

Notice of Review Supporting Statement

The Abbey Church, High Street
Dunbar
East Lothian

Alterations to former church to form 1 house and associated works

Ref. 11/00704/P

On behalf of

Mr Graeme Armet

JUNE 2012



Proposed Renovation & Conversion

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EXECUTIVE SUMMMARY

This request for 'Review' is submitted on behalf of Mr Graeme Armet, 36 Marionville Road, Edinburgh, following the disappointing decision of East Lothian Council, under delegated powers to the Head of Planning, and based upon the Case Officer's singular recommendation, to refuse planning permission for what the Council's Planning Department termed "alterations to former church to form 1 house and associated works (application ref. 11/00704/P) at Abbey Church, Abbey Road, Dunbar, East Lothian, EH42 1JP", on 14th March 2012

At the outset, the applicant contends that planning permission has been refused by the East Lothian Council principally due to the preconceived notions of the planning officer as to how this building should be brought back to life in a purpose and meaningful manner:

The planning case officer, under delegated powers, failed to adequately 'consult' and seek requisite architectural advice.

Historic Scotland failed adequately to "consult" and seek requisite specialist architectural advice.

There is no reference to the 2007 survey report and that the building is already derelict.

The Case Officer's misunderstanding of "the church being of special architectural or historic interest".

From a 'community good' perspective, there was insufficient consideration given to the significant potential benefits to revitalizing Dunbar High Street which suffers from the lack of any meaningful investment.

This application was made by Graeme Armet and not by Richard Murphy Architects as stated in the planning departments documentation.

The Case Officer's application appraisal was therefore framed within the narrow confines of implementing Policy ENV1C and Policy ENV3 without the consideration of the actual well being of this building and the wider implications of this end of the High Street.

Without adequate review by Historic Scotland and the more rigorous peer review by a full planning committee, the Case Officer and her manager made a number of assertions which will be challenged within this statement as being either erroneous or factually wrong.

BACKGROUND TO THE APPLICATION

Summary

The Abbey Church, Dunbar lies at the northern end of Dunbar High Street and has acted as an effective full stop since its construction in the 1850's. Originally built to accommodate the overflow of church goers to the Parish Church close by. The church remained in use until 1966 when it was closed and in 1967 was sold by The Church of Scotland to a private owner. It has remained empty since then except for a small spell in the early 1980's when it was used as offices and visitor centre for the new nuclear power station being built at Torness. All fittings and furniture were removed and some partitions were erected for the purposes of the visitor centre. Since the opening of the power station the church have remained empty and neglected. It has been put up for sale on a number of occasions, however any meaningful attempts to bring this building back to life have as yet failed and without any intervention soon this building will become part of Dunbar's lost history.

The building is generally accounted to the architect Thomas Hamilton though there is some question to the extent of his involvement in the design; he did certainly have an input into the 2 spires which were later additions to the main elevation. Hamilton was an architect of some notoriety in the 19th century and being most famous for the Royal High School in Edinburgh. In the only publication on Hamilton the author Joe Rock does mention the Abbey Church in his chapter Free Churches.

Thomas Hamilton Architect 1788-1858, Published 1984 Joe Rock

“The church at Dunbar on the prime site at the end of the High Street suffers from the same polished façade but there is the added problem of a weak design. The pinnacle-cum spire fails to perform either of those functions well and there is a conflict between the horizontal emphasis and the vertical, a recurrent problem in Hamilton’s church designs”.

The publication was produced in conjunction with an exhibition in Edinburgh to mark the bicentenary of the birth of Hamilton in 1984. (Appendix 1)

A survey carried out in 2007 revealed extensive dry and wet rot, the dry rot being prevalent in the elegant timber structure. The report was included in the planning application but not mentioned in the planning officers report. (Appendix 2)

The Development Proposal

The proposal, as elaborated upon within the extensive application supporting documentation (including survey report of 2007, detailed urban analysis and detailed analysis of preserving what can be saved of the original building), clearly sets out the intention of the application to implement a programme of halting the decay and further deterioration of the church which is in a derelict state and introducing a contemporary free standing element which by it’s free standing nature does not harm the fabric of the existing structure. The proposal has been designed to have the minimum impact on the existing urban fabric. It does however have to be allowed to be what it is.(Appendix 3)

GROUNDS FOR REVIEW OF THE PLANNING DECISION

Context

The Case Officer's 'Report' provides a detailed response to the application albeit based upon an inadequate consultation exercise which shall be addressed below. Notwithstanding, the Case Officer highlights one key issue; in this regard, it is noted that a positive response to the proposals is generally forthcoming but the key reason for refusal is that development "is contrary to Policy ENV3".

The Case Officer is obliged under SSP and SHEP to protect and enhance the historic landscape. Yet the Case Officer does not seem to explicitly recognise this duty nor fully understand the duties on the council under the under noted enactments from SSP and SHEP:

Scottish Planning Policy (SPP, Para.110) - "Planning authorities can help to safeguard historic assets through development plans and development management decisions. The Scottish Government's policy on the historic environment and guidance on relevant legislation is set out in the Scottish Historic Environment Policy (SHEP). This SPP, the SHEP and the Managing Change in the Historic Environment guidance note series published by Historic Scotland should be taken into account by planning authorities when preparing development plans and determining applications for listing building consent, conservation area consent or planning permission for development which may affect the historic environment."

SPP Para. 111 - "the historic environment can accommodate change which is informed and sensitively managed, and can be adapted to accommodate new uses whilst retaining its special character"

Scottish Historic Environment Policy (SHEP, Historic Scotland) - "no historic asset should be lost or radically changed without adequate consideration of its significance and of all means available to manage and conserve it" (Section 1.14, b) and, "the remains of the past can act as a powerful catalyst and a stimulus to high quality new design and development, leading to successful regeneration and community-building. We believe that the historic environment should be valued as an asset, rather than thought of as a barrier to development. It reinforces the identity of communities, and can add value, provided that value is recognised at the outset and it becomes an integral part of any development or regeneration project." (Paragraph 1.7), and, "the protection of the historic environment is not about preventing change....change in this dynamic environment should be managed intelligently and with understanding....such decisions often have to recognise economic realities".

SHEP's three key outcomes for Scotland's historic environment, being:-

1.That the historic environment is cared for, protected and enhanced for the benefit of our own and future generations.

2.To secure greater economic benefits from the historic environment.

3.The people of Scotland and visitors to our country value, understand and enjoy the historic environment.

The Abbey Church is part of the recognised historic landscape of Dunbar and East Lothian Council, through the planning system, have a duty to protect and enhance it. Unfortunately in this case, the Case Officer fails to neither recognise nor understand that without imaginative, financially viable solutions the building cannot be "managed".

She states 'a free standing modular box would betray a structure in marked contrast to the architectural remains of the building'. With respect, this opinion is incorrect and as described in the planning documentation, one of the main reasons for a free standing box is to preserve and highlight the existing structure. (Appendix 3).

It is also stated on numerous occasions within the report that the Abbey Church is 'a building of special architectural or historic interest'.

The building is old however this does not make it historically interesting. It was once a church now it is not. As demonstrated the building has little architectural quality beyond the fact that it was once a church and was built with the exception of the main facade using the cheapest materials available at that time. (Appendix 1)

The most significant statement in the report is 'the test in this case is whether or not the insertion in what would remain as a shell of the building of a contemporary three story modular box for occupation as a house would be an acceptable form of development in accordance with relevant development plan policy and other material considerations'

It is clear that:

The use of the derelict church as a dwelling is recognised as being acceptable.

In order to manage and conserve this building requires a thoughtful and imaginative proposal.

This is not a demolition; it is the removal of all the building fabric that is beyond repair. Over and above this however Historic Scotland, applies four tests to demolition requests in order to ascertain whether demolition is appropriate. These are:

the building is not of special interest; or

the building is incapable of repair; or

the demolition of the building is essential to delivering significant benefits to economic growth or the wider community; or

the repair of the building is not economically viable and that it has been marketed at a price reflecting its location and condition to potential restoring purchasers for a reasonable period.

The Case Officers Only 'test':

The only element considered by the Case Officer in her interpretation of whether the proposed development is an 'appropriate' approach for the conversion of the church into a dwelling. (Appendix 3)

The applicant has gone to considerable time and expense to obtain a survey of the existing building. This is included in the application documentation.

The applicant has considered in great detail the visual impact to both the church and its surroundings which are minimal in the urban context of the conservation area (Appendix 3).

Private funding options include a wealthy benefactor, private investor, debt funding or funds generated by supporting development. There is no wealthy benefactor in the equation (the applicant has absorbed pre-development costs to the limit of their viable involvement at this stage) nor is there any supporting development. To restore the building to its original state as part of a privately funded family dwelling is not financially viable and the value of the completed property would be significantly less than the construction costs particularly in the current financial market. It is not an option.

Insufficient Use of Expert Opinion

Both the planning officer and Historic Scotland visited the property and understood the proposals. They recognised that the building fabric was deteriorating at an alarming rate. It was noted by the officer from HS that since he had last been inside the building he could see the extent of dilapidation within the 2

year period. He also noted that the speed of deterioration usually accelerates within derelict property.

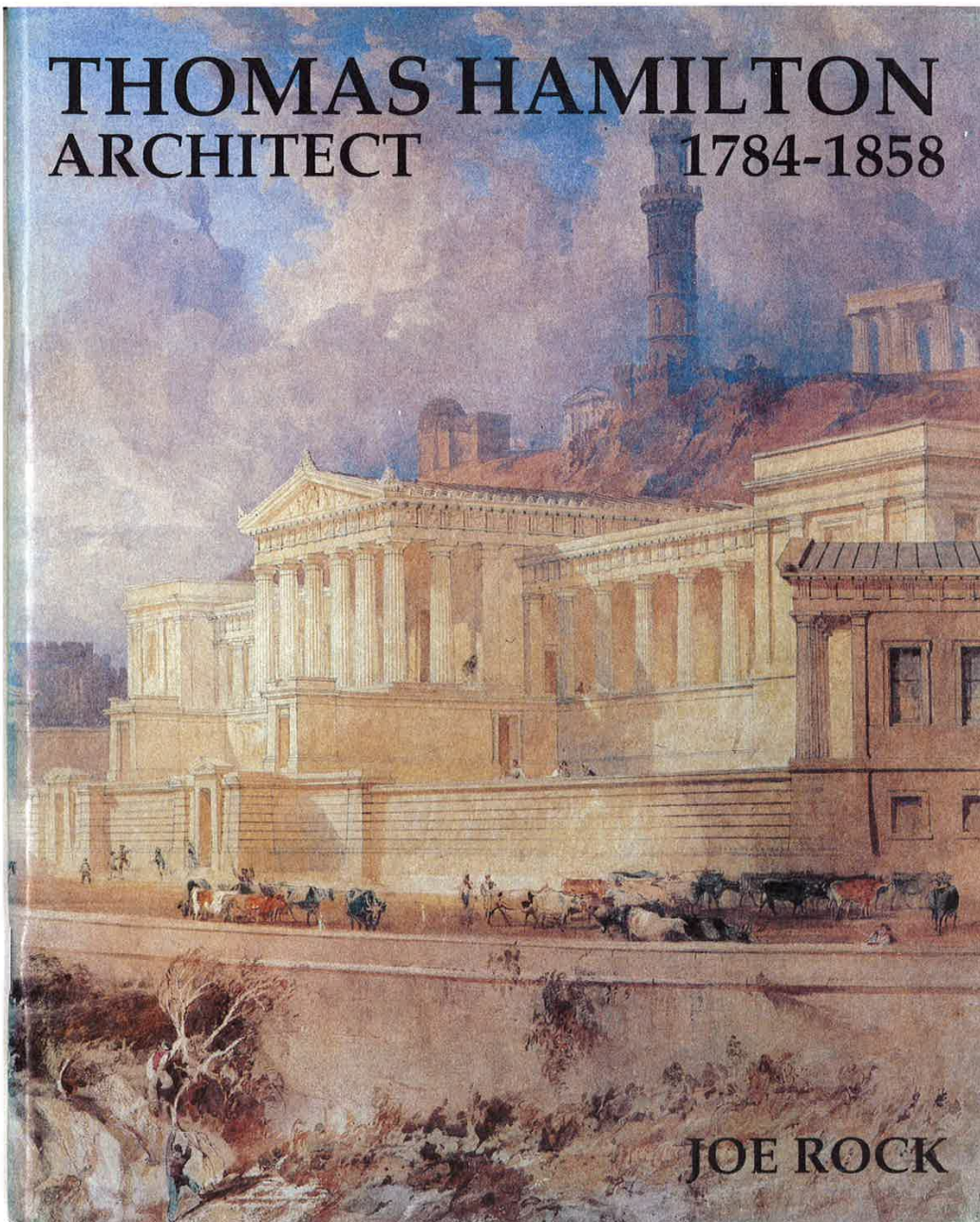
Further to this he also recognised that the cost of heating and maintaining such a vast space was for most people unaffordable to pay for when compared to the previous proposal for this building and understood what was being attempted.

The problem with both the planning officer and Historic Scotland is that those making the decisions have not visited the property nor did they attend meetings arranged at the property.

Conclusion

On the basis of the foregoing, it is respectfully requested that the submitted planning application be assessed by means of a Hearing, which would allow for the main principles involved to be openly discussed and their merits properly and openly evaluated with deference to statutory and internal consultees. This is deemed particularly relevant in so far as it is considered the Council did not fully assess the application as a restoration of an historic property that has little prospects of survival and one of the reasons that it is on the buildings at risk register.





Front Cover of Catalogue

“The church at Dunbar on the prime site at the end of the High Street suffers from the same polished façade but there is the added problem of a weak design. The pinnacle-cum spire fails to perform either of those functions well and there is a conflict between the horizontal emphasis and the vertical, a recurrent problem in Hamilton’s church designs”.





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Existing Building



Proposed Renovation