

REPORT TO: Planning Committee

MEETING DATE: Tuesday 5 November 2019

BY: Depute Chief Executive
(Partnerships and Community Services)

SUBJECT: Application for Planning Permission for Consideration

Application No. **19/00545/CAC**

Proposal Demolition of buildings, wall and gate

Location **Good Fortune
Athelstaneford
North Berwick
East Lothian
EH39 5BE**

Applicant Mr and Mrs Peter and Johanna Allan

Per Somner Macdonald Architects

RECOMMENDATION Application Refused

REPORT OF HANDLING

PROPOSAL

The property to which this application relates is a single-storey, detached house located to the north of Main Street, Athelstaneford, and immediately to the west of Athelstaneford Village Hall. Surrounding uses include residential properties to the west and south, and agricultural land to the north. The property is within a predominantly residential area as defined by Policy RCA1 of the adopted East Lothian Local Development Plan 2018. The property is also within the Athelstaneford Conservation Area but is not listed.

By way of planning history, planning permission (Ref: 18/00748/P) was granted in September 2018 for alterations and extension of the property to include a first floor extension, a rear ground floor extension and a new front porch. A new garage/ workshop was also approved, to replace the existing garage. The approved scheme of development also involved the removal of an existing front extension that adjoins the north east end of the house. Planning permission 18/00748/P has not yet been implemented but could be at any time up until 21 September 2021.

Conservation Area Consent (Ref: 18/00125/CAC) was also sought for the demolition of fences and gates and the existing garage building. That application is pending consideration and no decision has been taken on it.

Planning permission is now sought for the erection of a house on the application site. To facilitate the new house, the existing house would be demolished. The applicant states that the built form of the new house would be the same as the house as it was approved to be altered and extended by planning permission 18/00748/P. A new garage/workshop is also proposed, to replace the existing garage. A separate report on application 19/00545/CAC is at this time on the Council's Committee Expedited List.

Conservation Area Consent is now sought for the demolition of the existing house, garage, wall and gate.

Planning permission is separately sought for the erection of a house on the application site. To facilitate the new house, the existing house would be demolished. The applicant states that the built form of the new house would be the same as the house as it was approved to be altered and extended by planning permission 18/00748/P. A new garage/workshop is also proposed, to replace the existing garage. A separate report on application 19/00543/P is at this time on the Council's Scheme of Delegation List.

DEVELOPMENT PLAN

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 Development Plan 2018.

There are no policies within the approved South East Scotland Strategic Development Plan (SESplan) that are of relevance to the determination of this application.

Policy CH3 (Demolition of an Unlisted Building in a Conservation Areas) of the adopted East Lothian Local Development Plan 2018 is relevant to the determination of this planning 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 and Scottish Planning Policy: June 2014.

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 and also in Scottish Planning Policy: June 2014 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.

REPRESENTATIONS

Three letters of support have been received in respect of the application highlighting the proposals potential to improve this property which it is said is in a poor state of repair and

stating that the proposal would result in the creation of a building which is safe and would meet modern building standards. It is also mentioned that the proposed building would be more attractive than the existing.

One letter of representation has also been received stating the proposed development would bring the property back up to a good standard and will make both the house and garage much more attractive and have environmental benefits in terms of energy use and insulation.

Four objections have been received to the application, one of which is from an amenity group. Objections are on the grounds of the walls of the reconstructed dwelling losing their random, rubble built pattern and character which cannot be easily replicated. As such this would result in the loss of the traditional vernacular character of the building and any attempt to recreate it would look too contrived. Objection is also raised with regards to their being no justification for the demolition of an unlisted building within the Conservation Area. Objection is also raised to the turret feature and that the granting of planning permission for the alteration and extension of the existing house should not be seen as justification for the current development. The issue of the proposed demolition setting an undesirable precedent for similar works has also been raised which would be detrimental to the character and appearance of the conservation area. Objections also mention that the loss of this artisan style cottage would also involve the loss of its north wall which is believed to have formed part of the north boundary of the earlier village. Concern is also raised with regards to allowing such a change within the central part of the village and that the proposed replacement dwelling would alter the view of the village from the north and would challenge the pre-eminence of the church.

PLANNING ASSESSMENT

The house on the site is an established features within this part of the Athelstaneford Conservation Area and is of particular architectural or historic merit. In principle the replacement house scheme of redevelopment of the site indicated in accompanying planning application 19/00543/P is not considered acceptable. Given this and the particular architectural or historic merit of the existing house, then the demolition of it would neither preserve nor enhance the character and appearance of the Athelstaneford Conservation Area. Accordingly the proposal is contrary to Policy CH3 of the adopted East Lothian Local Development Plan 2018, the Scottish Historic Environment Policy and with Scottish Planning Policy: June 2014 with respect to the effect of it on the Conservation Area.

RECOMMENDATION

That conservation area consent be refused for the following reason:

- 1 The demolition of the existing house would in itself neither preserve nor enhance the character and appearance of the Athelstaneford Conservation Area. Accordingly the proposal is contrary to Policy CH3 of the East Lothian Local Development Plan 2018, Scottish Historic Environment Policy and with Scottish Planning Policy: June 2014 with respect to the effect of it on the Conservation Area.