

**REPORT TO:** Planning Committee

**MEETING DATE:** Tuesday 3 December 2013

**BY:** Depute Chief Executive  
(Partnerships and Community Services)

**SUBJECT:** Application for Planning Permission for Consideration

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Application No. **13/00726/CAC**

Proposal Demolition of house

Location **Links Lodge  
Links Road  
North Berwick  
East Lothian  
EH39 4AP**

Applicant Mr & Mrs G Matthew

Per Pyemont Design Greenarchitecture

RECOMMENDATION Consent Granted

#### PLANNING ASSESSMENT

This application relates to a single storey, detached house that is located in a predominantly residential area as defined by Policy ENV1 of the adopted East Lothian Local Plan 2008. It is in North Berwick Conservation Area.

The existing house is a detached, single storey house with an L shaped footprint. It has a slated pitched roof and white rendered walls.

Conservation area consent is sought for the demolition of the existing house on the site.

The demolition is proposed in association with proposals for the erection of a replacement house on the site and for the erection of a detached garage/store and for which planning permission is sought through application 1300726/P. A report on that application is currently on the Scheme of Delegation List.

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

The development plan is the approved Edinburgh and the South East Scotland Strategic Development Plan (SESplan) and the adopted East Lothian Local Plan 2008.

Policy 1B (The Spatial Strategy: Development Principles) of the South East Scotland Strategic Development Plan (SESplan) and Policies 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: July 2009 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: July 2009 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.

There is no public objection to this application for conservation area consent.

There are 6 representations to this application all written in support of the demolition of the existing house.

The demolition of the existing house is proposed to facilitate the erection of a replacement detached two storey house of contemporary design.

The existing house is readily visible in public views of the site from the north, northeast and northwest from the West Links Golf Course and in views from the southeast from Links Road and Pointgarry Road. However, it is not in itself of special architectural or historic interest and thus, it does not contribute positively to the character and appearance of the Conservation Area.

The planning assessment given in associate planning application 13/00726/P concludes that the erection of a replacement house and a detached garage on the site would be a form of development that would not harm the character and appearance of the Conservation Area. To facilitate such acceptable development on the site the proposed demolition of the existing house is justified. Thus in the circumstances of an approved scheme of development on the application site that would justify the demolition of the existing house its removal would not harm the established character and appearance of the Conservation Area.

The demolition of the existing house is consistent with Policy ENV4 of the adopted East Lothian Local Plan 2008, the Scottish Historic Environment Policy: December 2011 and with Scottish Planning Policy: February 2010 with respect to the affect of it on the Conservation Area.

## 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 existing house 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 13/00726/P or by some other detailed 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.