

**REPORT TO:** Planning Committee

**MEETING DATE:** Tuesday 4 March 2014

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

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

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Application No. **13/00394/CAC**

Proposal Demolition of gates

Location **St Andrews Centre  
9 Bayswell Road  
Dunbar  
East Lothian  
EH42 1AB**

Applicant East Lothian Housing Association

Per Hackland and Dore

RECOMMENDATION Consent Granted

#### PLANNING ASSESSMENT

The application site is part of the large grounds of St Andrews Centre, which is a detached former manse building currently used as a counselling centre by Crossreach Counselling. The former manse is not listed as being of special architectural or historic interest. The site is within Dunbar Conservation Area.

Residential properties bound the site to the east and south. A combination of the day centre building and what would remain of its grounds, and the curtilage of the two storey house of the new manse bounds the site to the west. To the north is Bayswell Road.

Conservation area consent is sought for the demolition and removal of black painted, wrought iron, double gates which are situated on the north east corner of the site, adjoining Bayswell Road.

The demolition is proposed in association with proposals for the erection of 18 flats and associated works on the application site, for which planning permission is sought through application 13/00394/P. A separate report on application 13/00394/P is, at this time, on the Scheme of Delegation List.

Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that this conservation area consent application be determined in accordance with the

development plan, unless material considerations indicate otherwise.

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

Policy 1B (The Spatial Strategy: Development Principles) of the approved South East Scotland Strategic Development Plan (SESplan) addresses the need to control development within conservation areas but is silent on the matter of the demolition of buildings and structures. 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 structures 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.

Two representations to this conservation area consent application have been received. One of the representations is from a member of the public and refers to a lack of information on the gates to be demolished and the other representation, which is from The Architectural Heritage Society of Scotland, states that to destroy these gates would be wilful vandalism and suggests that instead the gates could be refurbished and set open against the walls instead of being removed.

The gates that it is proposed to remove are of a simple, traditional design but are not of a special architectural or historic interest. Although the gates are readily visible in public views from Bayswell Road they do not have an appreciable affect on the character and appearance of the Conservation Area.

The planning assessment given in associate planning application 13/00394/P concludes that the proposed development of the site with the erection of 18 flats and associated works in the form proposed would be a form of development that would not harm the character and appearance of the Conservation Area. To facilitate such acceptable development and use of the site the proposed demolition and removal of the gates are justified.

The demolition and removal of the gates 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.

## 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