has outstanding value as being: a work of art; historical; architectural; and scenic.

10.72 The GDL comprises a series of 18th-19th century town gardens, squares and walks, which, together with the surrounding buildings, are collectively termed the 'New Town'. Designed to take full advantage of the topography and townscape, they range in size, and are located in visible or prominent locations, to create an impression of a '*rus in urbe*' (the illusion of countryside in the city) and make an important contribution to the character of the area.

10.73 From its inception, the relationship between Calton Hill and the Hamilton building was subject to thoughtful design and careful positioning: to exploit Calton Hill's natural qualities and keep the hilltop as a public space, free of development. The Hamilton building was carefully placed on a purpose-built terrace, a manipulation of the landform of Calton Hill, heightening its picturesque qualities and harmonising the building's relationship with the hill's topography.

10.74 Forming a significant element of the GDL, the character and significant features of the southern-slopes of Calton Hill are very different to other gardens that make up the GDL designation. Calton Hill is the most visually significant topographical feature in Edinburgh's New Town. The picturesque ensemble of rugged, manipulated landform, juxtaposed with monumental classical buildings and controlled semi-natural vegetation have created a unique part of the GDL which is highly sensitive to change.

10.75 The proposed development in this highly significant and sensitive part of the GDL would have a negative impact on the experience, appreciation and understanding of the GDL as a whole.

10.76 Both the Scheme 1 and Scheme 2 proposals would have a significant adverse effect on the open character of the southern-slopes of Calton Hill: the proposed hotel extensions would adversely affect the relative proportion of buildings/ open-ground in this area, resulting in an over-dominance of built form and adversely affect the spatial qualities of the buildings/ monuments in the Calton Hill landscape. The impact on the character of the GDL is illustrated in viewpoints showing sequential views east and west along Regent Road. Historic control of planting in the vicinity of the Hamilton building results in a highly prominent site, which is especially sensitive to change. It permits extensive views from/ towards this part of the GDL, of which the Hamilton building forms a focal point. The development would have a significant adverse impact on a series of important views of Calton Hill from the west and south: particularly from North Bridge, the Old Town, and higher ground within Holyrood Park.

10.77 HES does not agree with the conclusions in the 2015 ES that the Scheme 1 development would have an impact of moderate/ minor significance on the GDL causing a beneficial effect. Nor does HES agree with the 2017 ES conclusions that the Scheme 2 proposed development would have an impact of minor significance upon the setting of the GDL causing a neutral effect.

10.78 It is acknowledged that the appellants have made efforts to mitigate the effects of the development both in the Scheme 1 design and the Scheme 2 revisions. However, it is considered that, despite the reduction in the scale and height of the scheme since 2015, neither the 2015 nor the 2017 proposals would avoid or reduce adverse impacts on the GDL in line with the mitigation measures set out in the GDL guidance.

10.79 Either development would represent a significant intervention in one of the most sensitive and visually prominent elements of the GDL, of which the Hamilton building is a key component and forms a focal point in views. Whereas previous developments in this part of the GDL have been carefully located to give emphasis to the form and scale of Calton Hill and the Hamilton building's contribution to that ensemble, the proposed hotel extensions would instead obscure and dominate it, cutting across the contours of Calton Hill, introducing an asymmetrical intermediate series of levels out of scale with the Hamilton building and the hill. The scale and massing of the proposed development would overload and dominate the hill. As such, neither proposal avoids nor reduces significant adverse impacts on the Calton Hill area of the GDL.

Main points for the AHSS

10.80 The Old Town is the historic heart of the city, and a key component of the World Heritage Site. The development along the High Street and Canongate, following land contours, containing major historical buildings and landmarks, is of the highest importance. It is visible from much of the city centre, most notably from Calton Hill, Princes Street and Princes Street Gardens, Arthur's Seat, and Castle Terrace.

10.81 Calton Hill forms part of the setting of the Old Town Conservation Area. The southern flanks and hence the Royal High School are prominent in views from, for example, Canongate Kirkyard and North Bridge. There are glimpsed but important views from parts of the northern Old Town such as Old Tolbooth Wynd, New Street, and Brown's Close. The

viewer looks over, or up, towards the ‘New Athens’, a unique assemblage of buildings – not all of which are immediately visible on lower views – set within its own land and streetscape, separate from the adjoining urban terraces.

10.82 Calton Hill is identified in the Inventory as being a principal component of the Garden and Designed Landscape, visible from a wide range of locations. The monuments, including the Royal High School, give it a particular and singular character of the highest value in terms broadly cognate to those relevant to the New and Old Town Conservation Areas. The views from the west approaching the site from Waterloo Place would be significantly altered, with the appearance of the Hamilton building in its landscape setting fundamentally changed. From the Old Town Conservation Area, the townscape setting when viewed across the Waverley Valley would be affected, with the legibility of the *Rus en Urbe* appearance of the south flank of Calton Hill changed.

10.83 The breach of the skyline, especially with Scheme 1, is notable. The west wing would dominate the streetscape when viewed from both Waterloo Place and as the viewer moves westwards from the central part of the former RHS site along Regent Road. The impact would be significantly adverse.

10.84 The appellants seek to frame a view which is not intended to be framed. The architect attempts to create a new focus for the views from Waterloo Place, without considering the importance of the unfolding approach to the west elevation. On other less sensitive sites that may be a laudable objective but it is not appropriate here.

10.85 It is concluded that each of Scheme 1 and Scheme 2 would have a significant adverse effect on the character of Old Town Conservation Area, and the New Town Gardens GDL.

Main points for The Cockburn Association/ Edinburgh World Heritage/ The New Town and Broughton Community Council

10.86 There should be no dispute of the international importance of Hamilton’s building and its high significance in the context of the World Heritage Site. It is one of the finest buildings in the city, and in Scotland of its type, and the starting point for any development proposal must be the preservation of its unique, and architecturally complete composition and setting on the slopes of Calton Hill. The Special Landscape Area is “susceptible to built development affecting the appreciation of the hill form and skyline”.

10.87 The importance of Calton Hill in terms of landscape quality, heritage value and as a distinct area of character is also of the highest order. Both schemes would have an impact on the character and appearance of the Calton Hill character area. The views from the west approaching the site from Waterloo Place would be significantly altered, with the appearance of the Hamilton building in its landscape setting fundamentally changed. From the Old Town Conservation Area, the townscape setting when viewed across the Waverley Valley would be affected, with the legibility of the ‘*rus in urbe*’ appearance of the south flank of Calton Hill changed. The breach of the skyline, especially with Scheme 1, is notable.

Main points for the Royal High School Preservation Trust

10.88 Having regard to the importance of the landscape and visual setting of the Royal High School on Calton Hill, it is considered that the appellant’s LVIA’s have under-assessed the sensitivity, magnitude and significance of the effects that the proposed developments

(Scheme 1 and Scheme 2) would cause. It is considered that this shortcoming indicates a lack of proper understanding of the landscape of Calton Hill and its critical relationship to the RHS and the monuments on it.

10.89 In many views the development would increase the perception that the southern fringes of the hill have been entirely built upon and this would reduce the extent of visibility of the component parts of the hill itself. This has the effect of altering the relationship of the Royal High School with Calton Hill and also has effect of reducing the perception of the 'hill' form itself by developing an apparently continuous band of buildings across its lower slopes. This in turn undermines the monuments that are positioned on top of the hill.

10.90 In contrast, the RHSPT proposal would have the opposite effect, by making more of the hillside visible through removal of the gymnasium block.

10.91 There is a lack of adequate visually verified material provided by the appellants to properly show the framing effect of the proposed hotel wings in close range views from Regent Road, including from immediately outside the main entrance to the Hamilton building, from where, together and individually they would have the potential to visually dominate it. There is no visually verified or compliant visual information to inform the assessment from this location. It is contended that the appearance of the hotel wings would serve to 'bookend' the Hamilton building in close range views and diminish its prominence as an individual and iconic building in the landscape. This would compromise its visual setting, particularly in views from the south.

10.92 The RHSPT proposal would also change parts of the visual setting of the Hamilton building, and significantly change the existing views of the Gymnasium and Refectory from limited parts of Regent Road/ Regent Terrace, from where they would reduce the verticality of the gymnasium and rise above the existing refectory wall along the south-east boundary. It is also the case that the octagonal glass rooflight would be glimpsed in association with the Hamilton building from Regent Road, and parts of the new school would be seen from Calton Hill Drive looking south. It is considered that any townscape and visual effects arising as a result would be much more modest in nature and would not affect the appearance of the Hamilton building to the same extent as the appeal proposals would, particularly from Regent Road and Calton Hill Drive.

Reporters' conclusions

Environmental statement: methodology and visualisations

10.93 We note the criticisms of the appellants' Environmental Statements. It is contended by some of the other parties that (i) there are key visualisations missing, particularly very close to the Hamilton building from Regent Road; and (ii) the rendering and accuracy of certain photomontages is questioned.

10.94 In regard to the former, we note that viewpoint locations were agreed between the appellants, the council, HES, SNH and others. It is very late in the process to criticise the selection of viewpoints. We have in any event found those photomontages and other illustrative material provided to be sufficient to aid our assessment of the proposals.

10.95 On the latter criticism, we have found the photomontages very useful in undertaking our unaccompanied site inspections.

Calton Hill/ the special landscape area

10.96 The appeal site is located at a prominent location, on the lower flank of the southern slope of Calton Hill. As well as being a public park, this prominent landmark feature is subject to a number of important designations. The site itself is included in the Edinburgh Local Development Plan designated Special Landscape Area.

10.97 The landscape of Calton Hill is part of the geological formation of the Arthur's Seat Volcano, along with Salisbury Crags and the Castle Rock. It is a very obvious and renowned 'crag and tail' landform, formed as a result of geological processes including glaciation. The description of the Calton Hill Special Landscape Area notes that pressures on the landscape integrity of this designation include: "Built development affecting the appreciation of the hill form and skyline".

10.98 A number of the photomontages contained in the Townscape and Visual Impact Assessment demonstrate to us that the appreciation of this hill formation, particularly where the development would rise above the landform and block views to the hill, would be damaged. This would in turn adversely affect appreciation of the profile of Calton Hill; on the appreciation of the landscape character of the hill, particularly resulting from the changes to the balance and visual composition between open, semi-natural hillside and built features of the hill and its fringes; and impacts on the hill's particularly strong physical relationship to Arthur's Seat and Salisbury Crags, which are related geological features.

10.99 The proposed extensions, but especially the west wing, would, owing to their scale and massing, reduce the proportion of the undeveloped skyline visible in views of Calton Hill, with resultant adverse effects on the appreciation of its natural profile. We agree with the council that these effects are best demonstrated in a number of [viewpoints](#) including: viewpoint 21 – (Regent Road) where the development rises dominantly and directly in front of the hill, fully or partly obscuring its profile and views to its monuments; viewpoint 22 - (Market Street) which demonstrates how the west wing damages appreciation of the ridgeline; and viewpoint 19 – (Canongate parish church burial ground) which further highlights the adverse impacts caused by the significant massing and visual prominence of proposed buildings, breaking the hill's skyline and diminishing the extent of the visible hill profile.

10.100 We agree with the council also that the proposed development would impact on the appreciation of views towards the iconic landmark features of Salisbury Crags and Arthurs Seat, as illustrated in [viewpoints 4a\) to-d\)](#). The proposed west wing would provide a new and competing element in views from Waterloo Place, disrupting the experience of spectacular open panoramas of Salisbury Crags and Arthurs Seat from this aspect.

The New Town Gardens and Designed Landscape (GDL)

10.101 The GDL comprises a series of 18th-19th century town gardens, squares and walks, which, together with the surrounding buildings, are collectively termed the 'New Town'. Designed to take full advantage of the topography and townscape, they range in size, and are located in visible or prominent locations, to create an impression of a '*rus in urbe*' (the illusion of countryside in the city) and make an important contribution to the character of the area.

10.102 We heard that from its inception, the relationship between Calton Hill and the Hamilton building was subject to thoughtful design and careful positioning: to exploit Calton

Hill's natural qualities and keep the hilltop as a public space, free of development. The Hamilton building was carefully placed on a purpose-built terrace, a manipulation of the landform of Calton Hill, heightening its picturesque qualities and harmonising the building's relationship with the hill's topography.

10.103 The proposed development site is located on the southern-flank of Calton Hill, a major element of the GDL and the most significant topographical feature of the Edinburgh New Town. The character and significant features of the southern-slopes of Calton Hill are very different to other gardens that make up the GDL designation. Although located on the extremity of the GDL, and not typifying what would generally be understood as a New Town garden, we agree with HES that Calton Hill is nonetheless a significant element of the GDL. It is the most visually significant topographical feature in Edinburgh's New Town. The picturesque ensemble of rugged, manipulated landform, juxtaposed with monumental classical buildings and controlled semi-natural vegetation have created a unique part of the GDL which we agree is highly sensitive to change.

10.104 We say that the proposed development in this highly-significant and sensitive part of the GDL would have a negative impact on the experience, appreciation and understanding of the GDL as a whole.

10.105 Both the Scheme 1 and Scheme 2 proposals would have a significant adverse effect on the open character of the southern-slopes of Calton Hill: the proposed hotel extensions would adversely affect the relative proportion of buildings/ open-ground in this area, resulting in an over-dominance of built form and adversely affect the spatial qualities of the buildings/ monuments in the Calton Hill landscape. The impact on the character of the GDL is best illustrated in viewpoints showing sequential views east and west along Regent Road.

10.106 We do not agree with the conclusions in the 2015 ES that the Scheme 1 development would have an impact of moderate/ minor significance on the GDL causing a beneficial effect.

10.107 The appellants have clearly made significant efforts to mitigate the effects of the development both in the Scheme 1 design and the Scheme 2 revisions. However, it is considered that, despite the reduction in the scale and height of the scheme since 2015, neither the 2015 nor the 2017 proposals would avoid or reduce adverse impacts on the GDL in line with the mitigation measures set out in the GDL guidance.

10.108 Either development would represent a significant intervention in one of the most sensitive and visually prominent elements of the GDL, of which the Hamilton building is a key component and forms a focal point in views. The scale and massing of the proposed development would overload and dominate the hill. As such, neither proposal avoids nor reduces significant adverse impacts on the Calton Hill area of the GDL.

The Old Town Conservation Area

10.109 We heard that the character of the Old Town Conservation Area, which is located to the south of the site, includes an environment of enclosed streets and dramatic changes of level with numerous framed distant views. The conservation area character appraisal states that: "Proposals outside the boundaries of the Conservation Area should not erode the character and appearance of the Old Town or intrude into views of the Castle".

10.110 We agree with the council that, in the existing clear view from the Canongate Parish Church and burial ground, that part of the Old Town closest to the Royal High School, the proposed development would interrupt the distinctive ridgeline of Calton Hill and damage the relationship of the Hamilton building with Nelson's Monument ([viewpoints 19a and 19c](#)).

Townscape impacts

10.111 The appellants' contend that the proposed development is in scale with other development along Regent Road. We agree with the council that this places undue emphasis on the relationship of buildings along the road, rather than recognising the building forming part of a composition on a hillside.

10.112 The TVIA finds a significant beneficial effect on the character of the site. However, because a relatively large area of the site would change from being undeveloped to being built on, the appellants inquiry evidence is that this effect on the character of the site would be adverse. We agree.

10.113 The TVIAs for Scheme 1 and Scheme 2 identify a significant effect on the Calton Hill TCA, with the magnitude of change judged to be moderate. The appellants' evidence to the inquiry is that the magnitude of change of the proposal on the Calton Hill TCA would be small at most, because its relationship with the wider landscape is not affected, the urban grain remains unchanged, the topography remains unchanged, the hilltop remains open and the proposed buildings are not out of scale with existing development. The effect on the Calton Hill TCA would be minor.

10.114 We disagree with that assessment. There is no disagreement amongst the parties that the profile of the 'crag and tail' landform of Calton Hill is clearly perceptible from several viewpoints. We have identified in the paragraphs above a number of viewpoints where the relationship of Calton Hill with the wider landscape is adversely affected and the appreciation of the 'crag and tail' landform would be impeded.

Visual impacts

10.115 The visual assessments for Scheme 1 identifies significant adverse visual effects for four viewpoints: [35, 32, 21 and 19c](#).

10.116 Drawing on our site inspections, aided by the photomontages for viewpoints 35, 32 and 21, we agree with the council that the height and mass of the wings would block views across the Hamilton building and would alter the picturesque and historically significant composition of the Hamilton building with Calton Hill as a backdrop.

10.117 In the relatively local view from viewpoint 19c at Canongate Parish Church, we are in no doubt that the proposed development would interrupt the view of the distinctive ridge line of Calton Hill and compromise the relationship of the Nelson Monument (which would appear to rise from the roof of the west wing) to the hill, again damaging the picturesque and historically significant composition of the Hamilton building with Calton Hill.

10.118 The effect on Viewpoint 4 in the Scheme 1 ES is noted as adverse by the appellants. We agree: the introduction of the new building would seriously disrupt the sequence of views created to 'reveal' the Hamilton building.

10.119 Viewpoint 27 further along the road is noted as a significant beneficial effect. However, we agree with the council that it would be adverse, due to the new building

creating a powerful focal point. For receptors moving eastwards currently, the visual effect of the Hamilton building is dominant. We say that the proposals by virtue of their scale, mass and height would overpower the Hamilton building so that would no longer be the case. Views to the existing features of Calton Hill would also be blocked, damaging a unique visual experience.

Conclusions

10.120 We find, based on the above, that the proposed development would adversely affect the setting of the Old Town Conservation Area; the Garden and Designed Landscape; the Special Landscape Area; and that there would be significant adverse townscape and visual impacts.

10.121 We therefore conclude that the proposed development is contrary to Policies Env 6, Env 7, Env 11 and Des 11 of the Edinburgh Local Development Plan.

11 Impact on residential amenity

Main points for the appellants

11.1 The appellants note the council's confirmation that the overall impacts of Scheme 1 on sun lighting to neighbouring properties are considered acceptable.

11.2 The appellants contend that there would be no other unacceptably adverse impacts on residential amenity.

Main points for the council

11.3 The closest residential property to the application site is the category 'A' listed, New Town terraced dwelling house at 1 Regent Terrace. The east elevation of the proposed building is positioned 6.5 metres from the application site boundary and 17.5 metres from the side boundary of the rear garden of this property.

11.4 With respect to daylight and sunlight, supporting information states that the proposals have been designed to minimise the effects on daylight levels on neighbouring properties. The proposed eastern wing has been stepped to mitigate the effects in terms of loss of daylight and sunlight. This conclusion is accepted.

11.5 There are two windows on the gable end of the nearest dwelling house on Regent Terrace. Windows on side elevations are not generally given the same level of protection in terms of loss of daylight and or privacy, under the Edinburgh Design Guidance. Nevertheless, the EIA states that no residential windows included in the assessment would be affected by a noticeable reduction in daylight, or sunlight availability as a result of the development. This conclusion is accepted.

11.6 The hotel bedroom windows on the elevation facing on to neighbouring gardens would be fitted with a mix of translucent and opaque glazing. It is accepted that this would safeguard against the loss of privacy at neighbouring properties.

11.7 The daylight, sunlight and privacy impacts are acceptable.

11.8 The use of a suitably worded condition would ensure that the relevant details are approved and implemented on site, to ensure that allowable noise limits would be achieved.

11.9 Neighbouring residential properties have raised concerns with possible light pollution from the proposed development. The appellants have highlighted that there would be only soft lighting located on the facades close to the residential properties. There may be some light spillage from the grounds already and the proposals would have a potentially lesser impact on residential amenity.

Main points for The New Town and Broughton Community Council

11.10 It does not seem plausible or feasible that the level of activity resulting from this proposal would be accommodated without significant detrimental impact on visual amenity or more importantly, on the amenity of nearby residents. Daily deliveries would be from a multitude of different providers with the result that they could not be scheduled adequately to ensure that the existing small service door would be used rateably throughout the normal working day – rather, there would be a continual backlog of large service vehicles queueing

in the immediate vicinity. This reinforces the unviable and infeasible nature of both the proposed servicing arrangements and more generally, whether this building can be suitably adapted without prejudicing the amenity of both local residents, the occupants of the hotel and the wider community to provide the necessary facilities that a hotel of this size and standing would require.

Main points for other parties

11.11 Ruth MacDonald lives at 1 Regent Terrace and is the nearest neighbour to the proposed east wing of the hotel.

11.12 In regard to privacy, overshadowing, scale and massing, several storeys of bedrooms and corridors with floor to ceiling glass would look directly into her living room, bathroom, bedroom, sunroom and garden. The lack of proportion of the proposed building alongside a domestic property has been likened to a gigantic cruise liner mooring alongside a small rowing boat. The size, scale, and sheer mass of the proposed east wing, so close to her gable wall and garden, would block out a substantial part of the sky and a significant amount of light to the side and rear of her home and garden. The proposed new wing (for either Scheme 1 or Scheme 2) would be sited significantly closer to the boundary wall than any building previously.

11.13 In regard to light impact, the proposed east wing (whichever version) would block out sunlight and sky during the day, it would have the opposite and equally detrimental effect at night. The multiple floors and multiple windows of the proposed wing would be lit up like a vast ocean liner. What has been a peaceful residential street for 200 years would never again experience true nightfall. This would destroy the character and setting of what was intended, and has always been, a residential area.

11.14 The proposed east wing is intended to house the main services and the service entrance. This includes the extractor fans for kitchens serving the entire complex. The greasy, smelly fumes would be expelled directly at her gable wall and garden, just a few metres away. The prevailing wind from the west would multiply this effect.

11.15 The sound of extractor fans, delivery trucks, laundry, bin emptying and all the other activities of a large commercial enterprise would occur 24 hours per day, just metres away from her home. The developers rely on science and decibel readings to reassure us that the noise would be “acceptable”, whatever that is. But one has only to ask residents living next to the hotels on Royal Terrace to find that these promises turn out to be hollow and false. The hotel proposal envisages all services for this very large commercial complex gaining access through a tiny doorway at the east side of the site. Considerable back-up of traffic would occur along Regent Road, producing noise, fumes and increased congestion. None of this is compatible with the character and setting of this residential area, Regent Terrace and our home.

Reporters' conclusions

11.16 We recognise that the proposed development would result in a more than trivial change to the living conditions of nearby residents, and particularly those closest at 1 Regent Terrace.

11.17 On our accompanied site inspection we noted that the garden area of that property is attractively laid out and clearly well used and appreciated. We are in no doubt that the

physical presence of the east wing especially would affect the ambience of the garden. We do not however, consider that this would be to an overbearing degree, largely due to the extent of physical separation. We note also that the extent of sunlight to the garden would be reduced, but would remain within the council's guidance. In this respect we note that the council does not consider the reduction in sun lighting to be unacceptable in regard to the Scheme 1 proposal, and we have no convincing evidence to the contrary.

11.18 The hotel bedroom windows on the elevation facing on to neighbouring gardens would be fitted with a mix of translucent and opaque glazing. We agree with the council that this would adequately safeguard privacy at neighbouring properties.

11.19 The appellants indicate that there would be only soft lighting located on the facades close to residential properties. We are confident that this matter could be adequately safeguarded by the imposition of a condition requiring the submission and approval of an external lighting strategy.

11.20 It is clear that a degree of change would also arise due to servicing and other movements, and potentially also from increased noise and disturbance, fumes and odours.

11.21 In the context of a relatively dense urban area also located within the city centre, and where other commercial premises are present to a limited extent, it cannot be reasonably expected that no change will occur. The imposition of appropriate conditions would be sufficient to adequately safeguard these matters.

11.22 We are satisfied, based on the above findings, that the degree of change likely to be experienced in regard to residential amenity would not be unacceptably adverse. We therefore conclude that the proposed development is consistent with Policy Des 5 of the Edinburgh Local Development Plan.

12 Impacts on tourism and the economy

Main points for the appellants

Introduction

12.1 SESplan identifies South East Scotland as the main growth area and key driver of the Scottish economy, with Edinburgh at its heart. The SDP notes that there is a need for significant investment in infrastructure if new opportunities are to be realised. The proposals accord with the economic and spatial strategy of the SDP in that the new hotel would contribute significantly to the development of the tourism sector, delivering new high-quality accommodation in Edinburgh City Centre. Both Schemes 1 and 2 would deliver significant economic benefit. The LDP acknowledges the Council's wider economic strategy of seeking sustainable growth through investment in jobs. The role of the tourism sector in contributing to the strength of Edinburgh's economy is recorded.

12.2 The Edinburgh LDP sets out to ensure that development in the city centre is on the basis of achieving an appropriate balance between competing priorities in terms of realising economic potential, with protection of its built and natural heritage. City centre development proposals are to be assessed in relation to Policy Del 2. This policy confirms that development proposals in the city centre will be permitted where these maintain and enhance its character, attractiveness, vitality and accessibility and contributes to its role as the strategic business and regional shopping centre, and its role as a capital city.

12.3 The principle of a new hotel development proposal is addressed in Policy Emp 10. The city centre is the preferred location for most visitors. Policy Emp 10 confirms that new hotel development is to be permitted in the city centre. The LDP notes that tourism is the third biggest source of employment in Edinburgh, providing jobs for over 31,000 people. Maintaining and developing this sector relies upon sufficient provision of high-quality tourist accommodation. Reference is made to the 2006 study commissioned, for the council, which identified the particular importance of hotels in generating economic benefit from growth in tourism. The study identified a requirement for circa 4000 new hotel rooms by 2015 to help meet predicted growth in demand.

12.4 The Hamilton building would become accessible to the general public for the first time and would be enhanced by the measures set out in the developers' Arts and Culture strategy. The significant benefits to both economic growth and the wider Edinburgh community could not be achieved without the demolition of the two listed and two curtilage buildings.

Economic benefits

12.5 The proposed development would bring significant economic benefits. This is confirmed in the updated [Oxford Economics Economic Impact Assessment](#) that sets out the net economic benefits that would flow from the investment in the hotel and expenditure by hotel guests. This would create a substantial benefit to both Edinburgh and the national economy over a sustained period.

12.6 The Economic Impact Assessment takes the gross estimates in the previous two studies for the proposed 127 and 147 room hotel, puts them on a directly comparable basis over the period 2019-2026, and makes them more Green Book compliant. It achieves the

latter by removing displacement, allowing for optimism bias and presenting the results on a net present value basis.

12.7 After allowing for displacement and 20 percent optimism bias, the build, pre-opening marketing, and operation of the proposed Rosewood Hotel at 127 bedrooms is estimated to generate an average of £17.0 million per annum in GDP, at 2017 prices (present value) for the Edinburgh economy over the eight-year period (2019 to 2026). It is estimated that it would support around 490 local jobs on average throughout that time. It is likely to generate an average of £6.6 million in tax receipts each year, at 2017 prices (in present value terms), net of displacement.

12.8 For the period after the initial three year construction and pre-opening phase, it is estimated that the proposed Rosewood Hotel at 127 rooms would support an average of £19.9 million in net gross value added a year between 2022 and 2026, in 2017 prices and in present value terms. It is likely to stimulate an average of 620 jobs in the city each year over that period. So for every job at the hotel, it is estimated to support 1.6 jobs elsewhere in the city. It is forecast to support some £8.1 million in tax receipts each year, in 2017 prices in present value terms.

12.9 To give a sense of scale to the employment impacts in the City of Edinburgh, if the proposed hotel at 127 bedrooms supports an average of 490 people in employment over the eight years this is 0.2 percent of total employment in the city. This is the same percentage as if it supports 620 people in employment after opening. Both calculations use the ONS Annual Population Survey data estimate of 269,300 people employed in the City of Edinburgh local authority area in 2017.

12.10 The comparable figures for the 147 bedroom variant of the proposed Rosewood Hotel on the Eastern Scotland region are £21 million GDP added during permanent operation, supporting 640 jobs.

12.11 The build and operation of the proposed Rosewood Hotel at 127 rooms is expected to generate an average of £20.5 million per annum in GDP, at 2017 prices (present value), for the Scottish economy over the eight year period (2019 to 2026), net of displacement and a 20 percent reduction for optimism bias. It is estimated to stimulate around 570 jobs across the country on average throughout that time. It is likely to generate an average of £7.7 million in tax receipts each year, at 2017 prices (in present value terms).

12.12 For the period after the initial three year construction and pre-opening marketing phase, it is estimated that the proposed Rosewood Hotel at 127 rooms would sustain an average of £23.0 million in net gross value added a year in Scotland between 2022 and 2026, in 2017 prices and in present value terms. It is likely to stimulate an average of 690 jobs in the country each year over that period. So for every job at the hotel, it is estimated to support another 1.9 elsewhere in the country. It is predicted to support some £9.1 million in tax receipts each year, in 2017 prices in present value terms.

12.13 The proposed 127 bedroom scheme would be economically viable, but the 147 bedroom scheme would be preferable commercially: there would be a greater margin of safety. Both schemes would be of national importance. The development of 'high-end' hotels aligns with Edinburgh's tourism strategy.

Quality of the hotel development

12.14 Colliers was asked to review other possible locations in Edinburgh that might be suitable or available to accommodate a hotel development of the quality proposed. Their [updated report](#) concludes that there are no reasonable prospects that the proposals – and as a result the associated economic and community benefits – would be delivered at another location in the city. Edinburgh is an under-supplied hotel market and it is underperforming economically as a result. This shortage of hotel rooms is particularly acute at the luxury end of the market with Edinburgh having fewer rooms in absolute terms and as a percentage of the total hotel stock than, for example, Dublin.

12.15 In addition to this, the very significant intangible and less easily measured benefits that cities gain following the opening of a world-class luxury hotel should be taken into account. This includes improved profiling of the city on a global stage, ability to attract Ultra High Net Worth and High Net Worth Individuals to visit the city and perhaps to then decide to invest further in the city and in Scotland.

12.16 There is not another site in Edinburgh that meets the qualifying criteria for a world-class luxury hotel in the timeframe within which the former Royal High School would come to fruition, or is simply not available for development at this time. A detailed review was carried out of 22 potential sites throughout the city with only the appeal site meeting all of the criteria. The research did identify the potential of St. Andrew's House but this is not considered to be available and as such is not a realistic opportunity at this time. Were it to become available there would be design challenges around the fenestration and ceiling heights.

12.17 The council cites the recent granting of permission for the former RBS headquarters in St. Andrew's Square. This is being developed not as a hotel but rather as short-let apartments – a long way short of what is proposed for the Rosewood Hotel.

12.18 No viable alternative use for the appeal site has been identified that would bring anything near the same level of economic benefits.

Assessment of alternative use approaches

12.19 It is appropriate to assess Scheme 1 and Scheme 2 against the following potential uses:

- (a) Office
- (b) Budget hotel
- (c) Private rented sector
- (d) Student residential

12.20 To determine overall viability under the existing Scheme 1 or Scheme 2 proposals, models have been built for each of the above uses. These reflect the overall massing and footprint arrangements together with market-led costs and revenues. As with the original study, development appraisals have been undertaken with the aim of generating a residual land value. A positive outcome signifies a viable development whereas a negative outcome signifies unviable development.

12.21 The appraisals for office, private rented sector and student residential are negative under both Scheme 1 and Scheme 2 designs. This confirms that the economic impact of the proposed hotel development within either Scheme 1 or Scheme 2 cannot be achieved in another way under realistic development situations for these uses.

12.22 The budget hotel appraisal delivers a positive outcome for both Scheme 1 and Scheme 2. To investigate viability a smaller development has been modelled considering development only of the proposed East Block within Scheme 1 and Scheme 2. The outputs at this level are marginally negative for Scheme 1 and marginally positive for Scheme 2. This is therefore, considered to be the breakeven point for financial viability of a budget hotel led development.

12.23 The long-term leasing arrangement between the council and the appellants requires the site to be operated as a hotel of international standing. Inclusion of a budget hotel within the development would likely mean the developer/ operator is in breach of its leasing conditions. It is therefore, contended that the development of a budget hotel would not be permitted by the ultimate owner.

12.24 RHSPT has submitted and secured planning permission for redevelopment of the site as a music school. There has been further suggestion that the former Royal High School has potential for reuse by other parties, including the University of Edinburgh or development into an 80-bedroom boutique hotel. The University of Edinburgh has confirmed that it has no intention to acquire the site for its operational purposes. Appraisals have also been undertaken for both an 80-bed and 100-bed boutique hotel to ascertain if a development of this nature in isolation would be viable. Both residual land values are negative and it is concluded that development under this scenario is not viable in both instances.

12.25 8.4 Appraisals reflecting the proposed Scheme 1 and Scheme 2 footprints are mostly negative. Under this scenario, development including a budget hotel is positive and therefore financially viable. However, when assessed qualitatively there are operational, financial and legal restrictions that affect overall viability and ultimately prevent this use being taken forward.

12.26 All suggested alternative scenarios are either not under consideration by the end occupier or are not viable. The net economic benefits of the two proposed schemes cannot be achieved by an alternative use on the site of the former Royal High School.

Appraisal of the business and funding case for the RHSPT proposal

12.27 There are major uncertainties as to reliance on the RHSPT proposal as a continuing beneficial use for the former Royal High School.

12.28 No financial information is contained within the RHSPT planning application, nor any business plan. Nor is there any information on costs, income projections and funding associated with the School project and relocation.

12.29 This raises fundamental questions about whether the music school project is deliverable at the former Royal High School site. It raises the simple fact that none of the specific questions regarding the delivery and ongoing viability of the music school project appear to have been addressed by the council in granting planning permission to RHSPT. Based on the information made available to the council at that time there appears to have

been a lack of due diligence in investigating its funding and deliverability. The level of certainty that could be attributed to these matters from the submitted information is vague and flimsy. At best, any claims or assurances given by the RHSPT appear to have been based on the largesse of the Trust's backers, but without any specific business case evidence. As such there must be a significant level of doubt around the delivery of the music school project.

12.30 This brings into doubt the reliance that can be placed on the music school proposal being regarded as a realistic, financially viable and deliverable alternative to the appellants' hotel development.

Main points for the council

Policy Context

12.31 The economic and employment policies of the LDP aim to assist in delivering economic development in accessible places, including the city centre, consistent with the relevant provisions of Scottish Planning Policy (SPP) and National Planning Framework 3 (NPF3). The LDP recognises the importance of the tourism sector to the economy.

12.32 The provision of a proposed hotel at this central location complies with the general provisions of LDP Policy Emp 10 (Hotel Developments). The proposals comply, in part, with LDP Policy Del 2 (City Centre) and the Princes Street Block 10 Development Brief. However, it is considered that both the Scheme 1 and Scheme 2 proposals do not accord with the development plan overall as they breach a significant number of LDP policies relating to impact on heritage assets.

12.33 The principles of the SPP include a presumption in favour of development contributing to economically, environmentally and socially sustainable places. The proposed re-use of this existing building, for a tourism-related use, at this accessible city centre location, responds to SPP principles supporting economic growth. However, it is contended that the many damaging and irreversible impacts found as a result of the proposals on the city's cultural and historic heritage, demonstrate that the proposals would fail to meet SPP requirements and are not considered to be consistent with the SPP objective to deliver the 'right development in the right place'.

Net Economic Impacts and whether these benefits could be delivered elsewhere

12.34 The economic impact levels projected by Oxford Economics are based on several assumptions that appear high in relation to the ready-reckoners used by the council's Economic Development Service. It is accepted that an exceptionally high-quality hotel may have greater impacts than would typically be expected but this means the economic impacts are dependent on the quality of the hotel being sustained. It is considered that the displacement levels of 20%/22.5% quoted by Oxford Economics for 2022 are not unreasonable; however, this is tied to the exceptionally high-quality nature of the hotel.

12.35 The projected economic impacts of the hotel are not thought to be strategically significant in an Edinburgh context – a single large-scale office development could be expected to directly support over five times as many jobs.

12.36 It is acknowledged that the proposals would contribute towards the supply of existing hotel sites in the city's 'pipeline'. The proposals could potentially help meet

demand for 'high-end' tourism accommodation in the city centre. It is recognised that such hotels have the potential to generate higher than average employment rates and other related benefits.

12.37 The appellants' additional inquiry evidence, ostensibly demonstrating the net impacts of the development, is not considered sufficiently robust to enable a fully realistic assessment of net economic impacts and to capture in a meaningful way the resulting contributions to the economy, in accordance with provisions of SPP. It is observed that the particularly high level of predicted economic benefits and range of these impacts on the wider economy appear to rely heavily on the hotel's continued use as a '6 star' hotel. It is maintained that neither the quality of service, nor continued use of the premises as such a high-end hotel, can be ensured through the planning system. This is also the case in terms of how the hotel is operated. Therefore, it is concluded that the risk of the hotel being run as a '4' or '5 star' hotel should be taken into account when considering potential uncertainties.

12.38 It is further contended that if no sites are available currently to meet the requirements of this particular hotel operator, the economic benefits arising may be delivered through the uptake of a suitable windfall site, or incrementally through the uptake of a number of smaller sites by other operators, which together could deliver similar overall benefits to the city's economy.

12.39 Notwithstanding these considerations, the predicted extent of economic impacts arising from both the Scheme 1 and Scheme 2 proposals are significantly lower than those arising from a new, city centre office development. The impacts of the proposals are not considered to make a strategically significant contribution to the wider, regional or national economy.

12.40 The city's historic and cultural heritage and landscape setting are recognised as key attributes which attract tourists to the city. The proposed development would result in significant, long term, damage to the city's cultural and historic heritage and landscape quality, potentially impacting on its status as a World Heritage Site, and reducing its attractiveness to tourists. There is the risk that such adverse impacts could result in long-term, harmful consequences for the city's tourist economy.

Main points for The Cockburn Association/ Edinburgh World Heritage/ The New Town and Broughton Community Council

12.41 We have commissioned an assessment of benefit, which considers heritage benefits from conservation and restoration actions. The model used did not directly calculate the improved economic prospects in the City of Edinburgh arising from improvement or protection of the World Heritage Site. However, it is widely accepted that conservation projects and heritage act as a catalyst for the economy of cities and places and can be perceived as an economic driver.

12.42 The uniqueness of Edinburgh attracts visitors and plays an important part in the wellbeing of local communities and residents. Historic buildings have different origins and tend to be heterogeneous. For example, the Royal High School represents a unique listed building which, if respondents in our survey had known the future plans, then they would have supported its protection.

12.43 The main concluding points from our study are that: a) across the socio-economic spectrum of respondents there is commitment to Edinburgh's World Heritage Site; b) almost two thirds of residents and visitors are willing to contribute financially for the restoration, maintenance and conservation of the World Heritage Site; c) Edinburgh's World Heritage Site is seen as a public good where it should be protected for future generations; d) businesses were less willing to contribute financially, however, their average 'Willingness to Pay' is higher compared to the 'Willingness to Pay' of residents and visitors.

Main points for the Royal High School Preservation Trust

12.44 The original Oxford Economics (2017) study did not properly account for displacement and therefore the economic impact was overstated. There were additional concerns regarding the application of discount rates. There continue to be concerns regarding the lack of transparency with the updated 2018 study. The revised report does, however, start to engage with the concept of optimism bias and displacement effects.

12.45 The proposed adjustments for direct displacement are insufficient. Assuming average room rates of £217 – in line with the stated assumptions in the original HVS analysis – the Oxford Economics analysis potentially overstates the total economic impact of the 127-room development by at least £9.7 million, and in the case of the 147-room development, by at least £11.2 million in present value terms.

12.46 Optimism bias has not been accounted for appropriately, and the estimates of net economic impact are significantly greater than might actually be the case.

12.47 We would disagree with the assertion that the development of a new hotel would necessarily induce demand. If the best evidence relates to a large multi-use development, it would not be reasonable to base an assertion about supply generating its own demand on a particular component of a larger development (that is, the hotel).

Reporters' conclusions

12.48 We are in no doubt that both the Scheme 1 and Scheme 2 proposals would result in significant economic benefit. There is no consensus between the parties as to the extent of such impacts. There is also criticism of the methodologies used in the appellants' studies and accordingly of the forecast arrived at. In these circumstances it is exceedingly difficult, if not impossible, for us to ascribe a precise quantum of likely benefit. However, having carefully considered the appellants' evidence on this matter, together with the criticisms others make, it seems reasonable to us that we accept the appellants' evidence as an approximate indication of what may be achieved.

12.49 Based on the available evidence, we say that resultant economic impacts are likely to be significant locally, and potentially also regionally. We think it would be a stretch however, to conclude that the economic impacts alone (leaving tourism impacts to one side for now) would be nationally significant.

12.50 There can be no disagreement that the economic impacts of Scheme 1 would be greater than those resulting from Scheme 2.

12.51 We are in no doubt that the tourism impact of either Scheme would be at least locally and regionally significant; they may even be nationally significant if the appellant's intention to develop a '6 star' or world-class hotel bear fruit. We do not doubt those

intentions, but have no legitimate way of controlling that matter. Accordingly that limits the weight to be afforded to this consideration.

12.52 We do take into account however, the magnificent setting of the building, its nationally important architecture, together with the quality of the development proposals before us. We think it most unlikely therefore, that the resulting hotel might at some time in the future be operated as anything remotely approaching a budget hotel, so can give weight to the likelihood that the hotel would be operated to a very high standard.

12.53 It seems a real possibility that an hotel of the world-class quality described by the appellants may well attract visitors to the city who would not otherwise come. It seems plausible also that many hotel guests would be of high net worth.

12.54 We also recognise and afford weight to the likelihood that the hotel, including through the implementation of the proposed Arts and Culture Strategy, would provide for access by the general public, at least to certain public areas. Such access is clearly impossible in the current circumstances of the building and must be regarded as a notable benefit of the proposals.

12.55 We agree with the appellants, based on the evidence before us, that it would be unlikely that such a special setting and building could be found elsewhere in Edinburgh and be available for hotel development. Accordingly we find that the proposed development may ultimately become pre-eminent in the city's high-end hotel sector.

12.56 We note and agree with the council's contention that other possible development types, particularly office use, would be much more beneficial to the city economy, not least in employment numbers. No such proposal is before us, however.

12.57 Our findings on the alternative RHSPT proposal are set out in Chapter 6 of this report.

12.58 Lastly, we do acknowledge the fears of some parties to the inquiry that that inappropriate development of the appeal site would threaten the quality of the city's heritage assets, thereby deterring some tourists from visiting the city. We agree that such an outcome is possible, but uncertain and unquantifiable.

12.59 We find that the proposed development is consistent with Policy Emp 10 of the LDP, as it entails hotel development within the city centre.

12.60 We find that the proposal complies in part with Policy Del 2 of the LDP, in as far as it would be likely to contribute to Edinburgh's role as a strategic business and shopping centre and Scotland's capital city.

13 Proposed conditions and planning obligation

13.1 Although our recommendation in this case is that the Scottish Ministers should dismiss the appeal and refuse to grant planning permission for the proposed works, we acknowledge that they may come to a different view. We have therefore considered the conditions proposed by the parties that might be attached, together with the need for any planning obligations, in the event that planning permission were to be granted in this case.

13.2 Circular 4/1998: The Use of Conditions in Planning Permissions states that conditions should only be imposed on planning permissions where they are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise, and reasonable in all other respects.

13.3 A schedule of 23 suggested conditions has been put to us, following discussion between the appellants and the council. These suggested conditions are largely agreed between both main parties. Comments on the conditions have also been submitted by The Cockburn Association/ Edinburgh World Heritage/ The New Town and Broughton Community Council coalition.

13.4 The conditions at issue between the parties are suggested conditions 9, 18, 19 and 20.

13.5 Suggested condition 9 relates to the proposed external lighting strategy. The appellants suggest that full details be submitted prior to opening of the hotel. We consider that this would not afford the council sufficient time to assess the proposals and may lead to a delay in opening the hotel. We consider it entirely reasonable to require submission of those details within 12 months of the commencement of development.

13.6 Suggested condition 18, supported by the council, seeks to limit the number of bedrooms to 147. The appellants instead suggest a condition which would regulate the number of bedrooms, their size and the percentage of suites. We understand the parties' motivation for suggesting such conditions, but do not consider that they would meet the test of necessity as the number and disposition of bedrooms are clearly shown on the proposed drawings.

13.7 Suggested condition 19, proposed by the appellants, would stipulate that the principal Hamilton building not be used for bedroom accommodation. Our comments for suggested condition 18 apply here also.

13.8 Suggested condition 20 (condition 18 in Annex 8) requires the submission of an Arts and Culture Strategy to the council for its approval. This condition is opposed by the coalition on the ground that such a requirement would be vague and rely upon the co-operation of third parties. We do not agree: we consider the pursuit of such an objective to be relevant to planning and to the development proposed. It would be likely to ensure wider public access to the main Hamilton building than its use as a hotel only.

13.9 We are otherwise satisfied that the remaining conditions meet the relevant tests set out in the Circular, and that they safeguard outstanding issues raised by consultees.

13.10 Circular 3/2012: Planning Obligations and Good Neighbour Agreements sets out policy tests for the imposition of planning obligations. Such obligations should only be imposed where they meet all of the following tests: necessary to make the proposed

development acceptable in planning terms; serve a planning purpose; relate to the proposed development; fairly and reasonably relate in scale and kind to the proposed development; and be reasonable in all other respects.

13.11 The obligations suggested by the council relate to works to be carried out on Regent Road, and require a financial contribution towards the cost of the Edinburgh Tram. We are content that such requirements would be within the scope of Circular 3/2012; no parties have contended otherwise.

13.12 We therefore set out at Appendix 8 the 21 conditions that we recommend should be attached to any permission, together with the reasons for them, and at Appendix 9 the necessary matters to be safeguarded by planning obligations.

14 Overall conclusions and recommendation for Scheme 1

14.1 The beauty and harmony of central Edinburgh rests on the historical development of a dramatic landscape. Key buildings and spaces survive to connect with the past and to preserve what constitutes the particular distinction of the city in its landscape – its genius loci. The scale of the topography has accommodated change over centuries, which has allowed the city to reinvent and adapt to maintain a vigorous and healthy society.

14.2 The planning regime and the world heritage designation exist to ensure that the most important buildings and townscape are preserved and that current demands and fashions do not deform the beauty and harmony deriving from the special interest of its buildings and universal value of its townscapes. At the same time, these special values contribute to the vitality and economic benefit brought by visitors to the city.

14.3 There is no requirement in national policy or HES guidance that an extension to an old building should look old. The architecture of the proposed development has been approached with honesty and confidence. The solutions are reasonable and well-considered modern interventions.

14.4 In our view, the restoration of the building and part clearance of later additions to expose and enhance the original setting are desirable outcomes. We also note that the architects' approach to the proposed extensions is exemplary and would produce high quality contextual modern architecture.

14.5 However, this does not add up to an acceptable or beneficial solution where the impact of the scale of the extensions is so harmful to the integrity and setting of this nationally and internationally important listed building in its highly valued setting.

14.6 We conclude that the extent of the works proposed is so great that the setting of the listed building would be dramatically and irreparably harmed. That would not preserve the setting of the listed building, which we consider to be one of the most significant aspects of the listed building.

14.7 We note that the proposed hotel would ensure repair, reinstatement and protection for the principal listed building, Hamilton's masterpiece of Greek revival architecture for the Athens of the North. It would also contribute to the economy of the city and the region.

14.8 However, our examination of the appeal proposal concludes overall that the proposed works would not preserve the listed building or its setting and that the character and appearance of the Edinburgh New Town Conservation Area would be neither preserved nor enhanced. That would be contrary to Sections 59 and 64 respectively of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

14.9 Taking these findings into account, we conclude that:

- the proposal is contrary to Policies Env 2, Env 3 and Env 4 of the Edinburgh Local Development Plan, due to its adverse impacts on the listed building and its setting;
- the proposal is contrary to Policy Env 6 of the Edinburgh Local Development Plan, due to its adverse impacts on the character and setting of the New Town Conservation Area and on the setting of the Old Town Conservation Area;

- the proposal is contrary to Policy Env 1 of the Edinburgh Local Development Plan, due to its adverse impacts on the qualities of the Old and New Towns of Edinburgh World Heritage Site;
- the proposal is contrary to Policy Del 2 of the Edinburgh Local Development Plan, due to its adverse impacts on the character and attractiveness of the city centre;
- the proposal is contrary to Policies Des 1 and Des 4 of the Edinburgh Local Development Plan, due to its adverse impacts on the character and appearance of the area;
- the proposal is contrary to Policy Env 7 of the Edinburgh Local Development Plan, due to its detrimental impact on the character of a site recorded in the Inventory of Gardens and Designed Landscapes and to Policy Env 11 as there would be a significant adverse impact on the special character or qualities of the Special Landscape Area;
- the proposal is contrary to Policy Des 11 of the Edinburgh Local Development Plan, due to its adverse impacts on the skyline and key views of the city centre;
- the proposal is consistent with Policy Des 5 of the Edinburgh Local Development Plan as it would not result in an unacceptably adverse impact on neighbouring residential amenity; and
- the proposal is consistent with Policy Emp 10 of the Edinburgh Local Development Plan, as it entails hotel development within the city centre.

14.10 Overall, we conclude that the proposal is contrary to the development plan.

14.11 Notwithstanding that, we must consider whether material considerations indicate that permission should nonetheless be granted. In this regard we have found that the proposed development would significantly contribute to the city's tourism sector and thereby to the city economy. We have concluded that these benefits may be regional in scale. This weighs significantly in favour of permission being granted.

14.12 However, in applying the planning balance, we conclude that those benefits are not sufficient to outweigh the many adverse effects which we have found. We note also that:

- the proposal is inconsistent with those provisions of NPF3 and SPP relating to heritage assets, due to the adverse impacts on the World Heritage Site, the listed building, the setting of nearby listed building, and on the character and appearance of the conservation area;
- overall the proposal does not represent the right development in the right place and does not therefore, benefit from the presumption in favour of development that supports sustainable development, as set out at paragraph 28 of SPP; and
- the proposal is inconsistent overall with the Historic Environment Policy for Scotland (and its supporting guidance), due to the adverse impacts on the World Heritage Site, the listed building, the setting of nearby listed building, and on the character and appearance of the conservation area.

14.13 We therefore recommend that the appeal be refused.

Dannie Onn
Reporters

Scott M Ferrie
Assistant Chief Reporter

PART 3: PPA-230-2213 – SCHEME 2

15 Description of the 2017 proposal (Scheme 2)

Proposed use

15.1 The proposed use would be a 127 bedroom hotel. This would involve alterations to the existing building and its grounds together with the construction of two extensions.

15.2 The proposed works are shown on the application drawings, which show a site plan, building plans at each level, and elevations of the site and buildings. These are shown as existing and as proposed. Photographs of the existing buildings were also submitted as plans. A set of demolition plans was submitted. These show the proposed demolition of outbuildings and the removal of parts of the existing building to make way for the proposed conversion and extensions. Proposed sections and visualisations were submitted to illustrate the proposals in their context. The proposed alterations and extensions to the listed building were shown in a set of detailed plans, sections, elevations and visualisations. Landscape proposals were shown on a further set of plans. A schedule of the application drawings is attached at Appendix 10.

Summary of proposed works

15.3 Total demolition of some of the buildings within the overall site is proposed. The former lodge, gymnasium block, classroom block and luncheon hall would be entirely removed. The remaining listed structures would be repaired and brought into good condition.

15.4 There would be substantial alterations to the remaining buildings, the retaining walls, boundary walls, gateposts and railings. The main building on the site would be altered internally and externally. Two extensions would be built, one on each side of the main building, largely over the east and west playgrounds of the former school.

15.5 The proposed extensions would be positioned to ensure a clear separation from the original building. The new hotel floors would be stepped back from the principal building, on plan and in elevation. They would be higher than the existing building. The architects' intention is to mimic geological strata and rock outcrops as a reference to the Picturesque setting. The structure would be clad with a faceted, dark brown, pre-patinated copper cladding and plain glass windows.

15.6 Symmetry would be maintained by having broadly similar wings, although they would be different in response to their location. The east wing would be aligned with, but step back from the building line of Regent Terrace. The west wing would be larger and form a round corner at the sweeping bends of Regent Road. The architects' intention here is to have a bold curve: at once to open views and to avoid being overwhelmed by the hill and by St Andrew's House.

15.7 The west wing would be set away from the retaining wall and, with the lodge demolished, views would be opened to the central temple of the principal building.

15.8 The roofscapes of the new wings would be visible from certain viewpoints on the hill behind. They have been designed to be planted to complement the existing setting.

15.9 The hotel entrance door, where vehicular drop-off of guests would take place, would be at the rear of the principal building, with glazed corridors between the central temple and the extensions. There would then be a secondary vehicular drop-off point on Regent Road adjacent to the new west wing of the hotel. This location would allow the lower ground floor ballroom and conference facilities to be accessed discretely from the main hotel entrance, allowing flexibility and the opportunity for the whole lower level of the west wing to be used for public and private events without impacting on the daily workings of the hotel. The lobby area serving the ballroom would afford access onto one of the south-facing front terraces and it is this terrace that is also served by Hamilton's original Regent Road entrance stair sequence.

15.10 Proposed refurbishment and re-lighting of the gates and stairs themselves would allow guests and visitors to access the front terraces of the hotel from Regent Road and then enter the hotel itself via original Hamilton doorways under the imposing central portico. The lower level lobby of the hotel accessed off the terraces would be provided with a lift and stair up to the central reception hall above. Visitors could continue on their way up Calton Hill via a new external staircase, accessing the hill's approach road to the rear of the hotel.

15.11 Service and staff access to the building would be in the south-east corner of the site onto Regent Road, leading to new basement service areas excavated under the east playground.

Landscaping

15.12 The proposals include the removal of 26 out of the 29 viable trees on the site. The proposed landscape scheme includes the planting of six replacement trees at the western end of the site and six trees at the eastern end of the site. The proposals for soft landscaping include the provision of a series of green roof gardens on the new buildings. These are to be planted with a native grass in the upper terraces and a finer flowering grass lawn mix on the lowest terrace. The roof level at fifth floor level on the west wing is the only part of the green roofing which is proposed for use by guests. This area would be enclosed by a metal balustrade.

15.13 Around the new buildings, proposed landscaping includes low-growing, shade-tolerant plants. Blocks of clipped hedging, in a variety of species, are included in a formal planting scheme on the Regent Road frontage. In the light wells, between the new buildings and original buildings, ferns and shade-tolerant plants are specified.

Public realm

15.14 The proposed works to the public realm around the buildings include:

- widening of the public footway on the frontage of the Hamilton Building and its resurfacing with sandstone slabs;
- formation of a bus lay-by along Regent Road to the west and a drop-off area in front of the Hamilton Building;

- formation of a service entrance at the western end of Regent Terrace, with the existing bollards being retained;
- resurfacing of the service entrance using a combination of new and reclaimed granite setts;
- removal of the central reservation barriers along Regents Road and resurfacing of the central reservation with reclaimed granite setts;
- formation of three pedestrian crossing points on Regents Road; and
- removal of the on-street pay and display parking on both carriageways of Regent Road.

Condition

15.15 The building is in a relatively stable condition. Roof voids are dry and with little sign of rot, although dry rot has been found and addressed in the stairwell at the east wing. The façade is in good condition, although some remedial work is required to pointing and some walls are disfigured by evidence of graffiti cleaning. There is some plant growth which could lead to damage. There are structural cracks around the lower levels towards Regent Road on the front boundary walls. Repointing is required to the retaining wall adjacent to the north boundary.

15.16 The building is on the HES register of buildings at risk but is currently graded as low risk overall. Although not in much use, the listed building is being maintained by the City of Edinburgh Council.

15.17 Efforts to find an alternative new use have been made over several decades, with little long-term success.

16 Consultation responses and representations

Consultation responses

16.1 The following key consultation responses were received by the council prior to its determination of the planning application:

16.2 Historic Environment Scotland objects. It is considered that the development proposals would have: a significant adverse impact on the Outstanding Universal Value of the World Heritage Site; a significant adverse impact on the special interest and setting of the Category A listed Royal High School and on the setting of the Category A listed St Andrew's House, National Monument, and Nelson Monument. It is also considered that the proposals would have a significant adverse impact on the New Town Gardens Inventory designed landscape. The demolition of the listed lodge and gymnasium buildings on the site has not been justified.

16.3 Edinburgh World Heritage Trust objected to the Scheme 1 application. The changes that have resulted in this new application do not come close to addressing our concerns and objections to the earlier scheme.

16.4 Scottish Natural Heritage states that the proposed development would have adverse effects on the appreciation of the landform of Calton Hill, an important and prominent landmark. There would also be adverse effects on the landscape character of Calton Hill, as a result of changes to the balance between the semi-natural hillside and its built features. The proposal would also intrude into views towards other key landscape features within the city.

16.5 Architecture and Design Scotland (ADS) understands that owing to the importance of the setting, the nature of the building, its listed status and the demolitions proposed, development of the scale and type proposed may only be considered acceptable should it be clear that the proposals address a number of critical policy tests, both national and local, and in particular that development is the minimum necessary to secure the re-use of the original Thomas Hamilton school building. Should these tests be met, ADS believes that the current proposals are of sufficient design quality to be capable of being supported, subject to stated revisions.

16.6 Scottish Environment Protection Agency does not object to the proposal.

16.7 Network Rail has no objection in principle to the proposal. Due to its close proximity to the Calton Railway Tunnels, it is requested that appropriate conditions or advisory notes are attached to any grant of permission.

16.8 CEC Archaeology recommends that conditions be applied if permission is granted.

16.9 New Town and Broughton Community Council objects to the proposals.

16.10 Old Town Community Council strongly objects to the revised proposals.

16.11 Police Scotland make recommendations in regard to security and public safety measures.

16.12 City Transport makes no objection subject to conditions.

Letters of representation

16.13 3489 letters of representation were received by the council. The main points of representation are as follows:

- other more appropriate uses would be possible;
- the building should be put to educational use or otherwise used as a public building;
- lack of demand/ oversupply of hotels in Edinburgh;
- other less sensitive sites are available;
- the proposal is contrary to the development plan;
- the proposal is exclusive in nature and would limit full public access;
- the proposal has limited cultural value and represents a lost opportunity to provide a public performance venue;
- jobs created would be mainly low paid and there is an over-estimation of job creation;
- there would be a potential negative impact on tourism due to loss of historic assets/ impact on landscape;
- the proposal focuses on financial viability and profit versus safeguarding cultural heritage and there are concerns over the accuracy of the economic forecasts and projected profitability;
- the design/ scale/ massing is unsuitable and represents over-development of the site;
- the proposal entails the use of inappropriate materials;
- the design is incompatible with the site's setting;
- there would be a threat to the World Heritage Site;
- there would be unacceptable impacts on townscape and on key views/ skyline;
- there would be an unacceptable impact on the character and setting of listed buildings on the site, on nearby listed buildings, and on the character of conservation areas;
- unacceptable impact on character/setting due to the demolition of listed buildings;
- unacceptable impact of the proposed new wings on character/ setting of listed buildings;
- concerns over the methodology and conclusions of the Environmental Statement and concerns regarding the clarity and accuracy of images;
- unacceptable impact on landscape character and on the setting of historic gardens/ designed landscapes;

- impact on public open space provision and lack of proposed landscaping/ loss of existing landscaping;
- loss of wildlife and damage to biodiversity;
- impact of public house/ restaurant uses on neighbouring character/ amenity;
- concerns regarding increased noise activity;
- overshadowing and loss of privacy and sunlight to houses on Regent Terrace;
- impact of potential increase in traffic generation;
- impact owing to increased demand for parking; and
- concerns regarding safety of the proposed delivery access.

16.14 The following representations were made in support of the proposal:

- increased range of tourist/ business accommodation and will meet the demand for high quality hotel accommodation in the city;
- there would be economic benefits for the city;
- there would be significant job creation;
- the proposal would result in increased visitors to the city and increased local expenditure/ economic activity;
- the proposal would provide a social and cultural venue for residents;
- the proposal would revitalise the neighbourhood and there would be a positive impact on anti-social behaviour on Calton Hill due to passive surveillance;
- the proposal would result in the return of the listed school building to sustainable use, with provision for future upkeep and maintenance;
- there would be greater potential for positive impacts on the economy compared to the approved development as a music school;
- the proposal entails a sensitive design of new build and interventions as well as a good-quality design of new-build elements; and
- there would be a positive impact on the setting of the listed building.

16.15 A number of non-material issues were also raised.

16.16 A further 52 representations were received by DPEA following submission of the appeals. These representations largely reinforce the grounds of representation made to the council and contain no new substantive points of representation.

17 Impacts on heritage assets

Main points for the appellants

The proposed design

17.1 The proposed development has been designed with extreme care to respect the siting and design of the principal building on the site. The form and appearance of what would be placed on the site in relation to the listed building has been carefully considered, whilst at the same time providing the accommodation required to secure a viable new use for the listed building.

17.2 The new design is informed by the careful study and analysis of the nature, form and history of the listed building in its specific location. The hotel bedroom wings are designed to be seen and to provide a new strong backdrop to the principal listed building on the site. They would appear as inhabited 'knowes', chiming with Hamilton's own depiction and acceptance of the rugged setting of his design as a craggy (sublime) contrast to his perfect classical forms. The colour and texture of the materials are chosen so that the new extensions would be recessive and blend in with the surroundings. They would not replicate the principal building, but keep it as the focus, allowing itself to dominate. The ability to appreciate the original building and its design concept in its setting would not be diminished.

17.3 The listed building would be diminished by sandstone additions, but that does not mean that no new building is acceptable. In this proposal, the architects have provided a carefully considered, sophisticated architectural response where the proposed extensions have been set away from the main building and provide additional context to the setting. The design is intended to be visually recessive and subservient, which would integrate skilfully with the existing topography of the area and would mature well. The extensions would reflect the topographical context, the rugged hillside, where Hamilton set his masterpiece.

17.4 The guidance published by HES, Architecture + Design Scotland and Scottish Government: '[New design in historic settings](#)', seeks to ensure that the quality of new design matches that of its surroundings. It sets out how good design by talented architects can enhance sensitive heritage buildings and settings. The appellants have followed this guidance and responded directly to the principles in this document. The appellants' assessment concludes that the setting of the building would be enhanced by the high quality and innovative design of the proposed.

17.5 The proposed works would provide for the complete restoration of the principal building.

17.6 The principal building is already compromised in its setting by St Andrew's House, while the extended gymnasium block appears to coalesce with Regent Terrace to the east. The symmetry and clarity of the original design has become somewhat lost by the clutter of additional buildings of differing scale and lesser quality. These have had a detrimental impact on the setting of the principal building. The proposed works would remove these. In their place would be carefully considered new buildings in a confident, contemporary

architectural language which would reinstate the Hamilton building as the focus within the site. Notionally symmetrical, they would respond to the site in a balanced way.

17.7 The appellants say that the impacts of the proposed scheme would not be significantly adverse and that the works therefore would comply with the guidance set out in HES guidance and recommendations. The imaginative design minimises the potential harm to the special interest of the building and its setting.

17.8 In particular, the proposal has been designed to minimise the impacts on the fabric of the original Hamilton building. The profile of the extensions and their impacts on the setting of the principal school building in its playgrounds are greater as a consequence. The impact on setting is then mitigated by the high quality of the architecture of the extensions. The architects have designed an honest and confident modern architectural response to development within the setting of the former Royal High School. The extensive research and analysis carried out by the appellants' team has informed the design of the new proposals. This was not recognised by the council in assessing the applications.

17.9 The loss of the outbuildings would be outweighed by the benefits of the proposed works.

17.10 The innovative and sustainable design would reinvigorate this long-neglected site by night and day. It would become a positive destination at the threshold between city and country and a memorable place once again

Setting

17.11 The value of the setting is what, and to what degree, it contributes to the special interest of the listed building. This will not be fixed for all time because the surroundings will change over time and because new information may alter what might previously have been understood to comprise the setting and its significance to the listed building.

17.12 The relationship between the principal building on the site and the monuments on Calton Hill, the National Monument in particular, is of great importance to appreciation of the building in its setting. This would not be adversely affected. This is a landmark building on the southern slope of Calton Hill

17.13 The appellants say that the conservation and setting of the principal building would be enhanced by the demolition of other buildings within the site. Through their in-depth studies and robust assessments, they find no impacts to be significantly adverse in respect of either the setting or the special interest of the principal listed building. Some are of no special interest. The special interest of the gate lodge has been consistently overstated.

17.14 The setting includes the monuments on Calton Hill and St Andrew's House, which is recognised in the [Calton Hill Conservation Plan](#) as a distinguished addition, where the sublime manner in which it responds to the magnificent site adds greatly to the importance of the composition of the hill. If the appeal scheme is regarded as distinguished and the setting can be enhanced by removal of less important and detrimental buildings, then it too may enhance the sublime experience.

17.15 The proposed development would equally have no adverse impact on the setting of other listed buildings or the ability to understand and appreciate them or their relationship to each other.

At risk

17.16 The appellants say that the building has had no long-term occupier since 1968 when the high school left. It is on the register of Buildings at Risk where the entry covers all five buildings on the site. That it is wholly inappropriate and a national embarrassment or disgrace. They say that this should add considerable weight to granting consent.

17.17 The appellants say that consent should be granted along with the planning permissions to bring an end to the vacancy and increasing dereliction of one of Scotland's most important buildings. Hotel use would make good use of the existing fabric and is a good use of a listed building where some compromise is essential to allow a viable scheme to secure a long-term future for the building, whilst providing public access and re-integrating the building into the daily life of the city.

Conservation Area

17.18 The appellants have evaluated impacts on the conservation area. Viewpoint analysis shows that no harm would be caused to the character or appearance of the conservation area.

Outstanding universal value of the WHS

17.19 The appellants have carried out a proper assessment of the impacts on the WHS based on good practice and using skilled professionals. A Heritage Impact Assessment was undertaken in accordance with recommended practice for major developments. None of the views considered was deemed to be in the category of major adverse and on balance, the impact on the World Heritage Site was predicted to be of minor negligible benefit in respect of the most important views. No lasting damage would be caused to the Outstanding Universal Value of the World Heritage Site. Where an adverse effect is noted, it falls short of the magnitude that would threaten the World Heritage status.

17.20 The appellants point to the challenge of an evolving city where so much must be preserved. According to the current [management plan for the WHS](#): 'Balancing the needs of the city to maintain its economic vibrancy and the need to protect the heritage is essential to both. The relationship between OUV and economic success needs to be protected, developed and celebrated.'

17.21 The appellants' Heritage Impact Assessment: [Part 1 – Understanding the Site](#); [Part 2 – Evaluation of Legislation and Policy Guidance](#); and [Part 3 – Heritage Impact Assessment](#), identifies the direct impacts on the setting and special interest of the listed building. It demonstrates a range of impacts from moderate/minor adverse to moderate beneficial, and with an overall impact of beneficial. The methodology derived from ICOMOS guidelines objectively considers the impact on the outstanding universal value of

the World Heritage Site from every important viewpoint. The analysis of this supports the conclusion of beneficial impact.

Alternative schemes

17.22 Listed building consent and planning permission has been granted for an alternative scheme, as submitted by the RHSPT and with the intended occupation by St Mary's Music School. In the view of the appellants, this does not provide an option with less harm to the listed building. The appellants recognise that not developing the playground to the west would meet the objectives of the council and Historic Environment Scotland. However, greater harm would be caused in several respects.

17.23 Firstly, the introduction of a main entrance into the main portico facing Regent Road would be a travesty of the original design intentions and would fail to appreciate what is significant about the site. It would be visible in important views of the building. The upper set of railings and gates are essential components of the design, emphasising its horizontality. These would be lost.

17.24 Secondly, little survives of the original internal fabric due to extensive alterations in the 1970s. Despite this, the area below the portico is a series of spaces where original fabric can be experienced. This is unique on the site. The extensive work to hollow out an entrance foyer so deep into the plan would add to the risks to the historic fabric which the appeal scheme seeks to avoid.

17.25 Thirdly, the positioning of accommodation to the north is a flawed concept. Although this had been considered in earlier schemes for the site and is where additional accommodation has been provided in the past, Hamilton's concept was to have a clear and rational access from the west end of the site and the access on the northern side. He deliberately resisted an imposing new access on Regent Road. Introducing one now would confuse the clarity of the layout. Hamilton set his 'temple' at the highest point of the site, as far forward from the rear retaining wall as the site allowed. Further, the rear elevation is the main entrance to the Hamilton building. It should not be sacrificed to a location for new development.

17.26 Lastly, the new accommodation required for that scheme is considerable and would require greater alteration to the principal building than the appeal scheme. Although intended to be recessive, it would be readily apparent, particularly in close views, detracting from Hamilton's masterpiece. The design also derives its architectural language from the Hamilton building: octagonal pavilions from the octagonal rooms laid out asymmetrically and expressed with simplified classical details and modern materials, and a natural stone that would weather differently from the original Craigleith sandstone.

17.27 The appellants recognise that the Gate Lodge of 1885 is part of the listed building and of some architectural and historic merit. The RHSPT scheme would preserve it. However, that would not be a major conservation benefit. Its special interest has been overstated by objectors to the appeal proposal and a case for its removal was considered in the [conservation plan of 2004](#). Further, the removal of original structure within the principal building as a result of the RHSPT scheme would be greater than the loss of fabric at the Gate Lodge.

17.28 The appellants also say that the Preservation Trust scheme would expose the upper parts of the rear retaining wall and belvedere where they are currently obscured, mainly in long and elevated views. However, these would be crowded at the base by new accommodation and obscured by mature trees for much of the time. The visual separation of the rear wall and belvedere from the principal building would be an adverse impact.

17.29 Overall, the appellants do not consider that the RHSPT scheme would have less impact on the special interest of the listed building.

17.30 The appellants say that the RHSPT scheme does not meet the requirements of the HESPS test at paragraph 3.47(c). The Trust has no legal control over the site, nor any certainty that they ever could have. There is no certainty to their funding or that the proposed school would provide a continuing beneficial use. The proposal would leave no room for further expansion. The Scottish Government may not grant consent to relocate the school under the St Mary's Music School (Aided Places) (Scotland) Regulations 2015.

17.31 In summary, then, the Music School scheme is not an option: it would not ensure a continuing beneficial use of the building; and it would not have less impact on the special interest of the listed building.

17.32 The alternative scheme proposed by the appellants (Scheme 1) is also an option for the site which could as readily be developed. Scheme 1 has greater architectural ambition at the point of arrival at the site, which would enhance the potential to animate the spaces that are created around the building and more effectively enhance the public realm.

The competitive bidding process and its effect on design

17.33 The developer competition in 2009 required a commercially sustainable proposal for the property. The appellants say that the design stems from the competitive bid for the site. The competition-winning design envisaged wings as extensions to the principal building.

Other examples

17.34 The appellants notes the examples of new design in historic places found in the [guidance of HES](#) and others. They also offer two buildings which they say are high-quality, innovative designs that are based on the similar general principles and are pertinent to understanding the potential of the appeal scheme. They demonstrate the exceptional architectural quality and great design vision of the architects in this case. Both are set within sensitive heritage and urban contexts and are unashamedly modern and confident.

17.35 The first example is the award-winning Blavatnik School of Government at Oxford, which has a stepped curvilinear form placed into a conservation area and has two listed neo-classical buildings for neighbours. To one side is the former church of St Paul, built in 1936 with a portico in the classical Ionic order. Opposite is the University Printing House which has two wings joined by a screen with a central monumental entrance in the classical Corinthian order. This building is contemporary with the former Royal High School. The

relevance to this appeal case is that a considered design response to a specific site can be a successful addition to a highly sensitive heritage site.

17.36 The second example is the Bloomberg European HQ in the City of London, which demonstrates the use of bronze pre-patinated sculptural fins. These allow the otherwise large expanses of glass to fit into the historic context. That context includes the listed church of St Stephen Walbrook by Sir Christopher Wren – the Bank of England and a conservation area.

17.37 In both these cases, the buildings have left their historic settings unharmed. Arguably they have enhanced them. The appeal scheme has likewise responded to the special topography and the effects on views. It would have a minimal effect on the listed building. It would preserve its setting and potentially enhance its context.

In summary

17.38 The appellants say that a luxury hotel is needed and beneficial to the economy; the building would be restored with minimal intervention and brought back into use; the rear retaining wall and belvedere would be exposed and celebrated; the setting would be improved because the new building would reinforce how Hamilton intended his building to be seen. This approach says that the restoration is so desirable, and the design so exemplary, that the impact overall would be beneficial.

Main points for the council

17.39 The appeal scheme would harm the special architectural and historic interest of the listed building and the character and appearance of the conservation area, thereby conflicting with sections 14(2) and 64(1) of the listed building Act. There is no exceptional case which would justify overriding that presumption on the basis that the hotel would be desirable on the ground of the economic benefit it would bring or the lack of other options to bring the building back into use with less harm.

Other options

17.40 Scheme 1 is clearly preferable from an operational point of view because there would be a link at lower ground floor between the bedroom wings, which would also give access to the lower ground terrace areas. Scheme 1 may also be more economically sustainable.

17.41 Scheme 2 is clearly preferable in that the impact on the physical form and setting of the principal listed building would be less.

17.42 The RHS Preservation Trust's scheme has the benefit of planning permission and listed building consent. It cannot proceed because of the contractual relationship between the council and a third party. The long stop date for obtaining permission and consent for the appeal proposal in that agreement could be as late as 31 December 2021. That would have passed before the expiry of the consent for the Trust's music school proposal, which would be seven years after 27 February 2017, that is in 2024.

17.43 Funding for the music school scheme is secured and not subject to macroeconomic factors; it is privately funded and with a clearly defined user. The Trust's scheme is therefore an 'other option' for the purposes of HES interim guidance. Given that HES did not object to the scheme, it is not difficult to conclude that it would also have less impact on the listed building.

17.44 Scheme 2 for the hotel would have less impact than Scheme 1.

Main points for Historic Environment Scotland

17.45 The former Royal High School is one of the most important listed buildings in Scotland and of international significance for its architecture and setting. This is not in dispute. It includes the outbuildings by Hamilton and others, which contribute to our understanding of the site.

Special interest

17.46 The building represents an expression of Picturesque ideals as understood at the time of its construction, a deliberate neo-classical, monumental composition in a setting described as 'rus in urbe' – the country within the town. It also represents the aspirations of Scottish identity at the time it was built by comparison with Greek civilisation as then understood and as exemplified by the Acropolis in Athens. The Hamilton building serves as a symbolic Propylaea to the National Monument as Parthenon atop Calton Hill. There is no physical gateway, but a threshold to higher elevations can be imagined. This increases the sensitivity and significance of the site and the potential for adverse effects from large bedroom extension wings on the listed building and the outstanding universal value of the World Heritage Site.

17.47 The building is intended to be seen in the round. The evidence of Hamilton's perspective watercolour illustrates his appropriation of the view espoused by Stark, that 'public buildings break upon the eye at the most favourable point of view, showing at once a flank and a front'. The main approach to the building is from the west and the school main entrance was always to the north. The building was intended to be seen from the west, even accepting a proposal by Hamilton to site a Burns monument on Miller's Knowe. In any event, the monument was placed elsewhere and the knowe has been removed. Even when the jail existed on the site of St Andrew's House, the north-west of the principal Hamilton building would have been experienced on the journey eastwards towards the school. Later Hamilton buildings did not obscure the west elevation. The views from the west to the rear elevation are of lesser importance and are partly obscured by the historic Gate Lodge.

17.48 The building has a strong sense of monumentality. This comes from the prominent positioning on an artificial ledge with built sub-structure; classically derived architecture; juxtaposition with the rugged setting of Calton Hill; relationship with the monuments on the hill; the absence of large building which would compete for prominence on the site; and the incorporation of delicate pavilions to frame the main building, emphasising its relative scale and mass.

Demolition of outbuildings

17.49 The canteen and classroom blocks are agreed to form no part of the special interest of the listed building and their removal would benefit the setting of the remainder. The Gate Lodge is of special interest in its own right. The Gymnasium is also of some special interest.

17.50 Without an acceptable scheme for the re-use of the former Royal High School, demolition of the Gate Lodge and Gymnasium building is not justified.

Setting

17.51 Setting in this case is a critical factor in the special interest of the listed building. The principal relationship is with Calton Hill. The surroundings and context of the setting contribute significantly to our ability to appreciate and understand the Hamilton building, not least due to the minimal change that has occurred over two centuries.

17.52 The principal building is a prominent and dominant feature within the landscape, set spectacularly on an elevated position against the backdrop of Calton Hill, the most conspicuous feature of the New Town. It contributes to its surroundings as a nationally important architectural feature and as a component of a landscape-inspired addition to the first New Town.

17.53 The building was set to be prominent in views from the Old Town to the south and west, as well as from close by on Regent Road. It should be viewed in the round. Any interventions should not harm the immediate setting. The careful accumulation of architectural elements when viewed on approach from Waterloo Place rely on the open setting of the Hamilton building. This open setting also ensures adequate light and views from the building, particularly the classrooms in the east and west façades and in views from the playgrounds. The notion of framing views with the new extension has no benefit. Hamilton's temple is already framed by the original wings and pavilions.

17.54 The proposal would form an urbanised wall of development between Regent Terrace and St Andrew's House, reducing the sense of 'rus-in-urbe' of the existing. That would reduce the internationally renowned standalone masterpiece to a structure within a wider whole, encapsulated as a piece of streetscape.

17.55 The scale, size and height of the proposed bedroom wings would dominate the building to such an extent that they would fundamentally change our current understanding and appreciation of the Hamilton building on its carefully composed site. They would build over the majority of the original playgrounds, each with a footprint larger than the principal building. The open backdrop separating the Hamilton building from development to the east and west would be infilled. The buildings would be taller than the original and dominate it by their size, prominence and height, reducing the monumental classical building to a secondary element confined within a new composition. Too much development is proposed for this sensitive site.

17.56 The setting necessarily includes the later additions by others, and these contribute to our understanding of the site and the listed building. Their loss may be balanced against the increased understanding and appreciation of the principal building.

17.57 The belvedere and rear retaining wall would be further exposed by the proposed works. This would be a benefit in that they are a part of the original building and designed by Hamilton as elements of the architectural conception for the site. Some weight should be attached to this as an improvement on the setting of the principal building. However, that would not begin to compare with the adverse effects of the proposed extensions on other aspects of the setting of the listed building.

The proposed extensions

17.58 Such is the importance of Hamilton's masterpiece that redevelopment should ideally not include any new substantive buildings that might compete with it. HES accepts that high-quality contemporary architecture can be appropriate in historic settings, but in this case, the scale, height, massing and siting would be unacceptable, regardless of style or material.

17.59 The scale of the proposed extensions is justified by the appellants on the grounds that it would be the level of accommodation required to deliver a functionally and financially stable hotel. The architectural response may have been considered and sophisticated but that does not necessarily make them successful.

17.60 There would be a discordant contrast between the materials of the existing building and those for the extension. That would be exacerbated by floor to ceiling glazing, with the potential for reflection of light by day and internal illumination at night.

17.61 The impact of the proposed works on the setting of the listed building would be permanent and irreversible.

17.62 In terms of the HES guidance on extensions to listed buildings, the proposed would not protect the character and appearance of the listed building; they would not be subordinate in height, scale or form; they would read as a continuation of the front façade; and the materials used would inevitably 'signpost' the extensions, drawing the eye from the Hamilton building, which would lose its primacy on the carefully designed and assembled site. This does not support a case for departing from the presumption against the works set out in paragraph 3.38 of the HES policy statement.

The music school scheme

17.63 HES considers that the music school scheme would have far less impact than the appeal proposals. It would involve greater interventions in the fabric of the building, particularly opening up the screening wall below the portico and internal works to create a new public entrance and foyer. However, the appeal scheme would involve interventions into the building, radical changes to the interior and significant works at basement level, including substantial excavation within the former playgrounds.

17.64 In terms of setting, the music school scheme would retain the gate lodge, would not involve building on the western playground and would be set at a much lower elevation on the eastern playground. It would thus have a much lesser impact. Each of the important side elevations would remain visible from within and without the site.

Other listed buildings

17.65 There are several important listed buildings within the setting of the former Royal High School, whose settings would also be affected by the proposed development. These are St Andrew's House, Regent Terrace, the National Monument and Nelson's Monument. Each is category A listed. In particular the extensions would impinge on the setting and views of Nelson's Monument in short views such as Regent Road and middle-distance views such as Canongate Kirkyard. The settled pattern of 19th century architecture would be disrupted by the contemporary appearance of the extension wings – by turns dark and brooding in subdued light conditions and assertive and contrasting in bright light. Either way, the effect would be to draw the eye away from the National Monument and diminish the special relationship it has with the former Royal High School.

17.66 The relationship with the listed buildings on either side would be harmed, the setting of each would not be preserved.

Main points for The New Town and Broughton Community Council

17.67 The community council supports a new, sustainable use for the listed building, given its deteriorating condition. It also accepts that change will be required to support that. The issue here is whether the quantum of development can be accommodated without detrimental impact on the building, its setting and the wider conservation area, and on the outstanding universal value of the World Heritage Site. The community council has a clear preference for aesthetic, educational and intellectual use. The apparent offer of a more sympathetic and less intrusive development by the RHSPT is relevant to the consideration of the proposals here.

17.68 The community council accepts that some of the later buildings on the site could be demolished to support the sustainable re-use. That would allow some new development within the site. Demolition of the Gate Lodge is not supported because it makes a significant contribution to the vista at the foot of the access road to Calton Hill. At the extreme west of the site, it could be retained whilst allowing some redevelopment of the site as a whole.

17.69 The proposed hotel extensions would have a detrimental impact on the setting of the listed building. The integrity of the listed building, which includes its associated pavilions, screen walls, gateways and railings, would be adversely impacted. The proposed extensions, by their height, scale and massing would dominate and overwhelm the listed building, challenging its primacy on the site and diminishing significantly its status. They would block key views of the listed buildings and other monuments and their landscape setting. The relationship of the building to the surrounding landscape is fundamental to its setting and architectural philosophy.

17.70 The community council accepts that alterations will be needed for any new use. However, such uses should be sensitive, sympathetic and necessary. In this case many are necessary and they have been reduced to a minimum. However, the interruption of the plinth for service access from Regent Road is not supported.

17.71 The scale of development for commercial viability is above the capacity of the site. No arrangement can achieve this without harm to the setting of the listed building, irrespective of the architectural style proposed. Unfortunately, the stepping back of the bedroom storeys leads to an overhang at the west end which ruins the views on approach from the city centre. The community council considers that the western playground should remain undeveloped.

17.72 The prevention of further deterioration is a key benefit of the proposals. However, the same aim can be achieved with a less intrusive scheme. The proposed relocation of St Mary's Music School, backed by Dunard Fund, is a credible alternative to re-use the building for teaching and to allow public access.

Main points for the Architectural Heritage Society of Scotland

17.73 The Royal High School is one of the relatively few Scottish buildings that are recognised as of international standing by the wider architectural community. It is one of the most important Greek revival buildings anywhere and a key monument to the nineteenth century. In the context of Enlightenment and post-Enlightenment Edinburgh, and its much-vaunted claim to be the Athens of the North, it is more important than any other single building in the city. It is also part of a major urban design and embodies modern and specifically urban ideas about the Picturesque movement in landscape design.

17.74 The Picturesque deals principally with how a building or landscape is seen. Uvedale Price in particular argued that the Picturesque landscape should be modelled on landscape painting. Humphrey Repton argued to the contrary that what we see in a painting is decidedly not what we see in reality. The greatest impact of the proposed extensions would be seen when approaching rather than in any particular view selected by the architects' renderings, historic paintings or photographs.

17.75 The building was designed in the spirit of the Picturesque, as it was emerging in the early 19th century, and with a distinctly urban character. At the time of the building of the Royal High School, the understanding of how buildings are seen in the landscape had begun to move on from the literal and static conception of a painting. The idea that landscape design should learn from painters and model their landscapes on the painting itself was countered by the idea that what is shown on a painting (or photograph) is not what we actually see. Our field of vision is generally wider and we turn our heads and move along. The notion of a static, Picturesque view was being challenged before the end of the 18th century.

17.76 William Stark had been a profound influence on the development of Edinburgh in the late 18th century. In his unfinished report to the city in respect of the competition to extend the New Town to Leith, he talked of much beauty and perhaps the most striking effects being in the 'bending alignment of the street'. He noted that public buildings break upon the eye at the most favourable points of view, 'shewing at once a front and a flank'.

His support for a careful contextual approach is evident in the disposition of the former Royal High School and is appreciated on approach from the east and the west. The Royal High School is part of a grander urban design for the expansion of the New Town. Stark's approach was taken up by his pupil William Playfair, who was also influenced by the work of John Nash, particularly at Regent's Park, London. This Picturesque in motion is how the setting of the Royal High School should be understood. From the west, the building takes advantage of a long and gradual approach consistent with the most advanced thinking at the time.

17.77 The proposed western extension would cut across and dominate the oblique views of the Hamilton building from the west. It would severely impinge upon the gap between the former school and St Andrew's House and the sense of separation created by setting the principal school building within open playgrounds to the east and west.

17.78 The setting of the building was conceived with the emerging symbolism of Calton Hill as a place of commemoration and identity. This landscape setting is connected with national identity, politics, commemoration, education, criminality, enlightenment, science and art. It includes themes related to aspects of the visual; astronomy, photography, the invention of the panorama, and the Picturesque. It is a powerful and precious cultural landscape. Thomas Hamilton carefully inserted his building into it in a way that mediates between and negotiates some of those themes and in particular its role in helping to establish the idea of Edinburgh as Athens.

17.79 The proposed wings would not retain the sense of separation and individuality of Hamilton's building. They would be read together and the hotel wings would undermine the delicate balance of actual size, scale and monumentality achieved by Hamilton. The original building would appear as a small precious object in a reticulated glass box.

17.80 The AHSS notes that the existing building makes a significant positive contribution to the character and appearance of the New Town Conservation Area as well as to the setting of the Old Town Conservation Area.

17.81 The AHSS supports appropriate, sympathetic, high-quality modern architecture and initiatives to bring historic buildings back into economic and social use. However, they say that the proposed scheme would bring over-development of the site. The balance of open and developed space would be harmed. The design and materials of the proposed development would not be appropriate to the special interest of the listed building. The design elements would not reflect or respond to the essential principles of neo-classicism found in the existing buildings and surrounding area.

Main points for The Edinburgh World Heritage Trust

17.82 The EWHT recognises that the appeal site can accept a degree of development in support of the restoration and re-use of the main building. However, it is abundantly clear that the proposals for a hotel of this size could not be built on the site without having a major impact on the building and its setting and therefore the outstanding universal value of the World Heritage Site.

17.83 The proposals would diminish the building and remove its setting. The principal building on the site would be turned into an object rather than an integrated part of an historic urban landscape. The failure of the proposed hotel wings to work with the topography would have a negative impact on outstanding universal value. There would be no discernible relationship to the role of Calton Hill in the cityscape. The visual connection of the building to the Picturesque movement would be broken.

Main points for the Cockburn Association

17.84 The association objects strongly to the proposed works. The dynamic composition of Calton Hill and the Royal High School would be compromised with the addition of the wing buildings either side, effectively linking it into a staggered terrace. The height of the wings would be higher than the central school building but also the adjacent Regent Terrace. There is a fundamental discord in the adaptation of a building with no windows to the view into an hotel. The proposals would undermine the building's important relationship with its context. The volume of accommodation said to be needed would not be appropriate.

17.85 The association is disappointed to see that the entrance lodge would be demolished. It works well within the set-piece design and ties into the wall and railings. It could be put to beneficial use.

17.86 The proposed wings are too high in relation to the principal building. This would be exacerbated by the extensive use of glass and inevitable illumination at night. The increase in scale over the principal building would be apparent despite some disguise by the elevation treatment.

17.87 Development of the western terrace would obscure important side views of the principal building. The spatial arrangement between buildings including the relationship with St Andrew's House would be weakened.

17.88 Adding further pavilions to the central building would unbalance the composition. The problem with a set-piece design so perfectly conceived is that it doesn't lend itself to any extension.

Main points for the Regent, Royal and Carlton Terraces and Mews Association

17.89 Of principal concern to the association is the impact of the proposed development on the special interest and significance of Calton Hill and the two listed terraces to the east. The unique combination of landscape and buildings was no accident and is recognised by the World Heritage Site inscription.

17.90 The elegant Regents Terrace would be debased by becoming the only service entrance for the development.

Main points for the Royal High School Preservation Trust

17.91 The Trust objects to the proposed works because of the impact they would have on the listed building and its setting.

17.92 The Trust also objects to the proposed works on the basis on which the appellants carried out their economic assessment. They say the appellants have consistently overstated the benefits and have not used the correct methodology, that is, the HM Treasury Green Book, to derive the net economic benefit. The key issue is whether there would be new business to Scotland as opposed to diverting trade from existing hotels.

Main points for others/ written representations

17.93 We also heard from three individual objectors: Ruth MacDonald, Neil Harrison, and Rosemary Addison. About 15 written representations were also received following receipt of the appeal.

17.94 That evidence, and much of the additional representations, object to the proposed works on the basis of the unacceptable impacts on the character, appearance and setting of the listed building. No other relevant issues were raised that we have not already dealt with in this report.

Reporters' findings

The main issues

17.95 The main issues in this chapter are the impacts of the proposed works, including demolition, on the special architectural and historic interest of the listed building; on its setting; and on the setting of other listed buildings. In the event that the Scottish Ministers find harm, we must also consider whether there are other options which might secure a beneficial future with less harm and any wider benefits that might stem from consent. Other issues include the impact of the proposed works on the New Town Conservation Area and on the Old and New Towns of Edinburgh World Heritage Site

Impacts on the special interest of the listed building

17.96 None of the parties to the inquiry and no other representations to the appeals dispute the importance and significance of the principal building on the site. It is clearly a building of national and even international importance. This includes the remaining original elements such as the retaining and boundary walls, gates and railings and the belvedere tower in the north-east corner of the site. We have assessed the relative importance of all elements of the listed building in Part 1, Chapter 3 of this report.

17.97 The basis for assessing impacts on a listed building is the building as it existed on the date of listing. At that time, the school had added buildings to the yards and in front of the rear retaining walls and belvedere. We note that these buildings and the historical development of the school are of some special interest but also note that they detract from the understanding and appreciation of the significance of the principal building. Were this

understanding and appreciation to be enhanced or left unharmed by any particular scheme, we might consider that demolition of historic outbuildings would be justified.

17.98 More recent additions such as the canteen block and classroom block are not regarded by any party to be significant to the special interest of the listed building and their loss would be acceptable in our view, whatever the impact of the proposals before us.

17.99 The interior had already been considerably altered since the school left the site and after it had become listed. Many of the alterations also show progression of the use of the principal building, but in so doing detract from its special interest overall.

17.100 The grounds of the building were altered by the newer buildings and by landscape alterations to the playground areas. These changes, along with the later buildings which clutter the outside space, also detract from the special interest of the listed building.

17.101 We recognise that the rear retaining wall and the belvedere are elements of the original design for the site and that they were carefully considered as part of the setting of the whole against Calton Hill. We therefore understand the merit in restoring these to view and the benefit of improving the understanding of the design from important viewpoints. However, we note that this experience has been lost for some time and was not there at the time of listing.

17.102 The proposed development would help to preserve the listed building by a sympathetic repair and restoration of the fabric of the building. The outside of the principal building together with the majority of the boundary walls and railings would be brought into good condition. The proposed use would involve substantial alterations to some of the internal fabric but would re-use the main spaces for public areas. Proposed internal alterations would be sensitively done to protect adjacent fabric and minimise loss of the original. These impacts alone would amount to preservation by repair, protection and beneficial re-use of the listed building. This must carry substantial weight in favour of the proposed new uses.

17.103 The recommendation of HES in their interim guidance, at paragraph 15, applies consideration of four specific criteria. Failure to meet any one of the criteria could be grounds to conclude that the presumption against works which adversely affect the special interest of the listed building or its setting should not be departed from.

17.104 The general approach of the appellants is to minimise the interventions in Hamilton's original work and design the necessary accommodation to add to the quality of that building in its setting. This is a valid conservation approach and one that responds well to a hotel design. Public rooms can be arranged in the larger spaces of the original school whilst the bedrooms and other requirements are best suited to new build. We consider the impacts of this further in our findings on setting.

17.105 The appellants accept the primacy of the southern elevation and the importance of the oblique views in the understanding and appreciation of the principal listed building. We consider that these would inevitably be significantly compromised by the addition of large scale wings to each side, however they are cloaked.

17.106 Impacts on the setting of the listed building would be considerable. The prominence and dominance of the building in certain views would be spoiled by the overwhelming scale of the extensions proposed.

17.107 However, we note that the extensions to and interventions in the principal building have been designed to minimise their impact. A great deal of careful consideration has arrived at multifaceted framework of subdued framing, together with green roofs. The extensions would be behind the line of the main elevation and their elevations would be curved and stepped. The intentional mimicry of the rocky, verdant setting is skilfully handled by the architects. They would rationalise what has become a cluttered site.

17.108 Nevertheless, the large amount of glass would inevitably sparkle in the daylight, drawing attention to the mass of the new wings. The scale of the extensions would mask a large part of the background setting to the sides of the principal listed building. At night, the light reflecting from the surfaces and activity in the rooms would be potentially more prominent still. This would not be sufficiently mitigated by the technical specification of the proposed lighting, where surfaces, furniture and activity would reflect the light outwards.

17.109 We therefore say that these extensions would not blend with the hillside nor disappear into the background. They would appear overbearing, urbanising and out of context. They would be a distraction in significant views of the principal building and harmful to its setting.

17.110 The proposed works would be permanent development. They would attach to the existing building to a relatively limited extent, sufficient only to provide links between them. Although in theory the works could be reversed, we attach little weight to that in our assessment. Firstly, the successful re-use of the building would assume a sustained use. Secondly, the impact on setting would be immediate. Thirdly, the outbuildings could not reasonably be restored without loss of authenticity. Our considered view that the proposed extensions would be detrimental to the setting of the listed building would not be affected to any significant degree by whether the works could be reversed at some time in the future.

17.111 We must at this point record that our assessment of the Scheme 2 proposal is that it would in some respects reduce the severity of adverse impacts on the setting of the building over those arising from Scheme 1. Our clear judgement, however, is that those reduced impacts are insufficient to enable us to conclude that the proposal would preserve the building and its setting.

The RHSPT scheme

17.112 This proposal has planning permission and listed building consent, although some details remain to be resolved. It has the financial backing of Dunard Fund, a charity established to promote the arts. The music school proposal is designed by architects and engineers of equal renown to those responsible for the appeal scheme. In our view, there is no reason why the RHSPT scheme would not be a viable and achievable alternative to the appeal proposals.

17.113 It is not our role here to revisit the merits of the RHSPT scheme except to assess whether it would cause less harm to the listed building. We have therefore assessed the

impacts on the listed building and its setting in a similar way to our assessment of the appeal scheme, but only to compare with it for the purposes of applying the HES guidance.

17.114 The fact that the music school option has listed building consent does not mean that the proposed hotel is acceptable, even if it would cause less harm. That is only one consideration. Conversely, the fact that the music school scheme has listed building consent does not mean that it would necessarily cause less harm. The immediately obvious benefit of this proposal is that it is a school use, where the existing spaces could be re-used and where the intended occupier, like the RHS, has a distinguished reputation. Also, the visibility of the scheme (and its impact on setting) has been kept low by burying much of the school accommodation around internal top-lit courtyards, and it has been designed to accommodate the northern and eastern parts of the site, leaving the west side as designed landscape.

17.115 That said, the proposal includes extensive new building, major excavation and radical intervention into the existing fabric.

17.116 In assessing the overall balance of impacts on the special interest of the listed building, we rely on our hierarchy of importance and significance set out in Part 1 above. We consider that whichever option were to be established the original pattern of use would be further lost to the new arrangement. We therefore attribute less significance to the internal alterations. We note, however, that the appeal proposals would involve considerably less removal of original fabric of the principal building. In terms of the preservation of the listed building itself, the appeal proposal would better preserve the building.

17.117 Set against this is the much greater visual impact of the proposed hotel wings on the setting of the listed building. In our consideration of the special interest in Part 1 of this report we have found that the preservation of the magnificence of the principal building in its setting is what is most significant to the special interest. It is what survives best from the original intention and conception of the building and what lifts it beyond the architecture to an icon of the cultural development of Edinburgh in Scotland and the world.

17.118 It is not for us to consider or for Ministers to decide, within the confines of this appeal, whether the music school scheme would preserve the listed building or its setting or its features of special architectural or historic interest. We do however, conclude that it is an option that would cause less harm to these attributes of the listed building than the appeal scheme, because of its lesser impact on setting.

Other options

17.119 Of course, Scheme 1 prepared by the appellants is an option for the listed building in this case, in terms of the HES guidance. It could, we heard, be as readily developed.

17.120 The appellants say that Scheme 2, subject of this appeal, has responded to the reasons for refusal of Scheme 1, and that its reduced physical form would have a less harmful impact on the listed building and its setting. Although the economic balance would shift, on that understanding, Scheme 1 would fail to meet the criteria at recommendation 15 of the HES guidance.

Whether there would be significant benefits

17.121 The appellants seek to build a world-class hotel. Their view is that this would add to the offer in this world-class city and create wealth and jobs. They base the economic argument on the quality of the hotel. We have found in the parallel planning appeals that the economic and tourism benefits of the appeal proposal would be at least regionally significant.

17.122 However, any benefits that might result from the proposals would rely on the quality of the hotel being secured indefinitely. In general terms, planning regulates the use of land in the public interest and permissions run with the land. Restricting a permission to a specific class of occupier is generally undesirable and should only be used when there are special grounds and where the alternative would be refusal. Any attempt to control the level of service and the price of a room would be fraught with difficulty and an interference in the market. The operating model of the hotel would be vulnerable to change to maintain the business. We therefore place limited weight on the proposal to define the particular quality or level of service at the hotel and the proposed conditions to restrict it. The benefit of the proposed hotel to the economy should not therefore be determined on the ambitions for a world-class hotel.

17.123 The appellants also say that the proposal would have an improved urban design at the western end where it engages with Waterloo Place/ Regent Road and the foreground to St Andrew's House. The impact of that is discussed in our report on the planning applications. For the purposes of the listed building consent applications, we do not consider that any benefit to that part of the public realm would be of such significance to conclude overall that there would be no harm to the special interest of the listed building or its setting nor to overcome the policy presumption against the harm we have found.

17.124 It has long been a tenet of historic building conservation that 'if you don't use it you may well lose it'. If successfully completed, the proposed scheme would remove the building from the at-risk register. That would reflect a significant change in fortunes for the building. However, we consider that the consented scheme for the RHS Preservation Trust indicates that there could be other ways in which the former Royal High School could be converted and altered to a viable use, thereby significantly reducing the risk to its preservation.

The conservation area

17.125 The proposed works would be a radical intervention in a sensitive part of the New Town Conservation Area. As set out in our analysis of the impact on the listed building and its setting, these works would appear as two major extensions out of keeping with the character of the principal school building and its prominent setting. For that reason, the character and appearance of the conservation area would be neither preserved nor enhanced by what is proposed.

World Heritage Site

17.126 The current management plan says that balancing the needs of the city to maintain its economic vibrancy and the need to protect the heritage is essential to both. It seems to

us that this implies that the economic vibrancy must not be at the expense of protection of the heritage. Indeed, the outstanding universal value is a key driver of the economic success of the city and must be protected, developed and celebrated. We consider that this supports the statutory approach to protection of the listed building and to the preservation or enhancement of the character and appearance of the conservation area. Therefore, we say, the proposed works would harm the outstanding universal values of the World Heritage Site.

17.127 Beyond that, we heard argument that the proposed development may lead to the loss of World Heritage Site status. It seems to us that such a likelihood would be uncertain and not for us to conclude on within the confines of this appeal.

Other matters

17.128 We acknowledge the efforts made better to understand the building and its setting and to explain the proposed works in that context. There is no doubt that this has led to increased understanding of the importance of the building.

17.129 However, we note that the mitigation proposed is predicated on the need for an amount of new development, rather than an assessment of the amount that could be developed without harm to the building, its setting and the character or appearance of the conservation area. This is not outweighed by the improved understanding of the building and its setting provided in evidence to the inquiry.

Policy conclusions

17.130 Based on these conclusions, and drawing on the policy context set out at Chapter 1 of this report, we find that:

- the proposal is contrary to Policies Env 2, Env 3 and Env 4 of the Edinburgh Local Development Plan, due to its adverse impacts on the listed building and its setting;
- the proposal is contrary to Policy Env 6 of the Edinburgh Local Development Plan, due to its adverse impacts on the character and setting of the New Town Conservation Area;
- the proposal is contrary to Policy Env 1 of the Edinburgh Local Development Plan, due to its adverse impacts on the qualities of the Old and New Towns of Edinburgh World Heritage Site;
- the proposal is contrary to Policy Del 2 of the Edinburgh Local Development Plan, due to its adverse impacts on the character and attractiveness of the city centre;
- the proposal is contrary to Policies Des 1 and Des 4 of the Edinburgh Local Development Plan, due to its adverse impacts on the character and appearance of the area;
- the proposal is inconsistent with those provisions of NPF3 and SPP relating to heritage assets, due to the adverse impacts on the World Heritage Site, the listed building, the setting of nearby listed building, and on the character and appearance of the conservation area; and

- the proposal is inconsistent overall with the Historic Environment Policy for Scotland (and its supporting guidance), due to the adverse impacts on the World Heritage Site, the listed building, the setting of nearby listed building, and on the character and appearance of the conservation area.

17.131 We take these conclusions into Chapter 22 where we apply the Section 25 test.

18 Townscape and visual impacts

Main points for the appellants

The New Town Gardens and Designed Landscape (GDL)

18.1 The designated area comprises a series of individual gardens and public open spaces, which extend across the full extent of the New Town. The 'Importance of the Site' is set out in the Inventory entry according to seven criteria which are used to determine whether a GDL is of national importance and should be included within the Inventory.

18.2 The Inventory entry includes descriptions of several 'principal' gardens within the New Town Gardens GDL, including a description of Calton Hill, which is described as "a public open space [which] is visible from a wide range of locations. Its monuments give it characteristic form" (CD 541). The Inventory also states that "panoramic views are obtained from Calton Hill and Regent Gardens to the Scott Monument and over the city of Edinburgh and the Firth of Forth".

18.3 A number of views are specifically mentioned in the Inventory description. Two of the views (views from the North Bridge and from the Old Town looking northwards; and from Arthur's Seat looking north-west) include the Hamilton building. However, it is noted that the Hamilton building is not specifically mentioned in the Inventory, and that the description of the 'Calton Hill' area of the New Town Gardens focuses its attention upon the summit area of the hill, and the collection of monuments thereon. There is no mention made in the Inventory description of any association between these buildings and the Hamilton building.

18.4 The proposed development area occupies a small plot at the south-easternmost corner of the extensive area covered by the New Town Gardens Inventory GDL designation. Scheme 1 would not be visible from the majority of the designated area, and it is considered that the scheme would have a minor effect upon the setting of the New Town Gardens GDL as a whole.

18.5 Historic Environment Scotland's assessment focuses on a limited number of the larger assemblage of viewpoints which were prepared for the Visual Assessment of the ES. These visualisations cannot be considered representative of the many and varied viewpoints within or around the GDL as a whole. HES does not consider the effect of the proposed development upon other key views specifically mentioned in the Inventory entry, and its assessment provides only a partial and skewed assessment of the impact that the proposals would have on the 'overall integrity' of the New Town GDL designation as a whole.

18.6 For Scheme 2 it would remain entirely possible to understand and appreciate Playfair's design for the Calton Scheme (informed by Stark's vision). Furthermore, the Scheme 2 development would not adversely affect the ability to understand and appreciate the setting of the other buildings on Calton Hill as part of the much larger New Town Gardens Inventory GDL. The effect would be no different to that for Scheme One.

Townscape and visual assessment (TVIA)

18.7 The scope of the TVIA and viewpoint selection was discussed with the City of Edinburgh Council, Scottish Natural Heritage, Historic Environment Scotland and other

consultees. The study area extends to 5.5 km from the site. A 2 km study area would have been sufficient to identify all potentially significant visual effects.

18.8 The Scheme 1 TVIA considers 35 viewpoints, which is unusually high. Given that many viewpoints were found to have no significant visual effect, it is surprising that the Scheme 2 assessment of a reduced scheme assesses even more viewpoints.

18.9 The TVIA considers the nature of effect (beneficial, neutral or adverse).

18.10 The council stipulated that the visualisations were to be prepared in accordance with Landscape Institute Note 1/11 (CD 543) and with Visual Representation of Windfarms (version 2, 2014). SNH guidance was updated in February 2017 (CD 546), and postdates the production of photomontages of the 2017 application.

18.11 Additional visualisations have prepared visualisations in accordance with current guidance (CD 546) for viewpoints 1, 3a, 8c, 9b, 10, 11a, 11c, and 19c (CD 596). These viewpoints are representative of a range of views and viewing conditions. The council and RHSPT are critical of the submitted photomontages. Both appear to take issue with the 'rendering' of these photomontages. The council is also concerned that the montages do not represent the worst-case scenario. Updated SNH guidance (CD546) states: "...photomontages can never exactly match what is experienced in reality" but that they: "should, however, provide a representation of the proposal that is accurate enough for the potential impacts to be fully understood."

18.12 Disagreements about the accuracy and rendering of photomontages do not help the decision-maker nor do 100% accurately rendered photomontages in any way materially improve the assessment. Clearly, if photomontages are misleading this should be highlighted but, assessments of the effect on a view or on visual amenity must be done by visiting viewpoints.

18.13 RHSPT is also critical of the fact that no updated photomontages were produced from Regent Road immediately outside the RHS portico, and from Calton Hill Drive immediately to the rear of the RHS. It considers both the Calton Hill Drive and the Regent Road locations to be "critical to a full appreciation of the visual effects". However, photomontages 32a-c for Scheme 1 and 32a-d for Scheme 2 illustrate the likely change in view that would be experienced from Calton Hill Drive, and because of the generally narrow angle of view available when walking up or down this road, a panoramic view would not provide additional viewing context. There are several photomontages which clearly illustrate the effect on views from Regent Road. In addition, views to Arthur's Seat, Salisbury Crags and to the Old Town from the front of the RHS on Regent Road are not affected.

18.14 It is contended for the appellants that the assessment has been undertaken in accordance with GLVIA3, clearly identifying significant and non-significant effects. The threshold of EIA significance set in the TVIA is appropriate. The TVIA included in the ES is based on good practice guidance.

Townscape assessment

18.15 Chapter 12 and Appendices L1-L4 (CD16 and CD165) include the assessment of potential effects of the proposed development on the site and on townscape character of

the surrounding area. This also includes effect on the visual component and perception of landscape/ townscape designations.

18.16 The TVIA found a significant beneficial effect on the character of the site. However, because a relatively large area of the site would change from being 'undeveloped' to being built on, the appellants' inquiry evidence is that this effect on the character of the site would be adverse.

18.17 The TVIAs of Scheme 1 and Scheme 2 identified a significant effect on the Calton Hill TCA, with the magnitude of change judged to be moderate. The appellants' evidence to the inquiry is that the magnitude of change of the proposal on the Calton Hill TCA would be small at most, because its relationship with the wider landscape is not affected, the urban grain remains unchanged, the topography remains unchanged, the hilltop remains open and the proposed buildings are not out of scale with existing development. The effect on the Calton Hill TCA would be minor.

18.18 SNH provided a consultation response dated 30 October 2015, and a response in 2017 which is almost identical. The appellants agree with SNH that the profile of Calton Hill represents 'crag and tail' landform with the 'crag' to the west and the 'tail' running eastwards. The Old Town, from Edinburgh Castle down the Royal Mile, has a similar form. The visual character and profile of these landforms is most striking in views from the south or north.

18.19 The profile of the 'crag and tail' landform of Calton Hill is clearly perceptible from several viewpoints but in none of these views does the proposed development affect the perception of this profile. It is accepted that in some closer views (e.g. VP19 and VP21) the development would be seen in front of or in close proximity to the steep sided 'crag'. However, this would not diminish the ability to appreciate the profile of Calton Hill.

18.20 SNH states that there would be adverse effects on landscape character of the hill "...by virtue of the perceived changes to vegetation cover and composition of features on the hill" (CD308). It is noted that vegetation on the hill would not change (except for the site itself) and that the west wing would reduce the extent of visible vegetation in some views. The appellants disagree that the development would affect the composition of features on the hill.

Views of Key Landscape Features

18.21 The appellants disagree with SNH that the proposed development would affect important characteristic views towards other key landscape features within the city. SNH's response refers to the sequence of viewpoints from Waterloo Place to Regent Terrace (VP 4d to 4a). Firstly, parked tourist coaches often obscure views from the northern pavement blocking views east but if these are not present, the proposed development would become a feature in these views. Secondly, the visualisations demonstrate the visual influence of street furniture and other features in the public realm. Thirdly, Salisbury Crags and Arthur's Seat are not visible from locations 4c and 4d. Finally, SNH refers to the western building as a focal point, however, the skyline of Arthur's Seat and Salisbury Crags would not be affected by this building and there would be no delay to "...the experience of the spectacular open panoramas of Salisbury Crags and Arthur's Seat." The effect would be neutral.

18.22 Views from the open top of Calton Hill towards other key landscape features within the city are not generally affected by the development because it is not generally visible.

The proposed development would be visible from the top of the Nelson Monument (VP16) and from the southern edge of the top of Calton Hill (VP6). In these views it would be below the line of sight towards Salisbury Crags and the Old Town.

Public Realm and Landscape Statement

18.23 A Public Realm and Landscape Statement was part of the Design and Access Statement for Scheme 1 (CD43-46) and as a standalone report for Scheme 2 (CD192-195).

18.24 The latter discusses the illusion of countryside in the city and analyses the relationship between woodland, open space and buildings and how these elements relate to the landform of Calton Hill. The analysis shows that the top of Calton Hill provides an open skyline which gives prominence to the monuments on the hill. Built development consists of the substantial gently sloping residential terraces along the tail side of the hill (both to north and south) and on the terrace on the south side.

18.25 The Statement concludes:

- that the roofline of any built development should not be symmetrical and could relate to the general profile of the hill;
- the importance of development on the west playground being limited in height; and
- the desirability of maintaining space between the base of the Nelson Monument and other built development.

18.26 In response to these points the scale of the proposals was reduced in Scheme 2. This is clearly visible in the photomontage from Canongate Parish Church burial ground (VP19c). The reduction in height of the west wing is also clearly perceptible in the Scheme 2 photomontages prepared from viewpoints VP8c and VP03a (CD596).

Garden and Designed Landscape

18.27 The New Town Gardens citation refers to 'visual interconnections' of the 'open spaces, circuses and squares' and 'long distance views'.

18.28 When applying the inventory criteria to determine if the GDL, with the proposed development present, would still be regarded to be of national importance, it is concluded that there would be no change to the values or status. The proposed development does not affect the placement and visibility of the monuments which give Calton Hill a 'characteristic form' nor would it impinge on the 'unforgettable city skyline' and long views towards Calton Hill. The ES has fully considered effects on the GDL: any effect would at most be minor and not significant.

Special landscape areas (SLA)

18.29 Potential effects on eight Special Landscape Areas have been assessed. The Calton Hill SLA is susceptible to development that could affect the appreciation of the hill form and skyline, but the TVIA finds that there would be no significant effect on the SLA.

Conservation areas

18.30 The TVIA considered effects on conservation areas and none were found to be significant.

Visual effects

18.31 Visual effects are set out in Chapter 13 of the Scheme 1 ES (CD16) and Scheme 2 ES (CD165).

18.32 For Scheme 2, the findings of significance in the ES from viewpoints 4, 6, 8, 16, 17, 19c, 21, 27, 32 and viewpoint 35 are maintained. As stated for Scheme 1, the effect on VP 29 is not considered to be significant.

18.33 The ES finds adverse effects from viewpoints 4, 19a, 19c, 21, 32 and 35 and a beneficial effect from VP17. Effects on VP's 6, 16, and 27 would be neutral, and the effect on VP8 would be adverse.

18.34 The appellants disagree with the council's contention that the 'form of Calton Hill' would be lost in view 03b or 03c. It is noted that for viewpoints 10, 11a, 19b, 22 and 23, the council suggests that if reversibility is judged differently for these viewpoints this could result in a significant effect. A consistent reversibility 'level' of moderate has been adopted in the ES for all viewpoints. No information is provided as to why the reversibility level for viewpoints 10, 11a, 19b, 22 and 23 should be raised to high.

18.35 In response to other concerns raised by the council, the appellants respond as follows:

- VP10 (CEC key view E5), VP 29 and VP 08a. The council considers the change in these views would be significant. The proposed development is not in the appellants' opinion '*out of rhythm with the existing buildings*' nor does it '*compete with the National Monument*'.
- VP8a and b (CEC key view E2d). The council states that the proposed wings would draw the eye away from the skyline because of their size and that they are the only buildings in the monument area which would be of the same architectural style. However, the proposed development is located on the artificial terrace below the skyline and does not in the appellants' opinion 'draw the eye away', and Regent Terrace comprises buildings of the same architectural style.
- VP9a and b (CEC key view Ec3). The council states that there would be a significant impact on view 9a because "it blocks a 'significant' proportion of the hillside which provides a setting for the RHS and the Nelson Monument". In the appellants' opinion the effect on view 9a is borderline significant for the Scheme 1 proposal. The reduced height of the west wing reduces the effect to minor and not significant for the Scheme 2 proposal.
- VP19 a, b and c. The appellants agree that effects on these views would be significant but note that the views from locations a and b are fleeting and glimpsed.
- It is not clear whether the council considers the effect on views 22 and 23 to be significant but it is contended for the appellants that the effects would not be significant. It is not clear on what basis the council claims that the space between St Andrews House and the RHS has been specifically designed to allow them to be perceived as separate entities.

- VP13: The potential perceptible change in view is judged to be negligible.

Conclusion on visual effects

18.36 Any adverse visual effects of the proposed development are limited and contained due to careful siting and design.

Main points for the council

Impact on the Old Town Conservation Area

18.37 Views from the Old Town to this prominent New Town landscape and appreciation of its topography would be damaged by the proposals. The essential character of the Old Town Conservation Area, which is located to the south of the site would also be damaged. The key elements of the [Old Town Conservation Area Character Appraisal](#) 2017 include reference to an environment of enclosed streets and dramatic changes of level with numerous framed distant views. The character appraisal also states that: "Proposals outside the boundaries of the Conservation Area should not erode the character and appearance of the Old Town or intrude into views of the Castle"

18.38 The character of the Old Town Conservation Area would be damaged by the proposals, which would block or obscure important views to and from the conservation area. This effect has been found in the following views:

- The view from Calton Hill Drive, to the north west of the application site, where the emerging view of the castle on the skyline would be blocked by the proposed development.
- Views from the Canongate Parish Church Burial Ground, towards the Royal High School, where there are adverse impacts in EIA view 19b and 19c (EIA Vol. 18).

18.39 These adverse impacts on important views from and towards the Conservation Area are damaging to its special character, which is contrary to LDP policy Env 6 (Conservation Areas – Development). Accordingly, a strong presumption against grant of planning permission arises under section 64(1) of the listed building Act.

Impacts on the designed and natural landscape of Calton Hill

18.40 The application site is located at a prominent location, on the lower flank of the southern slope of Calton Hill. As well as being a public park, this prominent landmark feature is subject to a number of important designations. The site itself is included in an important element of the Inventory Gardens and Designed Landscapes: 'The New Town Gardens'. Calton Hill is also part of the nationally designated 'Arthur's Seat Volcano, Site of Special Scientific Interest' (SSSI) and the Edinburgh Local Development Plan designated Special Landscape Area. Both of these designated sites lie directly to the north of the application site.

18.41 The landscape of Calton Hill is part of the geological formation of the Arthur's Seat Volcano, along with Salisbury Crags and the Castle Rock. It is a 'crag and tail' landform that is a result of geological processes including glaciation. Its designation as an SSSI is largely as a result of its geological characteristics. The appreciation of the visual aspects of this geological landform also derives protection under this policy. Any development which has the potential to impact on the Arthur's Seat Volcano Site of Special Scientific Interest

requires assessment against LDP policy Env 14. There would be no direct physical impact on this designation as a result of the development, as it is just outside the site boundary. However, as highlighted in the Environmental Statement, there is a risk that the proposed development could cause indirect impacts on this designation. The images used in the appellants' Townscape and Visual Impact Assessment demonstrate that the proposals would have significant, adverse effects on the appreciation of this important landform and its landscape character.

18.42 The distinctive character and scenic quality of this landscape are recognised through its development plan designation as a Special Landscape Area. LDP Policy Env 11 states: "Planning permission will not be granted for development which would have a significant adverse impact on the special character or qualities of the Special Landscape Areas shown on the Proposals Map...". The description of the Calton Hill Special Landscape Area notes that the pressures on the landscape integrity of this designation include: "Built development affecting the appreciation of the hill form and skyline".

18.43 The proposals would result in the following damaging impacts on the visual qualities and landscape character of this landmark topographical feature, which have been identified by SNH in its response (CD 361):

- Adverse effects on the appreciation of the hill profile
- Adverse effects on the landscape character resulting from changes to the balance between the landscape and built form and the visual composition
- Nature of changes to important characteristic views.

18.44 The response from SNH (CD 361) comments that: "the development will cause adverse effects on the appreciation of the profile of Calton Hill – an important and prominent 'crag and tail' landform which also serves as a landmark of major importance within the City of Edinburgh.'

18.45 The damaging impacts on the hill profile can be clearly seen from Canongate Church Burial Ground in EIA view 19c (EIA Vol. 18 – CD31); and from where the hill profile would be damaged, as demonstrated in the series of views from Regent Road (EIA Vol 18) view 21a- 21c), from where the western extension would appear dominantly and directly in front of the hill, fully or partially obscuring its profile.

18.46 EIA view 09a (EIA Vol. 17 – CD30) on Queens Drive in Holyrood Park, illustrates the significant scale and height of the proposed built form compared to the relatively modest extent of the landscape on this part of the hill.

18.47 Views 22 from Market Street and 23 from Jeffery Street (EIA Vol 18) demonstrates the resulting loss of open hillside in views from this aspect, and overall changes to the balance created by the existing ensemble of monuments and buildings set within their landscape setting.

18.48 In EIA view 03c, (EIA Vol. 17) from North Bridge, the proposed extension to the west also occupies the space between the Hamilton Building and St Andrews House, changing the compositional balance from this aspect.

18.49 LDP Policy Env 11 (Special Landscape Areas) provides that planning permission will not be granted for development which would have a significant adverse impact on the special character or qualities of the Special Landscape Area.

18.50 SNH in its response notes that the “adverse effects on the appreciation of the profile of Calton Hill, an important, prominent ‘crag and tail’ landform, which also serves as a landmark of major significance, will be damaged.”

18.51 The harmful effects on the skyline, character and views of the Calton Hill, demonstrate that the proposal fails to safeguard the essential qualities and characteristics of this topographical and landscape feature, contrary to LDP Policies Env 11, Des 11 and Des 4.

Impact on the New Town Gardens Inventory Site

18.52 LDP Policy Env 7: Historic and Designed landscapes states that: “Development will only be permitted where is no detrimental impact on the character of a site recorded in the Inventory of Gardens and Designed Landscapes, or upon component features which contribute to its value.”

18.53 The guidance note on ‘Managing Change in the Historic Environment: Gardens and Designed Landscapes’ (2016) (CD507) states that in assessing the impact of a proposed development on a Gardens and Designed Landscapes Inventory Site, a three stage approach should be undertaken, which includes (1) identifying the significance of the Garden and Designed Landscape and establishing its baseline, (2) assessing the impact of the change on the site and its setting and; (3) mitigate: identify options to avoid, reduce or compensate for adverse impacts and to enhance positive characteristics.

18.54 The site lies at a highly prominent location in the New Town Gardens Inventory Site, which comprises 18th and 19th century town gardens and squares, which together with the surrounding buildings are collectively known as the 'New Town'. They were designed to take full advantage of the topography and townscape and are located at visible or prominent locations, to create an illusion of the countryside in the city.

18.55 The public park on Calton Hill was envisaged as part of a picturesque rural scene that connected with, and brought in, the rural landscape to the town. Each monument within this landscape was placed for dramatic effect in relation to views and paths. There is sufficient landscape space around each monument to allow them to be appreciated individually and sequentially. The way this arrangement comes together creates a unique urban picturesque landscape.

18.56 The Hamilton building was placed on an artificial terrace which retained the building’s relationship with the topography and base of the hill. The landscape and monuments of the hill form a sensitive part of the Inventory site. The proposed development would have a significant, adverse impact on Calton Hill itself, which forms an important element of this designated landscape, as commented by HES in its response (CD 365). The proposed extensions would dominate or obscure the hill, as a result of its significant scale and massing with this “carefully planned composed picturesque ensemble”, as noted by HES.

18.57 The many adverse effects found on the setting of the listed Hamilton building and monuments on this hill, as a result of this inappropriately scaled development (as evidenced through an understanding of the appellants’ ES) demonstrate the extent of damaging impacts which would be caused, through its siting in such a picturesque, yet highly prominent location. The proposed means of mitigation through its design would not overcome such adverse effects.

18.58 The assessment of the impacts of the development on this sensitive part of this Inventory site demonstrates a failure to comply with Historic Environment Scotland's Managing Change guidance on proposals for development within these Inventory designated sites, as the proposed means of mitigation through the design of the building and public realm do not mitigate the significant adverse impacts on this designation.

18.59 It is therefore concluded that the proposals are contrary to LDP Policy Env 7, as the proposed extensions by reason of their inappropriate height, scale and massing at this highly prominent and sensitive site on Calton Hill would be detrimental to the character of Calton Hill which is part of the Inventory Gardens and Designed Landscapes 'The New Town Gardens' and would have an adverse impact on views to, from and within this Inventory site.

Townscape impacts

18.60 The ES assessed the impacts on the characteristics of the appeal site, Calton Hill, the Gardens and Designed Landscape and the Special Landscape Area. It is important that the proposed architectural design solution would not damage important characteristics of these areas. The impacts would be significant and adverse for all these areas.

18.61 In the assessment of the site, the characteristics relating to the building being part of a composition and the cultural connections were not included in the baseline. This assessment concluded that the outcome in both applications would be significant and beneficial. Due to the impact on these key characteristics it is contended that it is significant and adverse.

18.62 In the assessment of Calton Hill in the Scheme 1 ES, the appellants identify that there are isolated monuments at the top of Calton Hill and public buildings with space around them, noting that the Royal High School site is 'clearly part of an urban composition', but miss out the cultural connections between the monuments. In the Scheme 2 ES the baseline changes and the description 'space around the buildings' in the Scheme 1 ES has been removed. As this characteristic is associated with being part of the composition, loss of this characteristic is adverse.

18.63 The appellants' contend that the development is in scale with other development along the road, putting more emphasis on the relationship of buildings along the road than the building being part of a composition on a hillside. The council disagrees with this assessment: 'buildings along a street' is not a unique characteristic.

18.64 The appellants find insignificant impacts in the Scheme 1 and Scheme 2 appeals for the New Town Gardens and Designed Landscape assessments. However, due to the area it can be viewed from, and the loss of the characteristic 'composition on the hill', it is the council's opinion that the effects would be significant and adverse.

18.65 The appellants find an insignificant effect on the Special Landscape Area. It is contended for the council that the sensitivity is higher, giving a significant adverse effect due to damage to the landscape setting of the monuments.

Visual impacts

18.66 It is important that new design proposals do not damage important characteristics of existing views. In both the visual assessments there are significant adverse visual effects

recorded for four views. Three of these views and support the council's opinion that locally the buildings would create a strong adverse visual effect. These are Viewpoints 35, 32 and 21. This is because the height and mass of the wings would block views across the Hamilton building and over to the townscape and would alter the picturesque and historically significant composition of the Hamilton Building with Calton Hill as a backdrop.

18.67 The fourth view acknowledged by the appellants to be adversely affected is Viewpoint 19c from Canongate Parish Church. In this relatively local view, the proposed development interrupts the view of the distinctive ridge line of Calton Hill and compromises the relationship of the Nelson Monument to the hill, again damaging the picturesque and historically significant composition of the Hamilton building with Calton Hill.

18.68 The effect on the sequence of views from Regent Road, View 04 and 27 moving eastwards, is disputed. The effect on Viewpoint 4 in the Scheme 1 ES is noted as adverse by the appellants. The council agrees. In the Scheme 2 ES the appellants changed the impact to beneficial. Whilst the development is different, slightly set back and slightly lower, its height and mass would introduce a new, visually powerful focal point in the view. The introduction of the new building disrupts the sequence of views created to 'reveal' the Hamilton building.

18.69 Viewpoint 27 further along the road is noted as a significant beneficial effect. The council considers it to be adverse, again due to the new building creating a powerful focal point. When local people and tourists walk along the pavement today the visual effect of the Hamilton building is dominant. The new proposals by virtue of their scale, mass and height would overpower the Hamilton building so that would no longer be the case. Views to the existing features of Calton Hill would also be blocked, damaging a unique visual experience.

18.70 In views from the Castle and North Bridge, Viewpoints 1 and 3c, the appellants conclude that there are no significant effects. However, the unusual nature of the Hamilton building being surrounded by landscape would be lost and therefore the impacts would be adverse.

18.71 More distant views can be seen from within the Royal Park. VP 08b (north end of Radical Road) is one such view. This is assessed as a significant view and beneficial and relies on the bedroom wings receding into the hillside. The council considers that this would be an adverse effect.

18.72 Other distant views are not considered significant by the appellants. However, it is considered that Viewpoints 9, 10 and 11 (views from Queens Drive, Arthurs Seat and St Anthony's chapel) demonstrate significant and adverse effects. This is because in certain conditions the development would be a highly noticeable component of the view and detract from the Hamilton building's landscape setting.

18.73 In summary, many views would be significantly and adversely affected by the development; there would be no beneficial visual impacts in either proposal.

Main points for Historic Environment Scotland

18.74 The proposed development site is located on the southern flank of Calton Hill, a major element of the GDL and the most significant topographical feature of the Edinburgh

New Town. The Inventory site has outstanding value as being: a work of art; historical; architectural; and scenic.

18.75 The GDL comprises a series of 18th-19th century town gardens, squares and walks, which, together with the surrounding buildings, are collectively termed the 'New Town'. Designed to take full advantage of the topography and townscape, they range in size, and are located in visible or prominent locations, to create an impression of a 'rus in urbe' (the illusion of countryside in the city) and make an important contribution to the character of the area.

18.76 From its inception, the relationship between Calton Hill and the Hamilton building was subject to thoughtful design and careful positioning: to exploit Calton Hill's natural qualities and keep the hilltop as a public space, free of development. The Hamilton building was carefully placed on a purpose-built terrace, a manipulation of the landform of Calton Hill, heightening its picturesque qualities and harmonising the building's relationship with the hill's topography.

18.77 Forming a significant element of the GDL, the character and significant features of the southern-slopes of Calton Hill are very different to other gardens that make up the GDL designation. Calton Hill is the most visually significant topographical feature in Edinburgh's New Town. The picturesque ensemble of rugged, manipulated landform, juxtaposed with monumental classical buildings and controlled semi-natural vegetation have created a unique part of the GDL which is highly sensitive to change.

18.78 The proposed development in this highly significant and sensitive part of the GDL would have a negative impact on the experience, appreciation and understanding of the GDL as a whole.

18.79 Both the Scheme 1 and Scheme 2 proposals would have a significant adverse effect on the open character of the southern slopes of Calton Hill: the proposed hotel extensions would adversely affect the relative proportion of buildings/ open-ground in this area, resulting in an over-dominance of built form and adversely affect the spatial qualities of the buildings/ monuments in the Calton Hill landscape. The impact on the character of the GDL is illustrated in viewpoints showing sequential views east and west along Regent Road. Historic control of planting in the vicinity of the Hamilton building results in a highly prominent site, which is especially sensitive to change. It permits extensive views from/ towards this part of the GDL, of which the Hamilton building forms a focal point. The development would have a significant adverse impact on a series of important views of Calton Hill from the west and south: particularly from North Bridge, the Old Town, and higher ground within Holyrood Park.

18.80 HES does not agree with the conclusions in the 2015 ES that the Scheme 1 development would have an impact of moderate/ minor significance on the GDL causing a beneficial effect. Nor does HES agree with the 2017 ES conclusions that the Scheme 2 proposed development would have an impact of minor significance upon the setting of the GDL causing a neutral effect.

18.81 It is acknowledged that the appellants have made efforts to mitigate the effects of the development both in the Scheme 1 design and the Scheme 2 revisions. However, it is considered that, despite the reduction in the scale and height of the scheme since 2015, neither the 2015 nor the 2017 proposals would avoid or reduce adverse impacts on the GDL in line with the mitigation measures set out in the GDL guidance.

18.82 Either development would represent a significant intervention in one of the most sensitive and visually prominent elements of the GDL, of which the Hamilton building is a key component and forms a focal point in views. Whereas previous developments in this part of the GDL have been carefully located to give emphasis to the form and scale of Calton Hill and the Hamilton building's contribution to that ensemble, the proposed hotel extensions would instead obscure and dominate it, cutting across the contours of Calton Hill, introducing an asymmetrical intermediate series of levels out of scale with the Hamilton building and the hill. The scale and massing of the proposed development would overload and dominate the hill. As such, neither proposal avoids nor reduces significant adverse impacts on the Calton Hill area of the GDL.

Main points for the AHSS

18.83 The Old Town is the historic heart of the city, and a key component of the World Heritage Site. The development along the High Street and Canongate, following land contours, containing major historical buildings and landmarks, is of the highest importance. It is visible from much of the city centre, most notably from Calton Hill, Princes Street and Princes Street Gardens, Arthur's Seat, and Castle Terrace.

18.84 Calton Hill forms part of the setting of the Old Town Conservation Area. The southern flanks and hence the Royal High School are prominent in views from, for example, Canongate Kirkyard and North Bridge. There are glimpsed but important views from parts of the northern Old Town such as Old Tolbooth Wynd, New Street, and Brown's Close. The viewer looks over, or up, towards the 'New Athens', a unique assemblage of buildings – not all of which are immediately visible on lower views – set within its own land and streetscape, separate from the adjoining urban terraces.

18.85 Calton Hill is identified in the Inventory as being a principal component of the Garden and Designed Landscape, visible from a wide range of locations. The monuments, including the Royal High School, give it a particular and singular character of the highest value in terms broadly cognate to those relevant to the New and Old Town Conservation Areas. The views from the west approaching the site from Waterloo Place would be significantly altered, with the appearance of the Hamilton building in its landscape setting fundamentally changed. From the Old Town Conservation Area, the townscape setting when viewed across the Waverley Valley would be affected, with the legibility of the *Rus en Urbe* appearance of the south flank of Calton Hill changed.

18.86 The breach of the skyline, especially with Scheme 1 is notable. The west wing would dominate the streetscape when viewed from both Waterloo Place and as the viewer moves westwards from the central part of the former RHS site along Regent Road. The impact would be significantly adverse.

18.87 The appellants seek to frame a view which is not intended to be framed. The architect attempts to create a new focus for the views from Waterloo Place, without considering the importance of the unfolding approach to the west elevation. On other less sensitive sites that may be a laudable objective but it is not appropriate here.

18.88 The Scheme 2 proposal reduces the size of the building, notably on the west wing where the footprint is also pulled back from Waterloo Place. Nevertheless it is clear from the photomontages (CD179 view 004b, CD180 view 027a) submitted by the appellants that this scheme continues to dominate views as the site is approached from the west. Views

from the roadway immediately south of the Hamilton building towards the city centre and Calton Hill are likewise adversely affected.

18.89 It is concluded that each of Scheme 1 and Scheme 2 would have a significant adverse effect on the character of Old Town Conservation Area, and the New Town Gardens GDL.

Main points for The Cockburn Association/ Edinburgh World Heritage/ The New Town and Broughton Community Council

18.90 There should be no dispute of the international importance of Hamilton's building and its high significance in the context of the World Heritage Site. It is one of the finest buildings in the city, and in Scotland of its type, and the starting point for any development proposal must be the preservation of its unique, and architecturally complete composition and setting on the slopes of Calton Hill. The Special Landscape Area is "susceptible to built development affecting the appreciation of the hill form and skyline".

18.91 The importance of Calton Hill in terms of landscape quality, heritage value and as a distinct area of character is also of the highest order. Both schemes would have an impact on the character and appearance of the Calton Hill character area. The views from the west approaching the site from Waterloo Place would be significantly altered, with the appearance of the Hamilton building in its landscape setting fundamentally changed. From the Old Town Conservation Area, the townscape setting when viewed across the Waverley Valley would be affected, with the legibility of the Rus en Urbe appearance of the south flank of Calton Hill changed. The breach of the skyline, especially with Scheme 1, is notable.

Main points for the Royal High School Preservation Trust

18.92 Having regard to the importance of the landscape and visual setting of the Royal High School on Calton Hill, it is considered that the appellant's LVAs have under-assessed the sensitivity, magnitude and significance of the effects that the proposed developments (Scheme 1 and Scheme 2) would cause. It is considered that this shortcoming indicates a lack of proper understanding of the landscape of Calton Hill and its critical relationship to the RHS and the monuments on it.

18.93 In many views the development would increase the perception that the southern fringes of the hill have been entirely built upon and this would reduce the extent of visibility of the component parts of the hill itself. This has the effect of altering the relationship of the Royal High School with Calton Hill and also has effect of reducing the perception of the 'hill' form itself by developing an apparently continuous band of buildings across its lower slopes. This in turn undermines the monuments that are positioned on top of the hill.

18.94 In contrast, the RHSPT proposal would have the opposite effect, by making more of the hillside visible through removal of the gymnasium block.

18.95 There is a lack of adequate visually verified material provided by the appellants to properly show the framing effect of the proposed hotel wings in close-range views from Regent Road, including from immediately outside the main entrance to the Hamilton building, from where, together and individually they would have the potential to visually dominate it. There is no visually verified or compliant visual information to inform the assessment from this location. It is contended that the appearance of the hotel wings would

serve to 'bookend' the Hamilton building in close-range views and diminish its prominence as an individual and iconic building in the landscape. This would compromise its visual setting, particularly in views from the south.

18.96 The RHSPT proposal would also change parts of the visual setting of the Hamilton building, and significantly change the existing views of the Gymnasium and Refectory from limited parts of Regent Road/ Regent Terrace, from where they would reduce the verticality of the gymnasium and rise above the existing refectory wall along the south-east boundary. It is also the case that the octagonal glass rooflight would be glimpsed in association with the Hamilton building from Regent Road, and parts of the new school would be seen from Calton Hill Drive looking south. It is considered that any townscape and visual effects arising as a result would be much more modest in nature and would not affect the appearance of the Hamilton building to the same extent as the appeal proposals would, particularly from Regent Road and Calton Hill Drive.

Reporters' conclusions

Environmental statement: methodology and visualisations

18.97 We note the criticisms of the appellants' Environmental Statements. It is contended by some of the other parties that (i) there are key visualisations missing, particularly very close to the Hamilton building from Regent Road; and (ii) the rendering and accuracy of certain photomontages is questioned.

18.98 In regard to the former, we note that viewpoint locations were agreed between the appellants, the council, HES, SNH and others. It is very late in the process to criticise the selection of viewpoints. We have in any event found those photomontages and other illustrative material provided to be sufficient to aid our assessment of the proposals.

18.99 On the latter criticism, we have found the photomontages very useful in undertaking our unaccompanied site inspections.

Calton Hill/ the special landscape area

18.100 The appeal site is located at a prominent location, on the lower flank of the southern slope of Calton Hill. As well as being a public park, this prominent landmark feature is subject to a number of important designations. The site itself is included in the Edinburgh Local Development Plan designated Special Landscape Area.

18.101 The landscape of Calton Hill is part of the geological formation of the Arthur's Seat Volcano, along with Salisbury Crags and the Castle Rock. It is a very obvious and renowned 'crag and tail' landform, formed as a result of geological processes including glaciation. The description of the Calton Hill Special Landscape Area notes that pressures on the landscape integrity of this designation include: "Built development affecting the appreciation of the hill form and skyline".

18.102 A number of the photomontages contained in the Townscape and Visual Impact Assessment demonstrate to us that the appreciation of this hill formation, particularly where the development would rise above the landform and block views to the hill, would be damaged. This would in turn adversely affect appreciation of the profile of Calton Hill; on the appreciation of the landscape character of the hill, particularly resulting from the changes to the balance and visual composition between open, semi-natural hillside and

built features of the hill and its fringes; and impacts on the hill's particularly strong physical relationship to Arthur's Seat and Salisbury Crags, which are related geological features.

18.103 The proposed extensions, but especially the west wing, would, owing to their scale and massing, reduce the proportion of the undeveloped skyline visible in views of Calton Hill, with resultant adverse effects on the appreciation of its natural profile. We consider that these effects are best demonstrated in a number of [viewpoints](#) including: viewpoint 21 – (Regent Road) where the development rises dominantly and directly in front of the hill, fully or partly obscuring its profile and views to its monuments; and viewpoint 19 – (Canongate parish church burial ground) which further highlights the adverse impacts caused by the significant massing and visual prominence of proposed buildings, breaking the hill's skyline and diminishing the extent of the visible hill profile, although to a noticeably lesser extent than Scheme 1.

18.104 We agree with the council also that the proposed development would impact on the appreciation of views towards the iconic landmark features of Salisbury Crags and Arthurs Seat, as illustrated in [viewpoints 4a\) to-d\)](#). The proposed west wing would provide a new and competing element in views from Waterloo Place, disrupting the experience of spectacular open panoramas of Salisbury Crags and Arthurs Seat from this aspect, although again to a noticeably lesser extent than Scheme 1.

The New Town Gardens and Designed Landscape (GDL)

18.105 The GDL comprises a series of 18th-19th century town gardens, squares and walks, which, together with the surrounding buildings, are collectively termed the 'New Town'. Designed to take full advantage of the topography and townscape, they range in size, and are located in visible or prominent locations, to create an impression of a 'rus in urbe' (the illusion of countryside in the city) and make an important contribution to the character of the area.

18.106 We heard that from its inception, the relationship between Calton Hill and the Hamilton building was subject to thoughtful design and careful positioning: to exploit Calton Hill's natural qualities and keep the hilltop as a public space, free of development. The Hamilton building was carefully placed on a purpose-built terrace, a manipulation of the landform of Calton Hill, heightening its picturesque qualities and harmonising the building's relationship with the hill's topography.

18.107 The proposed development site is located on the southern-flank of Calton Hill, a major element of the GDL and the most significant topographical feature of the Edinburgh New Town. The character and significant features of the southern slopes of Calton Hill are very different to other gardens that make up the GDL designation. Although located on the extremity of the GDL, and not typifying what would generally be understood as a New Town garden, we agree with HES that Calton Hill is nonetheless a significant element of the GDL. It is the most visually significant topographical feature in Edinburgh's New Town. The picturesque ensemble of rugged, manipulated landform, juxtaposed with monumental classical buildings and controlled semi-natural vegetation have created a unique part of the GDL which we agree is highly sensitive to change.

18.108 We say that the proposed development in this highly-significant and sensitive part of the GDL would have a negative impact on the experience, appreciation and understanding of the GDL as a whole.

18.109 Both the Scheme 1 and Scheme 2 proposals would have a significant adverse effect on the open character of the southern-slopes of Calton Hill: the proposed hotel extensions would adversely affect the relative proportion of buildings/ open-ground in this area, resulting in an over-dominance of built form and adversely affect the spatial qualities of the buildings/ monuments in the Calton Hill landscape. The impact on the character of the GDL is best illustrated in viewpoints showing sequential views east and west along Regent Road.

18.110 We do not agree with the conclusions in the 2017 ES that the Scheme 2 proposed development would have an impact of minor significance upon the setting of the GDL causing a neutral effect.

18.111 The appellants have clearly made significant efforts to mitigate the effects of the development both in the Scheme 1 design and the Scheme 2 revisions. However, it is considered that, despite the reduction in the scale and height of the scheme since 2015, neither the 2015 nor the 2017 proposals would avoid or reduce adverse impacts on the GDL in line with the mitigation measures set out in the GDL guidance.

18.112 Either development would represent a significant intervention in one of the most sensitive and visually prominent elements of the GDL, of which the Hamilton building is a key component and forms a focal point in views. The scale and massing of the proposed development would overload and dominate the hill. As such, neither proposal avoids nor reduces significant adverse impacts on the Calton Hill area of the GDL.

The Old Town Conservation Area

18.113 We heard that the character of the Old Town Conservation Area, which is located to the south of the site, includes an environment of enclosed streets and dramatic changes of level with numerous framed distant views. The conservation area character appraisal states that: "Proposals outside the boundaries of the Conservation Area should not erode the character and appearance of the Old Town or intrude into views of the Castle".

18.114 We find that, in the existing clear view from the Canongate Parish Church and burial ground, that part of the Old Town closest to the Royal High School, the proposed development would damage the relationship of the Hamilton building with Nelson's Monument ([viewpoints 19a and 19c](#)).

Townscape impacts

18.115 The appellants' contend that the proposed development is in scale with other development along Regent Road. We agree with the council that this places undue emphasis on the relationship of buildings along the road, rather than recognising the building forming part of a composition on a hillside.

18.116 The TVIA finds a significant beneficial effect on the character of the site. However, because a relatively large area of the site would change from being undeveloped to being built on, the appellants inquiry evidence is that this effect on the character of the site would be adverse. We agree.

18.117 The TVIAs for Scheme 1 and Scheme 2 identify a significant effect on the Calton Hill TCA, with the magnitude of change judged to be moderate. The appellants' evidence to the inquiry is that the magnitude of change of the proposal on the Calton Hill TCA would be

small at most, because its relationship with the wider landscape is not affected, the urban grain remains unchanged, the topography remains unchanged, the hilltop remains open and the proposed buildings are not out of scale with existing development. The effect on the Calton Hill TCA would be minor.

18.118 We disagree with that assessment. There is no disagreement amongst the parties that the profile of the 'crag and tail' landform of Calton Hill is clearly perceptible from several viewpoints. We have identified in the paragraphs above a number of viewpoints where the relationship of Calton Hill with the wider landscape is adversely affected and the appreciation of the 'crag and tail' landform would be impeded.

Visual impacts

18.119 The visual assessments for Scheme 2 identify significant adverse visual effects for four viewpoints: [35](#), [32](#), [21](#) and [19c](#).

18.120 Drawing on our site inspections, aided by the photomontages for viewpoints 35, 32 and 21, we agree with the council that the height and mass of the wings would block views across the Hamilton building and would alter the picturesque and historically significant composition of the Hamilton building with Calton Hill as a backdrop.

18.121 In the relatively local view from viewpoint 19c at Canongate Parish Church, we are in no doubt that the proposed development would compromise the relationship of the Nelson Monument (which would appear to rise from the hillside just above the roof of the west wing) to the hill, again damaging the picturesque and historically significant composition of the Hamilton building with Calton Hill.

18.122 The effect on Viewpoint 4 changes from adverse in the Scheme 1 ES to beneficial. In the Scheme 2 ES. Whilst the Scheme 2 development would be slightly set back and lower, we nonetheless find that its height and mass would introduce a new, visually powerful focal point in the view. The introduction of the new building would disrupt the sequence of views created to 'reveal' the Hamilton building.

18.123 Viewpoint 27 further along the road is noted as a significant beneficial effect. However, we agree with the council that it would be adverse, due to the new building creating a powerful focal point. For receptors moving eastwards currently, the visual effect of the Hamilton building is dominant. We say that the proposals by virtue of their scale, mass and height would overpower the Hamilton building so that would no longer be the case. Views to the existing features of Calton Hill would also be blocked, damaging a unique visual experience.

Conclusions

18.124 We find, based on the above, that the proposed development would adversely affect the setting of the Old Town Conservation Area; the Garden and Designed Landscape; the Special Landscape Area; and that there would be significant adverse townscape and visual impacts.

18.125 We therefore conclude that the proposed development is contrary to Policies Env 6, Env 7, Env 11 and Des 11 of the Edinburgh Local Development Plan.

19 Impact on residential amenity

Main points for the appellants

19.1 The council's concerns appear to be confined to (i) the loss of daylight to windows on the side elevation of 1 Regent Terrace and (ii) the loss of sunlight provision to the garden at 1 Regent Terrace, in each case arising from Scheme 2 only.

19.2 Detailed guidance on this is contained within the Council's Edinburgh Design Guidance (October 2017), which supports Policy Des 5. In relation to loss of daylight, it provides that reasonable levels of daylight should be maintained. It specifically provides in this case, is generally not protected. However, the appellants assessed the loss of daylight to the gable end of 1 Regent Terrace for the purposes of the Environmental Statement for Scheme 2. The results of that assessment showed that the vertical sky component for the three windows in the gable end of 1 Regent Terrace was 0.9 of the baseline, which is greater than the requirement in the Edinburgh Design Guidance.

19.3 The assessment of loss of sunlight to the garden at 1 Regent Terrace concluded that the percentage of the garden area receiving at least 3 hours of sunlight on 21 March is currently 56.6% and would be 50.4% following development of Scheme 2. The percentage area receiving sunlight for at least 3 hours on 21 March following the development of Scheme 2 would therefore be 0.9 of its former value. The percentage of the garden area of 1 Regent Terrace receiving sunlight following the development of Scheme 2 would therefore be greater than 50% and also greater than 0.8 of its former value, in accordance with the requirements agreed with the council in accordance with the Edinburgh Design Guidance.

19.4 The basis upon which the council considers that a reduction in the sunlight provision to a garden area will impact on the quality of townscape is not clear. The appellants submit that this is not a matter for townscape impacts.

19.5 There would be no unreasonable loss of daylight or sunlight and there would not be an adverse impact on the amenity of neighbouring occupiers.

Main points for the council

19.6 The closest residential property to the application site is the category 'A' listed, New Town terraced dwelling house at 1 Regent Terrace. The east elevation of the proposed building is positioned 2.25 metres from the application site boundary and 13.25 metres from the side boundary of the rear garden of this property. Although the proposed building is a similar height on this elevation to the Scheme 1 proposal, it has a more steeply stepped profile and is closer to the eastern boundary of the application site.

19.7 There would be a reduction in average sunlight exposure to the rear garden of 1 Regent Terrace on 21 March, from 3.8 hours to 3.3 hours, and in the percentage of area receiving 3 hours of sunlight on this date from 56.6 to 50.4%, as illustrated in the Environmental Statement. This loss would mainly occur between the hours of 13.00 to 15.00 hours, with the most noticeable impact occurring around 14.00 hours, when the proposed building to the west would have a significantly greater overshadowing effect than the existing one.

19.8 The appellants' conclusions are not accepted by the council in relation to the Scheme 2 proposal, as they are based on an incomplete interpretation of the guidance on the assessment of sunlight provision in the Edinburgh Design Guidance. The appellants' assessment fails to take full account of the impact of the proposals on the quality of the existing area of established townscape.

19.9 The Edinburgh Design Guidance advises that the qualities of the existing space and the effects of sunlight, both before and after, will inform whether any resulting loss of sunlight is considered adverse. In this case, the area of garden involved is an attractive landscaped area set within an established area of high quality, historic townscape, which currently receives a greater percentage of sunlight provision at a key part of the day. The affected area of garden ground is also considered to have particular value in terms of residential amenity, given that other parts of the garden are subject to more overshadowing from the existing dwelling house.

19.10 The adverse impacts found on sunlight provision to this property demonstrate that the layout and positioning of this building are not compatible with the established townscape and would result in a material loss of residential amenity to the occupiers of this property.

19.11 The council considers that the impact of the Scheme 2 proposal on sunlighting at 1 Regent Terrace would not be acceptable, contrary to Policy Des 5 of the LDP. The council considers that other impacts on residential amenity are acceptable, subject to appropriate mitigation safeguarded by condition.

Main points for The New Town and Broughton Community Council

19.12 It does not seem plausible or feasible that the level of activity resulting from this proposal would be accommodated without significant detrimental impact on visual amenity or more importantly, on the amenity of nearby residents. Daily deliveries would be from a multitude of different providers with the result that they could not be scheduled adequately to ensure that the existing small service door would be used rateably throughout the normal working day – rather, there would be a continual backlog of large service vehicles queueing in the immediate vicinity. This reinforces the unviable and infeasible nature of both the proposed servicing arrangements and more generally, whether this building can be suitably adapted without prejudicing the amenity of both local residents, the occupants of the hotel and the wider community to provide the necessary facilities that a hotel of this size and standing would require.

Main points for the Regent, Royal, Carlton Terraces and Mews Association/ Mr MacDonald

19.13 On the face of it, the rear of the property at 1 Regent Terrace is north facing, and part of a terrace. However, the reality on the ground is that the garden, which is on a very steep slope and rises to roof level, actually faces due south. Moreover, the property is at the end of the terrace, and therefore also enjoys a large amount of light from directly west. Both elevations are directly and adversely impacted by the proposed east wing.

19.14 The proposed east wing of the hotel very seriously and adversely affects the property in relation to daylight, sunlight, privacy and immediate outlook, and no amount of modelling and apparent objectivity can change that.

Main points for other parties

19.15 Ruth MacDonald lives at 1 Regent Terrace and is the nearest neighbour to the proposed east wing of the hotel.

19.16 In regard to privacy, overshadowing, scale and massing, several storeys of bedrooms and corridors with floor to ceiling glass would look directly into her living room, bathroom, bedroom, sunroom and garden. The lack of proportion of the proposed building alongside a domestic property has been likened to a gigantic cruise liner mooring alongside a small rowing boat. The size, scale, and sheer mass of the proposed east wing so close to her gable wall and garden would block out a substantial part of the sky and a significant amount of light to the side and rear of her home and garden. The proposed new wing (for either Scheme 1 or Scheme 2) would be sited significantly closer to the boundary wall than any building previously.

19.17 In regard to light impact, the proposed east wing (whichever version) would block out sunlight and sky during the day, it would have the opposite and equally detrimental effect at night. The multiple floors and multiple windows of the proposed wing would be lit up like a vast ocean liner. What has been a peaceful residential street for 200 years would never again experience true nightfall. This would destroy the character and setting of what was intended as, and has always been, a residential area.

19.18 The proposed east wing is intended to house the main services and the service entrance. This includes the extractor fans for kitchens serving the entire complex. The greasy, smelly fumes would be expelled directly at her gable wall and garden, just a few metres away. The prevailing wind from the west would multiply this effect.

19.19 The sound of extractor fans, delivery trucks, laundry, bin emptying and all the other activities of a large commercial enterprise would occur 24 hours per day, just metres away from her home. The developers rely on science and decibel readings to reassure us that the noise would be “acceptable”, whatever that is. But one has only to ask residents living next to the hotels on Royal Terrace to find that these promises turn out to be hollow and false. The hotel proposal envisages all services for this very large commercial complex gaining access through a tiny doorway at the east side of the site. Considerable back-up of traffic would occur along Regent Road, producing noise, fumes and increased congestion. None of this is compatible with the character and setting of this residential area, Regent Terrace and our home.

Reporters' conclusions

19.20 We recognise that the proposed development would result in a more than trivial change to the living conditions of nearby residents, and particularly those closest at 1 Regent Terrace.

19.21 On our accompanied site inspection we noted that the garden area of that property is attractively laid out and clearly well used and appreciated. We are in no doubt that the physical presence of the east wing especially would affect the ambience of the garden. That would be more so with the Scheme 2 proposal compared to Scheme 1. We do not, however, consider that this would be to an overbearing degree, largely due to the extent of physical separation.

19.22 We note that the council considers the loss of sunlight to the rear garden of 1 Regent Terrace to be unacceptably adverse. The council agrees with the appellants' assessment that there would be a reduction in average sunlight exposure to the rear garden of 1 Regent Terrace on 21 March, from 3.8 hours to 3.3 hours, and in the percentage of area receiving 3 hours of sunlight on this date from 56.6 to 50.4%, as illustrated in the Environmental Statement. This loss would mainly occur between the hours of 13.00 to 15.00 hours, with the most noticeable impact occurring around 14.00 hours, when the proposed building to the west would have a significantly greater overshadowing effect than the existing one. We have no objective evidence to challenge those findings and accordingly adopt them as our own.

19.23 The appellants' conclusions are not accepted by the council as they are said to be based on an incomplete interpretation of the guidance on the assessment of sunlight provision in the Edinburgh Design Guidance. The appellants' assessment is contended by the council to fail to take full account of the impact of the proposals on the quality of the existing area of established townscape. This is on the basis that the Edinburgh Design Guidance advises that the qualities of the existing space and the effects of sunlight, both before and after, will inform whether any resulting loss of sunlight is considered adverse.

19.24 We agree that the affected garden is an attractive landscaped area set within an established area of high quality, historic townscape. Like the appellants, though, we see no persuasive reason why the degree of lost sunlight considered to be acceptable in such an area should be different from a garden located in an area of different character, in residential amenity terms alone. On this basis we find that the extent of sunlight to the garden would be reduced, but would remain within the council's guidance.

19.25 The hotel bedroom windows on the elevation facing on to neighbouring gardens would be fitted with a mix of translucent and opaque glazing. We agree with the council that this would adequately safeguard privacy at neighbouring properties.

19.26 The appellants indicate that there would be only soft lighting located on the facades close to residential properties. We are confident that this matter could be adequately safeguarded by the imposition of a condition requiring the submission and approval of an external lighting strategy.

19.27 It is clear that a degree of change would also arise due to servicing and other movements, and potentially also from increased noise and disturbance, fumes and odours.

19.28 In the context of a relatively dense urban area also located within the city centre, and where other commercial premises are present to a limited extent, it cannot be reasonably expected that no change will occur. The imposition of appropriate conditions would be sufficient to adequately safeguard these matters.

19.29 We are satisfied, based on the above findings, that the degree of change likely to be experienced in regard to residential amenity would not be unacceptably adverse. We therefore conclude that the proposed development is consistent with Policy Des 5 of the Edinburgh Local Development Plan.

20 Impacts on tourism and the economy

Main points for the appellants

Introduction

20.1 SESplan identifies South East Scotland as the main growth area and key driver of the Scottish economy, with Edinburgh at its heart. The SDP notes that there is a need for significant investment in infrastructure if new opportunities are to be realised. The proposals accord with the economic and spatial strategy of the SDP in that the new hotel would contribute significantly to the development of the tourism sector, delivering new high-quality accommodation in Edinburgh City Centre. Both Schemes 1 and 2 would deliver significant economic benefit. The LDP acknowledges the Council's wider economic strategy of seeking sustainable growth through investment in jobs. The role of the tourism sector in contributing to the strength of Edinburgh's economy is recorded.

20.2 The Edinburgh LDP sets out to ensure that development in the city centre is on the basis of achieving an appropriate balance between competing priorities in terms of realising economic potential, with protection of its built and natural heritage. City centre development proposals are to be assessed in relation to Policy Del 2. This policy confirms that development proposals in the city centre will be permitted where these maintain and enhance its character, attractiveness, vitality and accessibility and contributes to its role as the strategic business and regional shopping centre, and its role as a capital city.

20.3 The principle of a new hotel development proposal is addressed in Policy Emp 10. The city centre is the preferred location for most visitors. Policy EMP 10 confirms that new hotel development is to be permitted in the city centre. The LDP notes that tourism is the third biggest source of employment in Edinburgh, providing jobs for over 31,000 people. Maintaining and developing this sector relies upon sufficient provision of high quality tourist accommodation. Reference is made to the 2006 study commissioned, for the council, which identified the particular importance of hotels in generating economic benefit from growth in tourism. The study identified a requirement for circa 4000 new hotel rooms by 2015 to help meet predicted growth in demand.

20.4 The Hamilton building would become accessible to the general public for the first time and would be enhanced by the measures set out in the developers' Arts and Culture strategy. The significant benefits to both economic growth and the wider Edinburgh community could not be achieved without the demolition of the two listed and two curtilage buildings.

Economic benefits

20.5 The proposed development would bring significant economic benefits. This is confirmed in the updated [Oxford Economics Economic Impact Assessment](#) that sets out the net economic benefits that would flow from the investment in the hotel and expenditure by hotel guests. This would create a substantial benefit to both Edinburgh and the national economy over a sustained period.

20.6 The Economic Impact Assessment takes the gross estimates in the previous two studies for the proposed 127 and 147 room hotel, puts them on a directly comparable basis over the period 2019-2026, and makes them more Green Book compliant. It achieves the

latter by removing displacement, allowing for optimism bias and presenting the results on a net present value basis.

20.7 Focussing on the economic activity that is permanent, that is when the hotel has become established after year 3, the proposed Rosewood Hotel at 147 rooms would support an average of £21.3 million in gross value added to the city's GDP, net of displacement and with a 20 percent optimism bias reduction. It would support an average of 710 jobs a year. So for every 1 job at the hotel, another 1.7 are supported elsewhere in the city. The new hotel is estimated to stimulate £9.6 million in additional tax receipts a year.

20.8 To give a sense of scale, the Office for National Statistics Annual Population Survey data suggests there were 269,300 people employed in the City of Edinburgh local authority area in 2017. If the proposed hotel at 147 bedrooms supports an average of 550 people in employment over the eight years this is 0.2 percent of total employment in the city. If it supports 710 people in employment in permanent jobs, this is 0.3 percent of total employment in the city.

20.9 The comparable figures for the 147 bedroom variant of the proposed Rosewood Hotel on the Eastern Scotland region are £22.4 million GDP added during permanent operation, supporting 730 jobs.

20.10 The proposed 147 bedroom Rosewood Hotel is estimated to support an average of 620 people in employment in Scotland each year over the first eight years on a net basis and after allowance for 20 percent optimism bias. This equates to 3.1 and 1.5 percent of the employment supported by the golf and whisky production industries in Scotland, respectively (on a gross basis). Considering the estimates of 770 people employed by the hotel on an ongoing basis, this is 3.9 percent of the employment supported by the golf industry in Scotland and 1.9 percent of that supported by the Scotch whisky production industry.

20.11 The proposed Rosewood Hotel at 147 bedrooms is estimated to support a £23.0 million average gross value added contribution to GDP (in 2017 prices) each year after displacement and 20 percent optimism bias over the first eight years. This is 4.2 and 3.6 percent of the value added (in 2017 prices) supported by the golf and aquaculture industries in Scotland each year, respectively. If the average annual value added contribution of £24.7 million of the 147 bedroom hotel once operational is considered, its comparative beneficial impact increases to 4.5 and 3.8 percent of the golf and aquaculture industries' contribution.

20.12 The proposed 127 bedroom scheme would be economically viable, but the 147 bedroom scheme would be preferable commercially: there would be a greater margin of safety. Both schemes would be of national importance. The development of 'high-end' hotels aligns with Edinburgh's tourism strategy.

Quality of the hotel development

20.13 Colliers was asked to review other possible locations in Edinburgh that might be suitable or available to accommodate a hotel development of the quality proposed. Their [updated report](#) concludes that there are no reasonable prospects that the proposals – and as a result the associated economic and community benefits – would be delivered at another location in the city. Edinburgh is an under-supplied hotel market and it is

underperforming economically as a result. This shortage of hotel rooms is particularly acute at the luxury end of the market with Edinburgh having fewer rooms in absolute terms and as a percentage of the total hotel stock than, for example, Dublin.

20.14 In addition to this, the very significant intangible and less easily measured benefits that cities gain following the opening of a world-class luxury hotel should be taken into account. This includes improved profiling of the city on a global stage, ability to attract Ultra High Net Worth and High Net Worth Individuals to visit the city and perhaps to then decide to invest further in the city and in Scotland.

20.15 There is not another site in Edinburgh that meets the qualifying criteria for a world-class luxury hotel in the timeframe within which the former Royal High School would come to fruition, or is simply not available for development at this time. A detailed review was carried out of 22 potential sites throughout the city with only the appeal site meeting all of the criteria. The research did identify the potential of St Andrew's House but this is not considered to be available and as such is not a realistic opportunity at this time. Were it to become available there would be design challenges around the fenestration and ceiling heights.

20.16 The council cites the recent granting of permission for the former RBS headquarters in St Andrew's Square. This is being developed not as a hotel but rather as short-let apartments – a long way short of what is proposed for the Rosewood Hotel.

20.17 No viable alternative use for the appeal site has been identified that would bring anything near the same level of economic benefits.

Assessment of alternative use approaches

20.18 It is appropriate to assess Scheme 1 and Scheme 2 against the following potential uses:

- (a) Office
- (b) Budget hotel
- (c) Private rented sector
- (d) Student residential

20.19 To determine overall viability under the existing Scheme 1 or Scheme 2 proposals, models have been built for each of the above uses. These reflect the overall massing and footprint arrangements together with market-led costs and revenues. As with the original study, development appraisals have been undertaken with the aim of generating a residual land value. A positive outcome signifies a viable development whereas a negative outcome signifies unviable development.

20.20 The appraisals for office, private rented sector and student residential are negative under both Scheme 1 and Scheme 2 designs. This confirms that the economic impact of the proposed hotel development within either Scheme 1 or Scheme 2 cannot be achieved in another way under realistic development situations for these uses.

20.21 The budget hotel appraisal delivers a positive outcome for both Scheme 1 and Scheme 2. To investigate viability a smaller development has been modelled considering

development only of the proposed East Block within Scheme 1 and Scheme 2. The outputs at this level are marginally negative for Scheme 1 and marginally positive for Scheme 2. This is therefore, considered to be the breakeven point for financial viability of a budget hotel-led development.

20.22 The long-term leasing arrangement between the council and the appellants requires the site to be operated as a hotel of international standing. Inclusion of a budget hotel within the development would likely mean the developer/ operator is in breach of its leasing conditions. It is therefore, contended that the development of a budget hotel would not be permitted by the ultimate owner.

20.23 RHSPT has submitted and secured planning permission for redevelopment of the site as a music school. There has been further suggestion that the former Royal High School has potential for reuse by other parties including the University of Edinburgh or development into an 80-bedroom boutique hotel. The University of Edinburgh has confirmed that it has no intention to acquire the site for its operational purposes. Appraisals have also been undertaken for both an 80-bed and 100-bed boutique hotel to ascertain if a development of this nature in isolation would be viable. Both residual land values are negative and it is concluded that development under this scenario is not viable in both instances.

20.24 Appraisals reflecting the proposed Scheme 1 and Scheme 2 footprints are mostly negative. Under this scenario, development including a budget hotel is positive and therefore financially viable. However, when assessed qualitatively there are operational, financial and legal restrictions that affect overall viability and ultimately prevent this use being taken forward.

20.25 All suggested alternative scenarios are either not under consideration by the end occupier or are not viable. The net economic benefits of the two proposed schemes cannot be achieved by an alternative use on the site of the former Royal High School.

Appraisal of the business and funding case for the RHSPT proposal

20.26 There are major uncertainties as to reliance on the RHSPT proposal as a continuing beneficial use for the former Royal High School.

20.27 No financial information is contained within the RHSPT planning application, nor any business plan. Nor is there any information on costs, income projections and funding associated with the School project and relocation.

20.28 This raises fundamental questions about whether the music school project is deliverable at the former Royal High School site. It raises the simple fact that none of the specific questions regarding the delivery and ongoing viability of the music school project appear to have been addressed by the council in granting planning permission to RHSPT. Based on the information made available to the council at that time there appears to have been a lack of due diligence in investigating its funding and deliverability. The level of certainty that could be attributed to these matters from the submitted information is vague and flimsy. At best, any claims or assurances given by the RHSPT appear to have been based on the largesse of the Trust's backers, but without any specific business case evidence. As such there must be a significant level of doubt around the delivery of the music school project.

20.29 This brings into doubt the reliance that can be placed on the music school proposal being regarded as a realistic, financially viable and deliverable alternative to the appellants' hotel development.

Main points for the council

Policy Context

20.30 The economic and employment policies of the LDP aim to assist in delivering economic development in accessible places, including the city centre, consistent with the relevant provisions of Scottish Planning Policy (SPP) and National Planning Framework 3 (NPF3). The LDP recognises the importance of the tourism sector to the economy.

20.31 The provision of a proposed hotel at this central location complies with the general provisions of LDP Policy Emp 10 (Hotel Developments). The proposals comply, in part, with LDP Policy Del 2 (City Centre) and the Princes Street Block 10 Development Brief. However, it is considered that both the Scheme 1 and Scheme 2 proposals do not accord with the development plan overall as they breach a significant number of LDP policies relating to impact on heritage assets.

20.32 The principles of the SPP include a presumption in favour of development contributing to economically, environmentally and socially sustainable places. The proposed re-use of this existing building, for a tourism-related use, at this accessible city centre location, responds to SPP principles supporting economic growth. However, it is contended that the many damaging and irreversible impacts found as a result of the proposals on the city's cultural and historic heritage, demonstrate that the proposals would fail to meet SPP requirements and are not considered to be consistent with the SPP objective to deliver the 'right development in the right place'.

Net Economic Impacts and whether these benefits could be delivered elsewhere

20.33 The economic impact levels projected by Oxford Economics are based on several assumptions that appear high in relation to the ready-reckoners used by the council's Economic Development Service. It is accepted that an exceptionally high quality hotel may have greater impacts than would typically be expected but this means the economic impacts are dependent on the quality of the hotel being sustained. It is considered that the displacement levels of 20%/ 22.5% quoted by Oxford Economics for 2022 are not unreasonable; however, this is tied to the exceptionally high-quality nature of the hotel.

20.34 The projected economic impacts of the hotel are not thought to be strategically significant in an Edinburgh context – a single large-scale office development could be expected to directly support over five times as many jobs.

20.35 It is acknowledged that the proposals would contribute towards the supply of existing hotel sites in the city's 'pipeline'. The proposals could potentially help meet demand for 'high-end' tourism accommodation in the city centre. It is recognised that such hotels have the potential to generate higher than average employment rates and other related benefits.

20.36 The appellants' additional inquiry evidence, ostensibly demonstrating the net impacts of the development, is not considered sufficiently robust to enable a fully realistic assessment of net economic impacts and to capture in a meaningful way the resulting

contributions to the economy, in accordance with provisions of SPP. It is observed that the particularly high level of predicted economic benefits and range of these impacts on the wider economy appear to rely heavily on the hotel's continued use as a '6 star' hotel. It is maintained that neither the quality of service, or continued use of the premises as such a high end hotel, can be ensured through the planning system. This is also the case in terms of how the hotel is operated. Therefore, it is concluded that the risk of the hotel being run as a '4' or '5 star' hotel should be taken into account when considering potential uncertainties.

20.37 It is further contended that if no sites are available currently to meet the requirements of this particular hotel operator, the economic benefits arising may be delivered through the uptake of a suitable windfall site, or incrementally through the uptake of a number of smaller sites by other operators, which together could deliver similar overall benefits to the city's economy.

20.38 Notwithstanding these considerations, the predicted extent of economic impacts arising from both the Scheme 1 and Scheme 2 proposals are significantly lower than those arising from a new, city centre office development. The impacts of the proposals are not considered to make a strategically significant contribution to the wider, regional or national economy.

20.39 The city's historic and cultural heritage and landscape setting are recognised as key attributes which attract tourists to the city. The proposed development would result in significant, long-term, damage to the city's cultural and historic heritage and landscape quality, potentially impacting on its status as a World Heritage Site, and reducing its attractiveness to tourists. There is the risk that such adverse impacts could result in long-term, harmful consequences for the city's tourist economy.

Main points for The Cockburn Association/ Edinburgh World Heritage/ The New Town and Broughton Community Council

20.40 We have commissioned an assessment of benefit, which considers heritage benefits from conservation and restoration actions. The model used did not directly calculate the improved economic prospects in the City of Edinburgh arising from improvement or protection of the World Heritage Site. However, it is widely accepted that conservation projects and heritage act as a catalyst for the economy of cities and places and can be perceived as an economic driver.

20.41 The uniqueness of Edinburgh attracts visitors and plays an important part in the wellbeing of local communities and residents. Historic buildings have different origins and tend to be heterogeneous. For example, the Royal High School represents a unique listed building that if respondents in our survey had known the future plans, then they would support its protection.

20.42 The main concluding points from our study are that: a) across the socio-economic spectrum of respondents there is commitment to Edinburgh's World Heritage Site; b) almost two thirds of residents and visitors are willing to contribute financially for the restoration, maintenance and conservation of the World Heritage Site; c) Edinburgh's World Heritage Site is seen as a public good where it should be protected for future generations; d) businesses were less willing to contribute financially, however, their average 'Willingness to Pay' is higher compared to the 'Willingness to Pay' of residents and visitors.

Main points for the Royal High School Preservation Trust

20.43 The original Oxford Economics (2017) study did not properly account for displacement and therefore the economic impact was overstated. There were additional concerns regarding the application of discount rates. There continue to be concerns regarding the lack of transparency with the updated 2018 study. The revised report does, however, start to engage with the concept of optimism bias and displacement effects.

20.44 The proposed adjustments for direct displacement are insufficient. Assuming average room rates of £217 – in line with the stated assumptions in the original HVS analysis – the Oxford Economics analysis potentially overstates the total economic impact of the 127-room development by at least £9.7 million, and in the case of the 147-room development, by at least £11.2 million in present value terms.

20.45 Optimism bias has not been accounted for appropriately, and the estimates of net economic impact are significantly greater than might actually be the case.

20.46 We would disagree with the assertion that the development of a new hotel would necessarily induce demand. If the best evidence relates to a large multi-use development, it would not be reasonable to base an assertion about supply generating its own demand on a particular component of a larger development (i.e. the hotel).

Reporters' conclusions

20.47 We are in no doubt that both the Scheme 1 and Scheme 2 proposals would result in significant economic benefit. There is no consensus between the parties as to the extent of such impacts. There is also criticism of the methodologies used in the appellants' studies and accordingly of the forecast arrived at. In these circumstances it is exceedingly difficult, if not impossible, for us to ascribe a precise quantum of likely benefit. However, having carefully considered the appellants' evidence on this matter, together with the criticisms others make, it seems reasonable to us that we accept the appellants' evidence as an approximate indication of what may be achieved.

20.48 Based on the available evidence we say that resultant economic impacts are likely to be significant locally, and potentially also regionally. We think it would be a stretch, however, to conclude that the economic impacts alone (leaving tourism impacts to one side for now) would be nationally significant.

20.49 There can be no disagreement that the economic impacts of Scheme 1 would be greater than those resulting from Scheme 2.

20.50 We are in no doubt that the tourism impact of either Scheme would be at least locally and regionally significant; they may even be nationally significant if the appellant's intention to develop a '6 star' or world-class hotel bear fruit. We do not doubt those intentions, but have no legitimate way of controlling that matter. Accordingly that limits the weight to be afforded to this consideration.

20.51 We do take into account however, the magnificent setting of the building, its nationally important architecture, together with the quality of the development proposals before us. We think it most unlikely therefore, that the resulting hotel might at some time in the future be operated as anything remotely approaching a budget hotel, so can give weight to the likelihood that the hotel would be operated to a very high standard.

20.52 It seems a real possibility that an hotel of the world-class quality described by the appellants may well attract visitors to the city who would not otherwise come. It seems plausible also that many hotel guests would be of high net worth.

20.53 We also recognise and afford weight to the likelihood that the hotel, including through the implementation of the proposed Arts and Culture Strategy, would provide for access by the general public, at least to certain public areas. Such access is clearly impossible in the current circumstances of the building and must be regarded as a notable benefit of the proposals.

20.54 We agree with the appellants, based on the evidence before us, that it would be unlikely that such a special setting and building could be found elsewhere in Edinburgh and be available for hotel development. Accordingly we find that the proposed development may ultimately become pre-eminent in the city's high-end hotel sector.

20.55 We note and agree with the council's contention that other possible development types, particularly office use, would be much more beneficial to the city economy, not least in employment numbers. No such proposal is before us, however.

20.56 Our findings on the alternative RHSPT proposal are set out in Chapter 6 of this report.

20.57 Lastly, we do acknowledge the fears of some parties to the inquiry that that inappropriate development of the appeal site would threaten the quality of the city's heritage assets, thereby deterring some tourists from visiting the city. We agree that such an outcome is possible, but uncertain and unquantifiable.

20.58 We find that the proposed development is consistent with Policy Emp 10 of the LDP, as it entails hotel development within the city centre.

20.59 We find that the proposal complies in part with Policy Del 2 of the LDP, in as far as it would be likely to contribute to Edinburgh's role as a strategic business and shopping centre and Scotland's capital city.

21 Proposed conditions and planning obligation

21.1 Although our recommendation in this case is that the Scottish Ministers should dismiss the appeal and refuse to grant planning permission for the proposed works, we acknowledge that they may come to a different view. We have therefore considered the conditions proposed by the parties that might be attached, together with the need for any planning obligations, in the event that planning permission were to be granted in this case.

21.2 Circular 4/1998: The Use of Conditions in Planning Permissions states that conditions should only be imposed on planning permissions where they are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise, and reasonable in all other respects.

21.3 A schedule of 24 suggested conditions has been put to us, following discussion between the appellants and the council. These suggested conditions are largely agreed between both main parties. Comments on the conditions have also been submitted by The Cockburn Association/ Edinburgh World Heritage/ The New Town and Broughton Community Council coalition.

21.4 The conditions at issue between the parties are suggested conditions 9, 20, 21 and 22.

21.5 Suggested condition 9 relates to the proposed external lighting strategy. The appellants suggest that full details be submitted prior to opening of the hotel. We consider that this would not afford the council sufficient time to assess the proposals and may lead to a delay in opening the hotel. We consider it entirely reasonable to require submission of those details within 12 months of the commencement of development.

21.6 Suggested condition 20, supported by the council, seeks to limit the number of bedrooms to 127. The appellants instead suggest a condition which would regulate the number of bedrooms, their size and the percentage of suites. We understand the parties' motivation for suggesting such conditions, but do not consider that they would meet the test of necessity as the number and disposition of bedrooms are clearly shown on the proposed drawings.

21.7 Suggested condition 21, proposed by the appellants, would stipulate that the principal Hamilton building not be used for bedroom accommodation. Our comments for suggested condition 20 apply here also.

21.8 Suggested condition 22 (condition 20 in Annex 8) requires the submission of an Arts and Culture Strategy to the council for its approval. This condition is opposed by the coalition on the ground that such a requirement would be vague and rely upon the co-operation of third parties. We do not agree: we consider the pursuit of such an objective to be relevant to planning and to the development proposed. It would be likely to ensure wider public access to the main Hamilton building than its use as a hotel only.

21.9 We are otherwise satisfied that the remaining conditions meet the relevant tests set out in the Circular, and that they safeguard outstanding issues raised by consultees.

21.10 Circular 3/2012: Planning Obligations and Good Neighbour Agreements sets out policy tests for the imposition of planning obligations. Such obligations should only be imposed where they meet all of the following tests: necessary to make the proposed

development acceptable in planning terms; serve a planning purpose; relate to the proposed development; fairly and reasonably relate in scale and kind to the proposed development; and be reasonable in all other respects.

21.11 The obligations suggested by the council relate to works to be carried out on Regent Road, and require a financial contribution towards the cost of the Edinburgh Tram. We are content that such requirements would be within the scope of Circular 3/2012; no parties have contended otherwise.

21.12 We therefore set out at Appendix 8 the 22 conditions that we recommend should be attached to any permission, together with the reasons for them, and at Appendix 9 the necessary matters to be safeguarded by planning obligations.

22 Overall conclusions and recommendation for Scheme 2

22.1 The beauty and harmony of central Edinburgh rests on the historical development of a dramatic landscape. Key buildings and spaces survive to connect with the past and to preserve what constitutes the particular distinction of the city in its landscape – its genius loci. The scale of the topography has accommodated change over centuries, which has allowed the city to reinvent and adapt to maintain a vigorous and healthy society.

22.2 The planning regime and the world heritage designation exist to ensure that the most important buildings and townscape are preserved and that current demands and fashions do not deform the beauty and harmony deriving from the special interest of its buildings and universal value of its townscapes. At the same time, these special values contribute to the vitality and economic benefit brought by visitors to the city.

22.3 There is no requirement in national policy or HES guidance that an extension to an old building should look old. The architecture of the proposed development has been approached with honesty and confidence. The solutions are reasonable and well-considered modern interventions.

22.4 In our view, the restoration of the building and part clearance of later additions to expose and enhance the original setting are desirable outcomes. We also note that the architects' approach to the proposed extensions is exemplary and would produce high-quality contextual modern architecture.

22.5 However, this does not add up to an acceptable or beneficial solution where the impact of the scale of the extensions is so harmful to the integrity and setting of this nationally and internationally important listed building in its highly valued setting.

22.6 We conclude that the extent of the works proposed is so great that the setting of the listed building would be dramatically and irreparably harmed. That would not preserve the setting of the listed building, which we consider to be one of the most significant aspects of the listed building.

22.7 We note that the proposed hotel would ensure repair, reinstatement and protection for the principal listed building, Hamilton's masterpiece of Greek revival architecture for the Athens of the North. It would also contribute to the economy of the city and the region.

22.8 However, our examination of the appeal proposal concludes overall that the proposed works would not preserve the listed building or its setting and that the character and appearance of the Edinburgh New Town Conservation Area would be neither preserved nor enhanced. That would be contrary to Sections 59 and 64 respectively of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

22.9 Taking these findings into account, we conclude that:

- the proposal is contrary to Policies Env 2, Env 3 and Env 4 of the Edinburgh Local Development Plan, due to its adverse impacts on the listed building and its setting;
- the proposal is contrary to Policy Env 6 of the Edinburgh Local Development Plan, due to its adverse impacts on the character and setting of the New Town Conservation Area and on the setting of the Old Town Conservation Area;

- the proposal is contrary to Policy Env 1 of the Edinburgh Local Development Plan, due to its adverse impacts on the qualities of the Old and New Towns of Edinburgh World Heritage Site;
- the proposal is contrary to Policy Del 2 of the Edinburgh Local Development Plan, due to its adverse impacts on the character and attractiveness of the city centre;
- the proposal is contrary to Policies Des 1 and Des 4 of the Edinburgh Local Development Plan, due to its adverse impacts on the character and appearance of the area;
- the proposal is contrary to Policy Env 7 of the Edinburgh Local Development Plan, due to its detrimental impact on the character of a site recorded in the Inventory of Gardens and Designed Landscapes and to Policy Env 11 as there would be a significant adverse impact on the special character or qualities of the Special Landscape Area;
- the proposal is contrary to Policy Des 11 of the Edinburgh Local Development Plan, due to its adverse impacts on the skyline and key views of the city centre;
- the proposal is consistent with Policy Des 5 of the Edinburgh Local Development Plan as it would not result in an unacceptably adverse impact on neighbouring residential amenity; and
- the proposal is consistent with Policy Emp 10 of the Edinburgh Local Development Plan, as it entails hotel development within the city centre.

22.10 Overall we conclude that the proposal is contrary to the development plan.

22.11 Notwithstanding that, we must consider whether material considerations indicate that permission should nonetheless be granted. In this regard we have found that the proposed development would significantly contribute to the city's tourism sector and thereby to the city economy. We have concluded that these benefits may be regional in scale. This weighs significantly in favour of permission being granted.

22.12 However, in applying the planning balance, we conclude that those benefits are not sufficient to outweigh the many adverse effects which we have found. We note also that:

- the proposal is inconsistent with those provisions of NPF3 and SPP relating to heritage assets, due to the adverse impacts on the World Heritage Site, the listed building, the setting of nearby listed building, and on the character and appearance of the conservation area;
- overall the proposal does not represent the right development in the right place and does not therefore, benefit from the presumption in favour of development that supports sustainable development, as set out at paragraph 28 of SPP; and
- the proposal is inconsistent overall with the Historic Environment Policy for Scotland (and its supporting guidance), due to the adverse impacts on the World Heritage Site, the listed building, the setting of nearby listed building, and on the character and appearance of the conservation area.

22.13 We therefore recommend that the appeal be refused.

Dannie Onn
Reporter

Scott M Ferrie
Assistant Chief Reporter

Appendix 1: Note of pre-examination meeting

[Pre examination meeting 1](#)

[Pre-examination meeting 2](#)

Appendix 2: Schedule of documents

[Core documents](#)

[Documents for the appellants](#)

[Documents for the council](#)

[Documents for Historic Environment Scotland](#)

[Documents for Edinburgh World Heritage/ The Cockburn Association/ The New Town and Broughton Community Council](#)

[Documents for Architectural Heritage Society of Scotland](#)

[Documents for Royal High School Preservation Trust](#)

[Documents for Regent, Royal, Carlton Terraces Mews Association](#)

Appendix 3: Inquiry session 1: precognitions

Precognitions submitted by the appellants

[Andrew wright](#)

[Andrew Wright rebuttal](#)

[Roger Mascal](#)

[Hannah Tweedie](#)

[Hannah Tweedie rebuttal](#)

[Gordon Gibb](#)

[Gordon Cameron Murray](#)

[Richard Collins written submission](#)

[Marc van Grieken](#)

[Robert Tavernor](#)

[Gary Mappin](#)

[Gary Mappin rebuttal](#)

[Gary Mappin conservation areas note](#)

Precognitions submitted by the council

[David Leslie](#)

[David Leslie rebuttal](#)

[Julie Waldron](#)

[Julie Waldron rebuttal](#)

[Euan McMeeken](#)

[Euan McMeeken rebuttal](#)

[Carla Parkes](#)

[Carla Parkes rebuttal](#)

Precognitions submitted by Historic Environment Scotland

[Catherine Middleton](#)

[Catherine Middleton rebuttal](#)

[Steven Robb](#)

[Steven Robb rebuttal](#)

[Susan Denyer](#)

[Susan Denyer rebuttal](#)

Precognitions submitted by The Architectural Heritage Society of Scotland

[John Lowrey](#)

[Peter Drummond](#)

Precognitions submitted by The Cockburn Association/ Edinburgh World Heritage/ The New Town and Broughton Community Council

[Kirsten Carter McKee](#)

[Adam Wilkinson](#)

[Richard Price](#)

[Terry Levinthal](#)

Precognitions submitted by the Royal High School Preservation Trust

[Colin Liddell](#)

[David Narro](#)

[James Welsh](#)

Precognitions submitted by the Regent, Royal, Carlton Terraces and Mews Association

[Carol Nimmo](#)

Precognitions submitted by other objectors

[Ruth MacDonald](#)

[Neil Harrison](#)

[Rosemary Addison](#)

Appendix 4: Inquiry session 2: precognitions

Precognitions submitted by the appellants

[Andrew Logan](#)

[Russell Kett](#)

[Mark Jones](#)

[Marc Finney](#)

[Gary Mappin](#)

Precognitions submitted by the council

[Kyle Drummond](#)

[Carla Parkes](#)

[Carla Parkes rebuttal](#)

Precognitions submitted by The Cockburn Association/ Edinburgh World Heritage

[Spiros Batas](#)

Precognitions submitted by the Royal High School Preservation Trust

[Gavan Conlon](#)

Appendix 5: Hearing session statements (conditions and planning obligation)

[Appellants' hearing statement](#)

[CEC hearing statement on conditions and planning obligations](#)

[Final schedules of suggested conditions with annotations by the parties](#)

[Final schedules annotated by AHSS](#)

Appendix 6: Closing statements

[The appellants](#)

[The council](#)

[Historic Environment Scotland](#)

[The Architectural Heritage Society of Scotland](#)

[The Cockburn Association/ Edinburgh World Heritage/ The New Town and Broughton Community Council](#) and [Addendum](#)

[The Royal High School Preservation Trust](#)

[The Regent, Royal, Carlton Terraces and Mews Association](#)

Appendix 7: Representations from Mr Black

[Representation from Mr Black dated 16 November 2017](#)

[Inquiry statement from Mr Black](#)

[Representation from Mr Black dated 24 September 2018](#)

<http://www.dpea.scotland.gov.uk/Document.aspx?id=360980> representation dated 8 April 2016

<http://www.dpea.scotland.gov.uk/Document.aspx?id=391012> Exchange with Mr Black regarding procurement exercise undertaken by CEC

<http://www.dpea.scotland.gov.uk/Document.aspx?id=391146> Further exchange with Mr Black regarding procurement exercise undertaken by CEC

<http://www.dpea.scotland.gov.uk/Document.aspx?id=383508> Exchange with David Black clarifying Note of PEM

<http://www.dpea.scotland.gov.uk/Document.aspx?id=381853> Submission on status of appeal

<http://www.dpea.scotland.gov.uk/Document.aspx?id=520004> Statement (PPA-230-2213)

Attachment from PPA-230-2213 - written submission - summary of core arguments - MASTER COPY (no link as not published)

<http://www.dpea.scotland.gov.uk/Document.aspx?id=546860> Published version of above

<http://www.dpea.scotland.gov.uk/Document.aspx?id=547565> Comments on submission of oral evidence at inquiry (PPA-230-2213)

<http://www.dpea.scotland.gov.uk/Document.aspx?id=547943> Further comments from Mr Back (PPA-230-2213)

Attachment - RHS EU legal arguments – 1 October 2018

<http://www.dpea.scotland.gov.uk/Document.aspx?id=607708> Seeking update on progress of reports and further query regarding contract between GEC and appellant (PPA-230-2213)

<http://www.dpea.scotland.gov.uk/Document.aspx?id=361029> Representation – 8 April 2016 (LBA-230-2076)

Appendix 8: Schedule of proposed planning conditions

Scheme 1

	Condition	Reason
1	No development, including demolition, shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (Historic building recording, excavation, analysis, reporting and publication, interpretation and public engagement) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority. The work must be carried out by a professional archaeological organisation, either working to a brief prepared by CECAS or through a written scheme of investigation submitted to and agreed by CECAS for the site. Responsibility for the execution and resourcing of the programme of archaeological works and for the archiving and appropriate level of publication of the results lies with the applicant.	In order to safeguard the interests of archaeological heritage.
2	A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Planning Authority before work is commenced on site. Note: samples of all external materials will be required.	In order to enable the planning authority to consider these matters in detail.
3	Prior to the commencement of works on site, sample panels, to be no less than 1.5 metres x 1.5 metres in size, shall be produced, demonstrating each proposed external material and accurately indicating the quality and consistency of future workmanship, and submitted for written approval by the Planning Authority.	In order to ensure the adequacy of external building materials.
4	Notwithstanding the provisions of conditions 2 and 3, pre-patinated copper cladding shall be used for external cladding with a profile and finish to match the sample panel constructed on site for the site visit of the Development Management Sub Committee held on 7 December 2015.	In order to ensure that a high standard on finish is provided, as appropriate at the site's highly sensitive location.
5	Before work commences on site, a sample of masonry work, indicating courses, surfacing finish and pointing, shall be prepared for inspection on site and shall be approved in writing by the Planning Authority. Thereafter, work shall be implemented in accordance with the approved details.	In order to enable the planning authority to consider this matter in detail.

6	<p>The following noise protection measures to the proposed hotel, as defined in the Environmental Statement - Volume 3 Noise and Vibration' report dated 10 September 2015, shall be implemented in full and completed prior to the development being occupied:</p> <ul style="list-style-type: none"> - Glazing units with a minimum sound reduction level of $R_w=44\text{dB}$ with no open windows facing the existing residential properties shall be installed for the external doors and windows of the entertainment spaces. - Internal partitions surrounding the entertainment space with a minimum sound reduction level of $R_w=44\text{dB}$ shall be installed. 	In order to ensure that the amenity of neighbouring occupiers is safeguarded.
7	<p>Prior to the first occupation of the development, details demonstrating that noise from all proposed plant or other ventilation equipment (including air source heat pump system) complies with NR25 within the nearest residential property (allowing for windows partially open for ventilation purposes) shall be submitted and approved in writing by the Planning Authority. Thereafter, only approved plant shall be installed either within, attached to or located immediately adjacent to, the existing and resulting buildings hereby approved.</p>	In order to safeguard the amenity of neighbouring occupiers.
8	<p>Full details of the proposed secondary abatement technology to be used at the proposed gas powered energy plant shall be submitted to and approved by the Planning Authority and implemented on site, in accordance with approved details, prior to the occupation of the buildings for the proposed uses.</p>	In order to safeguard local air quality, in the interests of neighbouring amenity.
9	<p>Full details of the proposed external lighting strategy within the boundaries of the proposed hotel premises, shall be submitted to and approved in writing by the Planning Authority, within 12 months of the commencement of development; and shall be implemented on site, in accordance with the approved strategy prior to the occupation of the hotel and retained in perpetuity.</p>	In order to allow the planning authority to consider these matters in detail.
10	<p>The approved landscaping scheme shall be fully implemented within the first planting season of the completion of the development; and thereafter shall be maintained by the applicants and/or their successors to the entire satisfaction of the Planning authority; maintenance shall include the replacement of plant stock which fails to survive for whatever</p>	In order to ensure that the approved landscaping works are implemented on site.

	reason, as often as required within the first 5 years of the occupation of the proposed hotel, to ensure the establishment of the approved landscaping scheme.	
11	Only the trees identified for removal on the approved tree protection plan shall be removed and no works shall be carried out on the remaining trees, other than that identified in the tree protection plan, at any time without the prior written approval of the Planning Authority.	In order to safeguard the remaining trees in the interests of the area's character and amenity.
12	The measures identified for the safeguarding of trees to be retained on site and those at adjacent land, including the erection of the tree protection fence, shall be put into place prior to the commencement of development and maintained on site throughout the course of development works.	In order to safeguard the remaining trees in the interests of the area's character and amenity.
13	A rock pre-treatment options assessment shall be carried out, prior to the commencement of development, in order to assess the most effective means of reducing the risk of indirect impacts to the Site of Special Scientific Interest at Calton Hill, and the listed Hamilton Building and listed structures for retention on site. The selected methodologies and programme for rock extraction shall thereafter be submitted to and approved in writing by the Planning Authority, in consultation with Scottish Natural Heritage, prior to the commencement of development.	In order to ensure the integrity of the Arthur's Seat Site of Special Scientific Interest and the listed building and structures to be retained on site, are safeguarded.
14	The methodologies and programme for rock extraction, approved under the terms of condition number 13 above, shall be implemented on site as part of the approved development scheme, and no alternative method of rock extraction shall be used without the prior written approval of the Planning Authority.	In order to safeguard the special interests of the adjacent Site of Special Scientific Interest, at Calton Hill and the listed Hamilton Building and retained listed structures on site.
15	Prior to the commencement of development, detailed drawings shall be submitted to and approved in writing by the Planning Authority, for the proposed works to the public footway and carriageway; the submitted drawings shall include details of street lighting, drainage, Sustainable Urban Drainage, and materials, structures, layout, and specifications; the proposed layout to include suitable uncontrolled pedestrian crossing points, one of which shall be located in the vicinity of the front entrance, in	In order to ensure that a high standard of public realm improvements is achieved, in order to ensure the safety of pedestrians and road users.

	accordance with the details shown on the approved public realm plan.	
16	The details for works to the public road and footway, as approved under the terms of condition number 15 above, shall be implemented in full, prior to the occupation of the building for the use approved under this planning permission.	In order to ensure that a high standard of public realm improvements is achieved, in order to ensure the safety of pedestrians and road users.
17	Prior to the commencement of the development hereby approved, full details of the proposed underground storage tanks to be used as part of the proposed sustainable urban drainage systems for the development, shall be submitted to and approved by the Planning Authority; the details shall include detailed drawings, including sections and full specifications.	In order to demonstrate that the sustainable urban drainage systems comply with the Council's requirements for flood prevention and safeguard the listed building and its setting.
18	Operations at the hotel development hereby approved shall not commence until an Arts & Culture Strategy for a minimum of 5 years from the first occupation of the hotel has been submitted to, and approved by, the Planning Authority. The Arts & Culture Strategy shall set out details of the nature of the arts and culture events that will be hosted within the hotel, the spaces to be used as exhibition space and the arrangements to ensure that the public will have access to the arts and culture programme. That Strategy shall include provision for it to be reviewed after the first three years of operation and extended beyond the first five years of the hotel operation as agreed by the Planning Authority. The hotel development shall thereafter be operated in accordance with the approved Arts & Culture Strategy.	In order to ensure the delivery of a programme of arts and cultural events that are accessible to the public.
19	Prior to commencement of development of the east wing extension, and notwithstanding the detailed drawings submitted with this application, full details of any plant, chiller or ventilation equipment, associated with the spa provisions located on the lower ground floor level or the basement plant room within the east wing extension, shall be submitted to and approved in writing by the Planning Authority. Thereafter, the equipment shall be installed in full accordance with the approved scheme as part of the completion of development of the east wing extension as part of the approved development.	In order to control the location and nature of the associated plant and equipment necessary to permit the development and to ensure that the amenity of neighbouring occupiers is safeguarded.

20	<p>Prior to the commencement of any works to install a kitchen ventilation system have been commenced on site, and notwithstanding the detailed plans submitted with this application, the ventilation system for the kitchen area(s) shall first be submitted to and approved in writing by the Planning Authority. Thereafter the approved system shall be installed in full, including testing to ensure that it is suitable for its proposed use, and be capable of operation prior to the first use of the kitchen area(s) for their approved purpose.</p>	<p>In order to enable the planning authority to consider these matters in detail so as to safeguard the interests of the historic and architectural heritage of the building and to safeguard the amenity of neighbouring occupiers.</p>
21	<p>Before the approved development commences, a finalised Construction Environmental Management Plan (CEMP), based on the methodologies and mitigation measures identified in the Environmental Statement, shall be prepared and agreed, in consultation with the Planning Authority. The matters to be agreed in the CEMP shall comprise:</p> <ul style="list-style-type: none"> a) The methodologies and mitigation measures identified in Volume 2 (Chapter 8) to be used in respect of ecological impacts, throughout the construction and post construction phases of the development; b) The methodologies and mitigation measures to be undertaken to control the volume of noise on site during the construction phase, as identified in Volume 3 (Chapter 11), c) The construction location and time. <p>The finalised methodologies and mitigation measures in the agreed CEMP shall be adhered to throughout the construction and mitigation stages of the development.</p>	<p>In order to ensure ecological impacts are minimised and managed to protect against the impacts of the construction and post construction phases of the development and to safeguard neighbouring amenity at the construction phase of the development.</p>

Scheme 2

	Condition	Reason
1	<p>No development, including demolition, shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (Historic building recording, excavation, analysis, reporting and publication, interpretation and public engagement) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority. The work must be carried out by a professional archaeological organisation, either working to a brief prepared by CECAS or through a written scheme of investigation submitted to and agreed by CECAS for</p>	<p>In order to safeguard the interests of archaeological heritage.</p>

	the site. Responsibility for the execution and resourcing of the programme of archaeological works and for the archiving and appropriate level of publication of the results lies with the applicant.	
2	A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Planning Authority before work is commenced on site. Note: samples of all external materials will be required.	In order to enable the planning authority to consider these matters in detail.
3	Prior to the commencement of works on site, sample panels, to be no less than 1.5 metres x 1.5 metres in size, shall be produced, demonstrating each proposed external material and accurately indicating the quality and consistency of future workmanship, and submitted for written approval by the Planning Authority.	In order to ensure the adequacy of external building materials.
4	Notwithstanding the provisions of condition numbers 2 and 3, pre-patinated copper cladding shall be used for external cladding with a profile and finish to match the sample panel constructed on site for the site visit of the Development Management Sub Committee held on 7 December 2015.	In order to ensure that a high standard on finish is provided, as appropriate at the site's highly sensitive location.
5	Before work commences on site, a sample of masonry work, indicating courses, surfacing finish and pointing, shall be prepared for inspection on site and shall be approved in writing by the Planning Authority. Thereafter, work shall be implemented in accordance with the approved details.	In order to enable the planning authority to consider this matter in detail and ensure that the proposed works are carried out in accordance with the approved details.
6	The following noise protection measures to the proposed hotel, as defined in the Environmental Statement - Volume 3 Noise and Vibration' report, dated 10 February 2017, shall be implemented in full and completed prior to the development being occupied: - Glazing units with a minimum sound reduction level of $R_w=44\text{dB}$ with no open windows facing the existing residential properties shall be installed for the external doors and windows of the entertainment spaces. - Internal partitions surrounding the entertainment space with a minimum sound reduction level of $R_w=44\text{dB}$ shall be installed.	In order to ensure that the amenity of neighbouring occupiers is safeguarded.

7	Prior to the first occupation of the development, details demonstrating that noise from all proposed plant or other ventilation equipment (including air source heat pump system) complies with NR25 within the nearest residential property (allowing for windows partially open for ventilation purposes) shall be submitted to and approved in writing by the Planning Authority. Thereafter, only approved plant shall then be installed either within, attached to or located immediately adjacent to, the existing and resultant buildings hereby approved.	In order to safeguard the amenity of neighbouring occupiers.
8	Full details of the proposed secondary abatement technology to be used at the proposed gas powered energy plant shall be submitted to and approved by the Planning Authority and implemented on site, in accordance with approved details, prior to the occupation of the buildings for the proposed uses.	In order to safeguard local air quality, in the interests of neighbouring amenity.
9	Full details of the proposed external lighting strategy within the boundaries of the proposed hotel premises, shall be submitted to and approved in writing by the Planning Authority within 12 months of the commencement of development; and shall be implemented on site, in accordance with the approved strategy prior to the occupation of the hotel and retained in perpetuity.	In order to allow the planning authority to consider these matters in detail.
10	The approved landscaping scheme shall be fully implemented within the first planting season of the completion of the development; and thereafter shall be maintained by the applicants and/or their successors to the entire satisfaction of the Planning authority; maintenance shall include the replacement of plant stock which fails to survive for whatever reason, as often as required within the first 5 years of the occupation of the proposed hotel, to ensure the establishment of the approved landscaping scheme.	In order to ensure that the approved landscaping works are implemented on site.
11	Only the trees identified for removal on the approved tree protection plan shall be removed and no works shall be carried out on the remaining trees, other than that identified in the tree protection plan, at any time without the prior written approval of the Planning Authority.	In order to safeguard the remaining trees in the interests of the area's character and amenity.
12	The measures identified for the safeguarding of trees to be retained on site and those at adjacent land, including the erection of the tree protection fence, shall be put into place prior to the commencement of development and maintained on site throughout the	In order to safeguard the remaining trees in the interests of the area's character and amenity.

	course of development works.	
13	<p>A rock pre-treatment options assessment shall be carried out, prior to the commencement of development, in order to assess the most effective means of reducing the risk of indirect impacts to the Site of Special Scientific Interest at Calton Hill, and the listed Hamilton building and listed structures for retention on site, as a result of rock removal.</p> <p>The results of this assessment along with details of the selected methodologies and programme shall be submitted to and approved in writing by the Planning Authority, in consultation with Scottish Natural Heritage, prior to the commencement of development.</p>	In order to ensure the integrity of the Arthur's Seat Site of Special Scientific Interest and the listed building and structures on site are safeguarded.
14	<p>The methodologies and programme for rock extraction, approved under the terms of condition number 13 above, shall be implemented on site as part of the approved development scheme, and no alternative method of rock extraction shall be used without the prior written approval of the Planning Authority.</p>	In order to safeguard the special interests of the adjacent Site of Special Scientific Interest, at Calton Hill and the listed Hamilton Building and listed structures to be retained on site.
15	<p>Prior to the commencement of development, detailed drawings shall be submitted to and approved in writing by the Planning Authority, for the proposed works to the public footway and carriageway; the submitted drawings shall include details of street lighting, drainage, Sustainable Urban Drainage, and materials, structures, layout, and specifications; the proposed layout to include suitable uncontrolled pedestrian crossing points, one of which shall be located in the vicinity of the front entrance, in accordance with the details shown on the approved public realm plan.</p>	In order to ensure that a high standard of public realm improvements is achieved, in order to ensure the safety of pedestrians and road users.
16	<p>Notwithstanding the approved plans, the details of proposed works relating to the public footway and carriageway, as required for submission under the terms of condition number 15 above, shall include revisions to the design of the proposed road layout at the junction of Regent Road with Regent Terrace, for the approval of the Planning Authority.</p>	In order to demonstrate that the proposed public realm works, affecting this part of the site, do not jeopardise the safety of pedestrians and other users of the public road.
17	<p>The details for works to the public road and footway, as approved under the terms of condition numbers 15 and 16 above, shall be implemented in full, prior to</p>	In order to ensure that works on this part of the

	the occupation of the building for the use approved under this planning permission.	public road protect the safety of pedestrians and other road users.
18	Prior to the commencement of the development hereby approved, full details of the proposed underground storage tanks to be used as part of the proposed sustainable urban drainage systems for the development, shall be submitted to and approved by the Planning Authority; the details shall include detailed drawings, including sections and full specifications.	In order to demonstrate that the sustainable urban drainage systems comply with the Council's requirements for flood prevention and to safeguard the listed building and its setting.
19	Before the development commences, a finalised Construction Environmental Management Plan, (CEMP), based on the methodologies and mitigation measures identified in the Environmental Statement, shall be prepared in consultation with the Planning Authority and shall be adhered to throughout the construction and mitigation stages of the development. The matters to be agreed in the CEMP shall comprise: a) The methodologies and mitigation measures identified in Volume 2 (Chapter 8) of the Environmental Statement, to be used in respect of ecological impacts , throughout the construction and post construction phases of the development; b) The methodologies and mitigation measures to be undertaken to control the volume of noise on site during the construction phase, as identified in Volume 3 (Chapter 11) of the Environmental Statement, and c) The construction locations and time.	In order to ensure ecological impacts are minimised and managed to protect against the impacts of the construction and post construction phases of the development.
20	Operations at the approved hotel shall not commence until an Arts & Culture Strategy for a minimum of 5 years from the first occupation of the hotel has been submitted to, and approved by, the Planning Authority. The Arts & Culture Strategy shall set out details of the nature of the arts and culture events that will be hosted within the hotel, the spaces to be used as exhibition space and the arrangements to ensure that the public will have access to the arts and culture programme. That Strategy shall include provision for it to be reviewed after the first three years of operation and extended beyond the first five years of the hotel operation as agreed by the Planning Authority. The hotel development shall thereafter be operated in accordance with the approved Arts & Culture Strategy.	In order to ensure the delivery of a programme of arts and cultural events that are accessible to the public.
21	Prior to commencement of development of the east wing extension, and notwithstanding the detailed	In order to control the location and nature of

	<p>drawings submitted with this application, full details of any plant, chiller or ventilation equipment, associated with the spa provisions located on the lower ground floor level or the basement plant room within the east wing extension, shall be submitted to and approved in writing by the Planning Authority. Thereafter, the equipment shall be installed in full accordance with the approved scheme as part of the completion of development of the east wing extension as part of the approved development.</p>	<p>the associated plant and equipment necessary to permit the development and to ensure that the amenity of neighbouring occupiers is safeguarded.</p>
22	<p>Prior to the commencement of any works to install a kitchen ventilation system have been commenced on site, and notwithstanding the detailed plans submitted with this application, the ventilation system for the kitchen area(s) shall first be submitted to and approved in writing by the Planning Authority. Thereafter the approved system shall be installed in full, including testing to ensure that it is suitable for its proposed use, and be capable of operation prior to the first use of the kitchen area(s) for their approved purpose.</p>	<p>In order to enable the planning authority to consider these matters in detail so as to safeguard the interests of the historic and architectural heritage of the building and to safeguard the amenity of neighbouring occupiers.</p>

Appendix 9: Heads of terms of proposed planning obligations

Scheme 1

Consent should not be issued until the applicant has entered into a suitable legal agreement to:

- a. Contribute the sum of £63,600 to the Edinburgh Tram in line with Council policy (based on 147 room hotel in Zone 3);
- b. Contribute the sum of £2,000 to promote a suitable order to re-determine sections of footway and carriageway as appropriate;
- c. Contribute the sum of £2,000 to promote a suitable order to amend the controlled parking zone order as it applies to Regent Road.
- d. Implement all works to Regent Road, at no cost to the Council and to the satisfaction of the Head of Planning and Transport.

Scheme 2

Consent should not be issued until the applicant has entered into a suitable legal agreement to:

- a. Contribute the sum of £32,429 to the Edinburgh Tram in line with Council policy (based on 127 room hotel in Zone 3);
- b. Contribute the sum of £2,000 to promote a suitable order to re-determine sections of footway and carriageway as appropriate;
- c. Contribute the sum of £2,000 to promote a suitable order to amend the controlled parking zone order as it applies to Regent Road.
- d. Implement all works to Regent Road, at no cost to the Council and to the satisfaction of the Head of Planning and Transport.

Appendix 10: Schedule of drawings

Scheme 1

Document Number	Document Description [DPEA Number and Ref]
CD 074.	Drawings – Existing Building Plans - AL(EX)002 –Rev A - Existing Site Plan [14a - AL(EX)002 - RevA - Existing Site Plan]
CD 075.	Drawings – Existing Building Plans - AL(EX)110 - Existing Hamilton Building Plan – Basement Level [14b - AL(EX)110 - Existing Hamilton Building Plan - Basement Level]
CD 076.	Drawings – Existing Building Plans - AL(EX)111 - Existing Hamilton Building Plan – Lower Ground Level [14c - AL(EX)111 - Existing Hamilton Building Plan - Lower Ground Level]
CD 077.	Drawings – Existing Building Plans - AL(EX)112 - Existing Hamilton Building Plan – Upper Ground Level [14d - AL(EX)112 - Existing Hamilton Building Plan - Upper Ground Level]
CD 078.	Drawings – Existing Building Plans - AL(EX)113 - Existing Hamilton Building Plan – Mezzanine Level [14e - AL(EX)113 - Existing Hamilton Building Plan - Mezzanine Level]
CD 079.	Drawings – Existing Building Plans - AL(EX)114 - Existing Hamilton Building Plan – Roof [14f - AL(EX)114 - Existing Hamilton Building Plan - Roof]
CD 080.	Drawings – Existing Building Plans - AL(EX)130 - Existing East & West Pavilion [14g - AL(EX)130 - Existing East & West Pavilion]
CD 081.	Drawings – Existing Building Plans - AL(EX)135 - Existing Lodge & Gymnasium [14h - AL(EX)135 - Existing Lodge and Gymnasium]
CD 082.	Drawings – Existing Building Plans - AL(EX)210 - Existing Hamilton Building Sections [14i - AL(EX)210 - Existing Hamilton Building Sections]

- CD 083. Drawings – Existing Building Plans -
AL(EX)310 - Existing Hamilton Building
Existing Elevations N+S
[14j - AL(EX)310 - Existing Hamilton
Building Existing Elevations N+S]
- CD 084. Drawings – Existing Building Plans -
AL(EX)311 - Existing Hamilton Building
Existing Elevations
[14k - AL(EX)311 - Existing Hamilton
Building Existing Elevations]
- CD 085. Drawings – Existing Building Plans -
AL(EX)325 - Existing North Site
Elevations
[14l - AL(EX)325 - Existing North Site
Elevations]
- CD 086. Drawings – Existing Building Plans -
AL(EX)326 - Existing South Site
Elevations
[14m - AL(EX)326 - Existing South Site
Elevations]
- CD 087. Drawings – Existing Building Plans -
AL(EX)327 - Existing East & West Site
Elevations
[14n - AL(EX)327 - Existing East & West
Site Elevations]
- CD 088. AL(EX)350 - Existing Photographs –
Hamilton Building
[14o - AL(EX)350 - Existing Photographs
- Hamilton Building]
- CD 089. AL(EX)351 - Existing Photographs – East
Pavilion
[14p - AL(EX)351 - Existing Photographs
- East Pavilion]
- CD 090. AL(EX)352 - Existing Photographs – West
Pavilion
[14q - AL(EX)352 - Existing Photographs
- West Pavilion]
- CD 091. AL(EX)353 - Existing Photographs –
Lodge
[14r - AL(EX)353 - Existing Photographs -
Lodge]
- CD 092. AL(EX)354 - Existing Photographs –
Gymnasium
[14s - AL(EX)354 - Existing Photographs -
Gymnasium]
- CD 093. AL(EX)355 - Existing Photographs –
Luncheon Hall
[14t - AL(EX)355 - Existing Photographs -
Luncheon Hall]
- CD 094. AL(EX)356 - Existing Photographs –
Classroom Block

- CD 095. [14v - AL(EX)356 - Existing Photographs - Classroom Block]
Drawings – Demolition Plans - AL(D-)002 - Demolition Site Plan
[15a - AL(D-)002 - Demolition Site Plan]
- CD 096. Drawings – Demolition Plans - AL(D-)110 - Hamilton Building Demolition Plan - Basement Level
[15b - AL(d-)110 - Hamilton Building Demolition Plan - Basement Level]
- CD 097. Drawings – Demolition Plans - AL(D-)111 - Hamilton Building Demolition Plan - Lower Ground Level
[15c - AL(D-)111 - Hamilton Building Demolition Plan - Lower Ground Level]
- CD 098. Drawings – Demolition Plans - AL(D-)112 - Hamilton Building Demolition Plan - Upper Ground Level
[15d - AL(D-)112 - Hamilton Building Demolition Plan - Upper Ground Level]
- CD 099. Drawings – Demolition Plans - AL(D-)113 - Hamilton Building Demolition Plan - Mezzanine Level
[15e - AL(D-)113 - Hamilton Building Demolition Plan - Mezzanine Level]
- CD 100. Drawings – Demolition Plans - AL(D-)114 - Hamilton Building Demolition Plan - Roof Level
[15f - AL(D-)114 - Hamilton Building Demolition Plan - Roof Level]
- CD 101. Drawings – Demolition Plans - AL(D-)130 - East and West Pavilion Demolition Elevations
[15g - AL(D-)130 - East and West Pavilion Demolition Elevations]
- CD 102. Drawings – Demolition Plans - AL(D-)210 - Hamilton Building Demolition Sections
[15h - AL(D-)210 - Hamilton Building Demolition Sections]
- CD 103. Drawings – Demolition Plans - AL(D-)310 - Hamilton Building Demolition 1-2 Elevations
[15i - AL(D-)310 - Hamilton Building Demolition 1-2 Elevations]
- CD 104. Drawings – Demolition Plans - AL(D-)311- Hamilton Building Demolition 1-6 Elevations
[15j - AL(D-)311 - Hamilton Building Demolition 1-6 Elevations]
- CD 105. Drawings – Demolition Plans - AL(D-)325 - North Site Demolition Elevation

- CD 106. [15k - AL(D-)325 - North Site Demolition Elevation]
 Drawings – Demolition Plans - AL(D-)326 - South Site Demolition Elevation
 [15l - AL(D-)326 - South Site Demolition Elevation]
- CD 107. Drawings – Demolition Plans - AL(D-)327 -East & West Site Demolition Elevations
 [15m - AL(D-)327 - East & West Site Demolition Elevations]
- CD 108. Drawings – Proposed Plans - AL(PL)001 - Location Plan
 [16a - AL(PL)001 - Location Plan]
- CD 109. Drawings – Proposed Plans - AL(PL)002 - Proposed Site Plan
 [16b - AL(PL)002 - Proposed Site Plan]
- CD 110. Drawings – Proposed Plans - AL(PL)110 - Proposed Plan - Basement Level
 [16c - AL(PL)110 - Proposed Plan - Basement Level]
- CD 111. Drawings – Proposed Plans - AL(PL)111 - Proposed Plan - Lower Ground Level
 [16d - AL(PL)111 - Proposed Plan - Lower Ground Level]
- CD 112. Drawings – Proposed Plans - AL(PL)112 - Proposed Plan - Upper Ground Level
 [16e - AL(PL)112 - Proposed Plan - Upper Ground Level]
- CD 113. Drawings – Proposed Plans - AL(PL)113 - Proposed Plan - First Floor Level
 [16f - AL(PL)113 - Proposed Plan - First Floor Level]
- CD 114. Drawings – Proposed Plans - AL(PL)114 - Proposed Plan - Second Floor Level
 [16g - AL(PL)114 - Proposed Plan - Second Floor Level]
- CD 115. Drawings – Proposed Plans - AL(PL)115 - Proposed Plan - Third Floor Level
 [16h - AL(PL)115 - Proposed Plan - Third Floor Level]
- CD 116. Drawings – Proposed Plans - AL(PL)116 - Proposed Plan - Fourth Floor Level
 [16i - AL(PL)116 - Proposed Plan - Fourth Floor Level]
- CD 117. Drawings – Proposed Plans - AL(PL)210 - Rev A - Proposed Sections AA(1), AA(2)
 [16j - AL(PL)210 - Rev A - Proposed Sections AA(1), AA (2)]
- CD 118. Drawings – Proposed Plans - AL(PL)211 - Rev B - Proposed Sections AA(3), BB

- CD 119. [16k - AL(PL)211 - Rev B - Proposed Sections AA (3), BB]
 Drawings – Proposed Plans - AL(PL)212 - Rev A - Proposed Sections CC, DD
 [16l - AL(PL)212 - Rev A - Proposed Sections CC, DD]
- CD 120. Drawings – Proposed Plans - AL(PL)213 - Rev A - Proposed Sections EE, FF
 [16m - AL(PL)213 - Rev A - Proposed Section EE, FF]
- CD 121. Drawings – Proposed Plans - AL(PL)214 - Rev B - Proposed Sections GG, HH
 [16n - AL(PL)214 - Rev B - Proposed Sections GG, HH]
- CD 122. Drawings – Proposed Plans - AL(PL)215 - Rev B - Proposed Contextual Sections AA, CC
 [16o - AL(PL)215 - Rev B - Proposed Contextual Sections AA, CC]
- CD 123. Drawings – Proposed Plans - AL(PL)216 - Rev B - Proposed Contextual Sections FF, HH
 [16p - AL(PL)216 - Rev B - Proposed Contextual Sections FF, HH]
- CD 124. Drawings – Proposed Plans - AL(PL)245 - Proposed South Portico Detail Section
 [16q - AL(PL)245 - Proposed South Portico Detail Section]
- CD 125. Drawings – Proposed Plans - AL(PL)260 - Proposed North Elevation Main Entrance Detail Section
 [16r - AL(PL)260 - Proposed North Elevation Main Entrance Detail Section]
- CD 126. Drawings – Proposed Plans - AL(PL)285 - Proposed West Wing -West Pavilion (North) Detail Sections
 [16s - AL(PL)285 - Proposed West Wing - West Pavilion (North) Detail Sections]
- CD 127. Drawings – Proposed Plans - AL(PL)286 - Proposed West Wing - West Gallery Connection Detail Sections
 [16t - AL(PL)286 - Proposed West Wing - West Gallery Connection Detail Sections]
- CD 128. Drawings – Proposed Plans - AL(PL)287 - Proposed West Wing - West Pavilion (South) Detail Sections
 [16u - AL(PL)287 - Proposed West Wing - West Pavilion (South) Detail Sections]
- CD 129. Drawings – Proposed Plans - AL(PL)295 - Proposed East Pavilion Service Access Detail Sections

- CD 130. [16v - AL(PL)295 - Proposed East Pavilion Service Access Detail Sections]
Drawings – Proposed Plans - AL(PL)296 - Proposed East Pavilion Service Access Detail Section
- CD 131. [16w - AL(PL)296 - Proposed East Pavilion Service Access Detail Section]
Drawings – Proposed Plans - AL(PL)325 - Rev A - Proposed North Site Elevation
[16x - AL(PL)325 - Rev A - Proposed North Site Elevation]
- CD 132. Drawings – Proposed Plans - AL(PL)326 - Proposed East Wing - East Elevation
[16y - AL(PL)326 - Proposed East Wing - East Elevation]
- CD 133. Drawings – Proposed Plans - AL(PL)327 – Rev A - Proposed South Site Elevation
[16z - AL(PL)327 - Rev A - Proposed South Site Elevation]
- CD 134. Drawings – Proposed Plans - AL(PL)328 - Proposed West Wing - West Elevation
[16aa - AL(PL)328 - Proposed West Wing - West Elevation]
- CD 135. Drawings – Proposed Plans - AL(PL)329 - Proposed East Wing - West Elevation
[16bb - AL(PL)329 - Proposed East Wing - West Elevation]
- CD 136. Drawings – Proposed Plans - AL(PL)330 - Proposed West Wing - East Elevation
[16cc - AL(PL)330 - Proposed West Wing - East Elevation]
- CD 137. Drawings – Proposed Plans - AL(PL)350 - Proposed West Wing Detail Elevation & Section
[16dd - AL(PL)350 - Proposed West Wing Detail Elevation & Section]
- CD 138. Drawings – Proposed Plans - AL(PL)351 - Proposed East Wing Detail Elevation & Section
[16ee - AL(PL)351 - Proposed East Wing Detail Elevation & Section]
- CD 139. Drawings – Landscape Plans - 1427.L.N(91)001 - Tree Survey
[17a - 1427.L.N(91)001 - Tree Survey]
- CD 140. Drawings – Landscape Plans - 1427.L.N(91)002 - Tree Removal Plan
[17b - 1427.L.N(91)002 - Tree Removal Plan]
- CD 141. Drawings – Landscape Plans - 1427.L.N(91)003 - Rev B - Tree Protection Plan

- CD 142. [17c - 1427.L.N(91)003 - Rev B - Tree Protection Plan]
 Drawings – Landscape Plans - 1427.L.G(92)001 - Rev B - General Landscape Layout
 [17d - 1427.L.G(92)001 - Rev B - General Landscape Layout]
- CD 143. Drawings – Landscape Plans - 1427.L.G(92)002 - Proposed Site Planting Plan
 [17e - 1427.L.G(92)002 - Proposed Site Planting Plan]
- CD 144. Drawings – Landscape Plans - 1427.L.G(92)003 - West Roofs Plan
 [17f - 1427.L.G(92)003 - West Roofs Plan]
- CD 145. Drawings – Landscape Plans - 1427.L.G(92)004 - East Roofs Plan
 [17g - 1427.L.G(92)004 - East Roofs Plan]
- CD 146. Drawings – Landscape Plans - 1427.L.G(92)005 - Rev B - Proposed Public Realm Layout
 [17h - 1427.L.G(92)005 - Rev B - Proposed Public Realm Layout]

Scheme 2

- CD 211. Drawings – Demolition - Drawing RHSv AL(D)002 Demolition Site Plan
 [025a - Drawing RHSv AL(D)002 Demolition Site Plan]
- CD 212. Drawings – Demolition - Drawing RHSv AL(D)110 Demolition - Hamilton Building - Basement Plan
 [025b - Drawing RHSv AL(D)110 Demolition - Hamilton Building - Basement Plan]
- CD 213. Drawings – Demolition - Drawing RHSv AL(D)111 Demolition - Hamilton Building - Lower Ground Plan
 [025c - Drawing RHSv AL(D)111 Demolition - Hamilton Building - Lower Ground Plan]
- CD 214. Drawings – Demolition - Drawing RHSv AL(D)112 Demolition - Hamilton Building - Upper Ground Plan
 [025d - Drawing RHSv AL(D)112 Demolition - Hamilton Building - Upper Ground Plan]

- CD 215. Drawings – Demolition - Drawing RHSv AL(D)113 Demolition - Hamilton Building - Mezzanine Plan
[025e - Drawing RHSv AL(D)113 Demolition - Hamilton Building - Mezzanine Plan]
- CD 216. Drawings – Demolition - Drawing RHSv AL(D)114 Demolition - Hamilton Building - Roof Plan
[025f - Drawing RHSv AL(D)114 Demolition - Hamilton Building - Roof Plan]
- CD 217. Drawings – Demolition - Drawing RHSv AL(D)130 Demolition - East & West Pavilions - Plans & Elevations
[025g - Drawing RHSv AL(D)130 Demolition - East & West Pavilions - Plans & Elevations]
- CD 218. Drawings – Demolition - Drawing RHSv AL(D)210 Demolition - Hamilton Building - Sections
[025h - Drawing RHSv AL(D)210 Demolition - Hamilton Building – Sections]
- CD 219. Drawings – Demolition - Drawing RHSv AL(D)310 Demolition - Hamilton Building - Elevations North & South
[025i - Drawing RHSv AL(D)310 Demolition - Hamilton Building - Elevations North & South]
- CD 220. Drawings – Demolition - Drawing RHSv AL(D)311 Demolition - Hamilton Building - Elevations East & West
[025j - Drawing RHSv AL(D)311 Demolition - Hamilton Building - Elevations East & West]
- CD 221. Drawings – Demolition - Drawing RHSv AL(D)325 Demolition - North Site Elevation
[025k - Drawing RHSv AL(D)325 Demolition - North Site Elevation]
- CD 222. Drawings – Demolition - Drawing RHSv AL(D)326 Demolition - South Site Elevation
[025l - Drawing RHSv AL(D)326 Demolition - South Site Elevation]
- CD 223. Drawings – Demolition - Drawing RHSv AL(D)327 Demolition - East+West Site Elevations
[025m - Drawing RHSv AL(D)327 Demolition - East+West Site Elevations]

- CD 224. Drawings – Proposed - Drawing RHSv AL(PL)001 Location Plan
[026a - Drawing RHSv AL(PL)001 Location Plan]
- CD 225. Drawings – Proposed - Drawing RHSv AL(PL)002 Proposed - Site Plan - RevA 2017.07.21
[026b - Drawing RHSv AL(PL)002 Proposed - Site Plan - RevA 2017.07.21]
- CD 226. Drawings – Proposed - Drawing RHSv AL(PL)110 Proposed - Basement Level - RevA 2017.07.21
[026c - Drawing RHSv AL(PL)110 Proposed - Basement Level - RevA 2017.07.21]
- CD 227. Drawings – Proposed - Drawing RHSv AL(PL)111 Proposed - Lower Ground Floor Level - RevB 2017.07.21
[026d - Drawing RHSv AL(PL)111 Proposed - Lower Ground Floor Level - RevB 2017.07.21]
- CD 228. Drawings – Proposed - Drawing RHSv AL(PL)112 Proposed - Upper Ground Floor Plan - RevB 2017.07.21
[026e - Drawing RHSv AL(PL)112 Proposed - Upper Ground Floor Plan - RevB 2017.07.21]
- CD 229. Drawings – Proposed - Drawing RHSv AL(PL)113 Proposed - First Floor Plan - RevA 2017.06.21
[026f - Drawing RHSv AL(PL)113 Proposed - First Floor Plan - RevA 2017.06.21]
- CD 230. Drawings – Proposed - Drawing RHSv AL(PL)114 Proposed - Second Floor Plan - RevA 2017.06.21
[026g - Drawing RHSv AL(PL)114 Proposed - Second Floor Plan - RevA 2017.06.21]
- CD 231. Drawings – Proposed - Drawing RHSv AL(PL)115 Proposed - Third Floor Plan - RevA 2017.06.21
[026h - Drawing RHSv AL(PL)115 Proposed - Third Floor Plan - RevA 2017.06.21]
- CD 232. Drawings – Proposed - Drawing RHSv AL(PL)116 Proposed - Fourth Floor (Roof) Plan - RevA 2017.06.21
[026i - Drawing RHSv AL(PL)116 Proposed - Fourth Floor (Roof) Plan - RevA 2017.06.21]

- CD 233. Drawings – Proposed - Drawing RHSv AL(PL)119 Proposed - Hamilton Bldg Upper Ground - Acoustic Glazing 2017.06.21
[026j - Drawing RHSv AL(PL)119 Proposed - Hamilton Bldg Upper Ground - Acoustic Glazing 2017.06.21]
- CD 234. Drawings – Proposed - Drawing RHSv AL(PL)120 Proposed - Hamilton Bldg Mezzanine - Acoustic Glazing 2017.06.21
[026k - Drawing RHSv AL(PL)120 Proposed - Hamilton Bldg Mezzanine - Acoustic Glazing 2017.06.21]
- CD 235. Drawings – Proposed - Drawing RHSv AL(PL)210 Proposed - Section AA(1), AA(2) RevA
[026l - Drawing RHSv AL(PL)210 Proposed - Section AA(1), AA(2) RevA]
- CD 236. Drawings – Proposed - Drawing RHSv AL(PL)211 Proposed - Section AA(3), BB
[026m - Drawing RHSv AL(PL)211 Proposed - Section AA(3), BB]
- CD 237. Drawings – Proposed - Drawing RHSv AL(PL)212 Proposed - Section CC, DD
[026n - Drawing RHSv AL(PL)212 Proposed - Section CC, DD]
- CD 238. Drawings – Proposed - Drawing RHSv AL(PL)213 Proposed - Section EE FF RevA 11.05.2017
[026o - Drawing RHSv AL(PL)213 Proposed - Section EE FF RevA 11.05.2017]
- CD 239. Drawings – Proposed - Drawing RHSv AL(PL)214 Proposed - Section GG, HH
[026p - Drawing RHSv AL(PL)214 Proposed - Section GG, HH]
- CD 240. Drawings – Proposed - Drawing RHSv AL(PL)215 Proposed - Contextual Section AA, CC
[026q - Drawing RHSv AL(PL)215 Proposed - Contextual Section AA, CC]
- CD 241. Drawings – Proposed - Drawing RHSv AL(PL)216 Proposed - Contextual Section FF, HH
[026r - Drawing RHSv AL(PL)216 Proposed - Contextual Section FF, HH]
- CD 242. Drawings – Proposed - Drawing RHSv AL(PL)245 Proposed - South Portico Detail Section
[026s - Drawing RHSv AL(PL)245 Proposed - South Portico Detail Section]

- CD 243. Drawings – Proposed - Drawing RHSv AL(PL)260 Proposed - North Elevation Main Entrance Detail Section
[026t - Drawing RHSv AL(PL)260 Proposed - North Elevation Main Entrance Detail Section]
- CD 244. Drawings – Proposed - Drawing RHSv AL(PL)286 Proposed - West Rear Gallery Detail Sections
[026u - Drawing RHSv AL(PL)286 Proposed - West Rear Gallery Detail Sections]
- CD 245. Drawings – Proposed - Drawing RHSv AL(PL)287 Proposed - West Wing, West Pavilion - South - Detail Sections
[026v - Drawing RHSv AL(PL)287 Proposed - West Wing, West Pavilion - South - Detail Sections]
- CD 246. Drawings – Proposed - Drawing RHSv AL(PL)295 Proposed - Landscape Stairway
[026w - Drawing RHSv AL(PL)295 Proposed - Landscape Stairway]
- CD 247. Drawings – Proposed - Drawing RHSv AL(PL)325 Proposed - North Elevation
[026x - Drawing RHSv AL(PL)325 Proposed - North Elevation]
- CD 248. Drawings – Proposed - Drawing RHSv AL(PL)326 Proposed - East Wing East Elevation
[026y - Drawing RHSv AL(PL)326 Proposed - East Wing East Elevation]
- CD 249. Drawings – Proposed - Drawing RHSv AL(PL)327 Proposed - South Elevation
[026z - Drawing RHSv AL(PL)327 Proposed - South Elevation]
- CD 250. Drawings – Proposed - Drawing RHSv AL(PL)328 Proposed - West Wing West Elevation
[026aa - Drawing RHSv AL(PL)328 Proposed - West Wing West Elevation]
- CD 251. Drawings – Proposed - Drawing RHSv AL(PL)329 Proposed - East Wing West Elevation
[026bb - Drawing RHSv AL(PL)329 Proposed - East Wing West Elevation]
- CD 252. Drawings – Proposed - Drawing RHSv AL(PL)330 Proposed - West Wing East Elevation
[026cc - Drawing RHSv AL(PL)330 Proposed - West Wing East Elevation]

- CD 253. Drawings – Proposed - Drawing RHSv AL(PL)331 Proposed - East Wing East Elevation - RevC 2017.07.25
[026dd - Drawing RHSv AL(PL)331 Proposed - East Wing East Elevation - RevC 2017.07.25]
- CD 254. Drawings – Proposed - Drawing RHSv AL(PL)350 Proposed - West Wing South Facade Detail Elevation+Section
[026ee - Drawing RHSv AL(PL)350 Proposed - West Wing South Facade Detail Elevation+Section]
- CD 255. Drawings – Proposed - Drawing RHSv AL(PL)351 Proposed - East Wing South Facade Detail Elevation+Section - RevA 2017.05.11
[026ff - Drawing RHSv AL(PL)351 Proposed - East Wing South Facade Detail Elevation+Section - RevA 2017.05.11]
- CD 256. Drawings – Landscape - Drawing 1614.L.G(92)001 Landscape - General Layout - Ground Floor RevG 2017.07.17
[027a - Drawing 1614.L.G(92)001 Landscape - General Layout - Ground Floor RevG 2017.07.17]
- CD 257. Drawings – Landscape - Drawing 1614.L.G(92)002 Landscape - General Layout - Roof Plan 2017.05.11
[027b - Drawing 1614.L.G(92)002 Landscape - General Layout - Roof Plan 2017.05.11]
- CD 258. Drawings – Landscape - Drawing 1614.L.G(92)003 Landscape - Proposed Public Realm Layout RevF 2017.07.17
[027c - Drawing 1614.L.G(92)003 Landscape - Proposed Public Realm Layout RevF 2017.07.17]
- CD 259. Drawings – Landscape - Drawing 1614.L.G(92)004 Landscape - Site Sections AA, BB and CC 2017.05.11
[027d - Drawing 1614.L.G(92)004 Landscape - Site Sections AA, BB and CC 2017.05.11]
- CD 260. Drawings – Landscape - Drawing 1614.L.G(92)005 Landscape - Site Sections DD and EE 2017.05.11
[027e - Drawing 1614.L.G(92)005 Landscape - Site Sections DD and EE 2017.05.11]

- CD 261. Drawings – Landscape - Drawing 1614.L.G(93)001 Landscape - Proposed Site Planting Plan 2017.05.11
[027f - Drawing 1614.L.G(93)001 Landscape - Proposed Site Planting Plan 2017.05.11]
- CD 262. Drawings – Landscape - Drawing 1614.L.N(91)001 Landscape - Tree Survey
[027g - Drawing 1614.L.N(91)001 Landscape - Tree Survey]
- CD 263. Drawings – Landscape - Drawing 1614.L.N(91)002 Landscape - Tree Removal Plan
[027h - Drawing 1614.L.N(91)002 Landscape - Tree Removal Plan]
- CD 264. Drawings – Landscape - Drawing 1614.L.N(91)003 Landscape - Tree Protection Plan
[027i - Drawing 1614.L.N(91)003 Landscape - Tree Protection Plan]
- CD 265. Drawings – Landscape - Drawing 1614.L.S(98)001 Landscape - Planting Plan Design Intent 2017.05.12
[027j - Drawing 1614.L.S(98)001 Landscape - Planting Plan Design Intent 2017.05.12]