

REPORT TO: Planning Committee
MEETING DATE: Wednesday 6 June 2012
BY: Executive Director (Services for Communities)
SUBJECT: Application for Planning Permission for Consideration

Application No. **12/00294/CAC**
Proposal Demolition of building
Location **Cockenzie Boat Repair Yard
West Harbour Road
Cockenzie
East Lothian
EH32 0HX**
Applicant Morris and Spottiswood
Per Fouin and Bell Architects
Ward 3
RECOMMENDATION Consent Granted

PLANNING ASSESSMENT

The application seeks conservation area consent for the demolition of the buildings of Cockenzie Boat Repair Yard on their site located on the north side of Edinburgh Road within Cockenzie and Port Seton Conservation Area.

The demolition is proposed to facilitate a development of 26 flats and for associated works on the site of the workshop buildings and their associated land. Planning permission for the proposed development of 26 flats and associated works is separately sought through planning application 12/00294/P. A separate report on application 12/00294/P is presented elsewhere on this Committee Expedited List.

Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that the application be determined in accordance with the development plan, unless material considerations indicate otherwise.

The development plan is the approved Edinburgh and the Lothians Structure Plan 2015 and the adopted East Lothian Local Plan 2008.

Policy ENV1D (Regional and Local Natural and Built Environment Interests) of the approved Edinburgh and the Lothians Structure Plan 2015 addresses the need to control

development within conservation areas but is silent on the matter of the demolition of buildings. Thus it is not relevant to the determination of this application.

Policy ENV4 (Development within Conservation Areas) of the adopted East Lothian Local Plan 2008 addresses the need to control development within conservation areas, including the demolition of buildings and thus is relevant to the determination of this application.

Material to the determination of the application are Sections 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, the Scottish Historic Environment Policy: December 2011 and Scottish Planning Policy: February 2010.

Section 64 of the Town and Country Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requires that a planning authority, in exercising its responsibilities under planning legislation must have regard to the desirability of preserving or enhancing the character or appearance of a conservation area. This statutory duty should always be borne in mind in the determination of an application for conservation area consent to demolish an unlisted building in a conservation area. As is stated in the Scottish Historic Environment Policy: December 2011 and also in Scottish Planning Policy: February 2010 a planning authority, in deciding whether or not conservation area consent should be granted should take account of the merits of the building to the character or appearance of the conservation area and of proposals for the future of the cleared site. The general presumption should be in favour of retaining buildings that make a positive contribution to the conservation area, particularly where it can be demonstrated that the building is able to support a new viable use. Where demolition is considered acceptable careful consideration should be given to a replacement scheme of new development in terms of its design and quality.

Three written objections have been received. The material grounds of objection are that the proposed demolition of the buildings would result in the loss of the boatyard with its working slips, does not maintain heritage, it destroys it and that once it has gone, the boat repair yard cannot be replaced. The remaining grounds of objection are made in respect of the development proposed in associate application 12/00294/P and are not material considerations in the determination of this application for conservation area consent.

Cockenzie and Port Seton Community Council, as a consultee, object to the proposed demolition of the boat yard buildings. They acknowledge the necessity of new housing development. However, they express concerns at the impact of the proposals on community infrastructure including schools, policing and medical services. They also question the building of new homes in such close proximity to the Cockenzie power station site. They consider that the loss of the boatyard to housing development is contrary to Policy ENV14 and would be a loss of community heritage which would also have drastic effects on tourism and recreation potential. They state that that the potential for development and rebirth of this area in terms of retaining skills and providing youth employment is immense and that this potential should be pursued by the Council in partnership with the community. Other than the objection to the demolition, their grounds of objection are made in respect of application 12/00294/P and are not material to this application for conservation area consent.

The Cockenzie and Port Seaton Conservation Area Character Statement states that this part of Cockenzie is most strongly characterised by the dense grouping of terraces of East, West and North Lorimer Places south of Edinburgh Road. It further states that the character of a working harbour is maintained by the many small-scale workshops in the areas.

The existing buildings of Cockenzie Boat Repair Yard are comprised of a large brick shed with a shallow pitched roof of corrugated sheeting with single-storey sheds attached to its northeast side and southwest sides. The buildings have a modern, utilitarian appearance. They are of no particular architectural merit and make no positive contribution to the character and visual amenity of the Conservation Area of which they are a part. The buildings to be demolished do not form small-scale workshops which the Conservation Area Character Statement describes as maintaining the character of a working harbour. Provided what is to replace the buildings is of an acceptable form, design and finish in keeping with the character of the affected part of the Conservation Area, their removal from the site would not harm the architectural or historic character of the Conservation Area.

The planning assessment given in the report on planning application 12/00294/P concludes that the scheme of development proposed for the site would be well contained within the site and that by virtue of the size, scale, proportions, architectural form and materials of the proposed buildings and the form and appearance of the other elements of the development, it would be an acceptable addition to the Conservation Area that would enhance the character and appearance of the Conservation Area. In light of this the demolition of the boat yard buildings can be justified.

The proposed demolition of the boat yard buildings does not conflict with Policy ENV4 of the adopted East Lothian Local Plan 2008, the Scottish Historic Environment Policy: December 2011 or Scottish Planning Policy: February 2010 with respect to the affect of it on the Conservation Area.

RECOMMENDATION

That conservation area consent be granted subject to the following conditions:

- 1 The works to implement this conservation area consent shall begin before the expiration of 3 years from the date of this grant of conservation area consent.

Reason:

Pursuant to Section 16 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997

- 2 No works for the demolition of the building shall be carried out unless written evidence that a contract has been entered into for the carrying out of the works authorised by planning permission 12/00294/P, or by some other planning permission for the development of the site granted by the Planning Authority, has been submitted to and agreed by the Planning Authority.

Reason:

In order to preserve the character and appearance of the Conservation Area.