

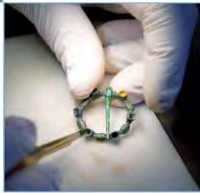
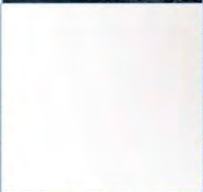
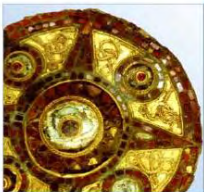
Application No: 19/00472/P

12 Westgate
North Berwick

Applicant's Submission
Part 2

12 Westgate, North Berwick, East Lothian: Heritage Impact Assessment

*Project No: 25032
25th September 2019*



ARCHAEOLOGY

HERITAGE

CONSERVATION

12 Westgate, North Berwick, East Lothian: Heritage Impact Assessment

On Behalf of:	Mr and Mrs Sharp 57a Westgate North Berwick
National Grid Reference:	NT 55060 85286
AOC Project No:	25032
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Date of Assessment:	September 2019

This document has been prepared in accordance with AOC standard operating procedures

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1 INTRODUCTION

- 1.1 AOC Archaeology Group was commissioned by Mr and Mrs Sharp to undertake a Heritage Impact Assessment with regard to the proposed redevelopment at No. 12 Westgate, North Berwick, East Lothian. The Site consists of a portion of the Category B Listed Building at Nos. 10–12 Westgate, North Berwick (LB38788) along with its associated garden and boundary wall fronting Westgate. The Site is set within the North Berwick Conservation Area and No. 14 Westgate, Blenheim House Hotel (LB38789), to the immediate west of the Site is also Category B Listed.
- 1.2 This report comprises an assessment of the qualities of the building in line with the criteria for listing of buildings of special architectural or historical interest (HES 2019b) in order to establish an understanding of the cultural heritage significance of No. 12 Westgate. An assessment of the contribution which the Site makes to the character and setting of the North Berwick Conservation Area is also provided. The heritage baseline thus established, an assessment is made of the potential impacts upon the significance of the Listed Building and the North Berwick Conservation Area in the context of the current proposals to redevelop the Site.

2 PROJECT CONTEXT

2.1 Project Background

- 2.1.1 AOC Archaeology Group was commissioned by Mr and Mrs Sharp to undertake a Heritage Impact Assessment with regard to the proposed redevelopment of No. 12 Westgate, North Berwick. The proposed redevelopment would include:

- Demolition of the 1980s, single storied, flat roof extension to No. 12 Westgate;
- Erection of a new extension of two storeys to form a house and office space at the ground floor; this will be joined to the original villa via a, mostly glazed, atrium space;
- Widening of the existing pedestrian access to 3m to allow for vehicular access; and
- Hard and soft landscaping, including provision of one car parking space, to provide amenity space for residents and office users (Andrew Megginson Architecture 2019).

- 2.1.2 No. 12 Westgate is a Category B Listed building included in the same Listing with No. 10 and the associated retaining walls. The listing description describes the building thus:

‘Probably bank managers house in Tudor style. House to W circa 1840 in L-plan, with rectangular adjoining block to E, of later 19th century. Single storey with attic breaking eaves and basement at rear. Stugged ashlar with plain dressings. Squared rubble rear. Consistent details to chamfered window arrises. Gabled skewed and skewputts variety of glazing patterns, small-pane and plate glass, to sash and case windows. Slate roofs.

NO 10: S ELEVATION: 4-bay. 2 dormers breaking eaves at centre. 3-light canted windows at ground, off-centre to right; 4-centred doorway and fanlight to left; panelled door. Ground floor window in outer right bay.

N ELEVATION: irregular openings and alterations. Mansarded roof.

NO 12: S ELEVATION: 2 recessed bays to left with advanced, gabled porch in re-entrant angle, 4-centred arched head and fanlight over panelled door. Remaining pedestal of former finial. Plain shield panel over door. Tripartite in outer bay, altered to doorway 1983. 2 gabled

dormers breaking eaves; obelisk finial to left dormer-head. Advanced gable with canted 3-light bay at ground and pierced Jacobean balustrade. Single light above. Blind slit in gable head. Flat roofed single storey extension to W, 1983, absorbing section of former boundary wall at N.

N ELEVATION: gabled outer bays. Canted bay to basement and ground floor in outer right bay with decorative wrought-iron balustrade.

3 linked diamond stacks at W gable.

BOUNDARY WALLS: low parapet wall by street and dividing gardens. Rubble boundary walls to N, E and W

Later block almost certainly served as Manager's house, adjoining bank.' (HES 2019c, available at: <http://portal.historicenvironment.scot/designation/LB38788>)

2.1.3 The proposed redevelopment was subject to applications for planning permission (19/00472/P) and Listed Building Consent (19/00493/LBC) validated by East Lothian Council (ELC) on 16th May 2019. ELC issued decision notices refusing the applications on 12th July 2019. The reasons for refusal of the Listed Building Consent were given as follows:

1. *The proposed scheme of development would require the demolition of part of the listed building with no evidence that the building is no longer of special interest, incapable of repair or suitable for use, contrary to Policy CH1 of the adopted East Lothian Local Development Plan 2018.*
2. *The proposed extension would by virtue of its size, scale, alignment and height not be subservient to the existing listed building and as such would be harmful to the architectural and historic character of the listed building and setting of that listed building, contrary to Policy CH1 of the adopted East Lothian Local Development Plan 2018.*
3. *The proposed removal of a section of the listed boundary wall, vehicular access and formation of hardstanding area would be intrusive and incongruous changes to the setting of the listed building contrary to Policy CH1 of the adopted East Lothian Local Development Plan 2018. (ELC 2019 available at: https://pa.eastlothian.gov.uk/online-applications/files/3D7605CBE7BEE4E5CE4A4DB66BEE2EB9/pdf/19_00493_LBC--2755740.pdf)*

2.1.4 Reasons for refusal of the planning application echoed the reasons for refusal of LBC (given above) and also raised concerns as to the potential impact upon the character of North Berwick Conservation Area. Reasons 1, 4 and 5 for refusal of planning permission relate to loss of commercial premises and residential amenity and are not discussed here. Reasons 2 and 3 (given below), relate to impacts upon heritage assets and as such are relevant to this assessment.

2. *The proposed extension would by virtue of its size, scale, alignment and height not be subservient to the existing listed building and as such would be harmful to the architectural and historic character of the listed building and the character and appearance of the North Berwick Conservation Area contrary to Policies CH1 and CH2 of the adopted East Lothian Local Development Plan and Scottish Planning Policy: June 201.*
3. *The proposed vehicular access and hardstanding area would be intrusive and incongruous changes to the character and appearance of the streetscape of Westgate and of the North Berwick Conservation Area. Therefore the proposals would neither preserve or enhance but would be harmful to the character and appearance of the*

Conservation Area, contrary to Policy CH2 of the adopted East Lothian Local Development Plan 2018 and Scottish Planning Policy: June 2014. (ELC 2019b, available at:https://pa.eastlothian.gov.uk/online-applications/files/9F2FEAA5FB15990620FF79B277D0063D/pdf/19_00472_P--2755701.pdf)

- 2.1.5 In coming to its decision ELC consulted Historic Environment Scotland (HES) on application for LBC. HES's advice to ELC was as follows:

Generally, when an extension is built beside the principal elevation of a listed building, it is good practice that it is lower in height and subservient to the main façade. In this case, however, we consider that the proposed pitched roof, chosen materials and language of the new extension somewhat work to minimize the visual impact on the listed building; the extension uses materials (slate and natural stone on the principal elevation) and a design language which matches and respects the historic building, yet can be clearly read as a modern extension. The detail in execution will be key.

Subject to any concerns over scale, if the principle of a two-storey extension is accepted, we would suggest that the new building is set back behind the listed building's front (south) elevation - similarly to the 80's extension - so that it appears less dominant to the visible frontage (south elevation). The additional massing, which is now shown extending to the front elevation (accommodating office space at ground floor), can be gained instead by extending a bit further out on the rear (north) elevation, as can be also seen on other villas and buildings facing Beach Road.

Planning authorities are expected to treat our comments as a material consideration, and this advice should be taken into account in your decision making. Our view is that the proposals do not raise historic environment issues of national significance and therefore we do not object. However, our decision not to object should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on listed building consent, together with related policy guidance (HES 2019d).

2.2 Site Location

- 2.2.1 No. 12 Westgate is located in North Berwick Town Centre in East Lothian (NGR Ref: NT 55060 85286) (Figure 1). The Site fronts on to Westgate to the south, which is a western extension of North Berwick High Street. The Site itself is bound by Westgate to the south, the boundary wall with the Blenheim House Hotel to the west, the rear garden of 12b Westgate and Beach Road to the north and the boundary wall and 12b to the east. The Site is located within North Berwick Conservation Area.

2.3 Objectives

- 2.3.1 The aim of this Heritage Impact Assessment (HIA) is to identify which elements of the Listed Building at No. 12 Westgate contribute to its special architectural and historical interest and to assess the contribution that the Site makes to the North Berwick Conservation Area. The HIA will then assess the potential impact of the development proposal upon both the Listed Building and its setting. The potential for impacts upon the character and setting of the North Berwick Conservation Area will also be considered. It is intended that this Heritage Impact Assessment will inform and be submitted with an appeal against ELC's decisions, which will be made to Scottish Ministers.

- 2.1.1 This Heritage Impact Assessment will aim:

- To outline the history and development of No. 12 Westgate using documentary, photographic and cartographic evidence, including historic Ordnance Survey maps and with reference to *12 WESTGATE 'PARK HOUSE', NORTH BERWICK – A BRIEF HISTORY AND ANALYSIS* (Andrew Megginson Architecture 2019b);
- To provide a thorough examination and description of the existing building that would be affected by the works with a view to establishing features of special architectural or historical interest;
- To provide a thorough examination and description of the Site's contribution to the character of the North Berwick Conservation Area in line with the Conservation Area Character Statement contained within Appendix 1 of ELC's Cultural Heritage and the Built Environment Supplementary Planning Guidance (ELC 2018b);
- To assess the extent of impact from past development, if any, upon the significance of the Listed Building;
- To assess the impact of the redevelopment proposals upon the significance of the Listed Building, either resulting from direct physical impact or from impacts upon setting;
- To assess the potential for impacts upon the character and setting of the North Berwick Conservation Area.

3 METHODOLOGY AND ASSESSMENT CRITERIA

3.1 Methodology

- 3.1.1 The assessment is based upon data obtained from publicly accessible archives (as described below). The report aims to identify and map the nature of the heritage resource within the Site. It includes an assessment of the relative value/significance of the known and potential heritage resource and (where possible) the likely magnitude of impact upon such a resource from the proposed development.
- 3.1.2 The assessment has been carried out in accordance with the following Chartered Institute for Archaeologists' Standard and Guidance documents for Historic Environment Desk-Based Assessment (ClfA 1990, rev. 2008, 2011, 2013 and 2014a); Commissioning Work or Providing Consultancy Advice on the Historic Environment (ClfA 2014b) and the Standard and Guidance for the Archaeological Investigation and Recording of Standing Buildings or Structures (ClfA 2014c). Relevant statutory requirements, national, regional and local guidance, including the Planning (Listed Buildings and Conservation Areas) (Scotland) Act, 1997 which is of particular relevance, and regional and local planning policy have also been taken into consideration. Historic Environment Scotland's Guidance on Setting (HES 2016) has also been considered.
- 3.1.3 This Heritage Impact Assessment is supported by a series of Figures and Plates.

Baseline Archive Research

- 3.1.4 The following sources were consulted during the preparation of this assessment, which are referenced in Section 8 of this report:
- Designated Heritage Asset data downloaded from Historic Environment Scotland's online designation portal;
 - Historic Environment Record data accessed via the John Gray Centre website (<https://www.johngraycentre.org/map/>);

- Historic Maps held by the British Library and the National Library of Scotland; and
- *12 WESTGATE 'PARK HOUSE', NORTH BERWICK – A BRIEF HISTORY AND ANALYSIS* (Andrew Megginson Architecture 2019b)

Standing Building Assessment and Site Visit

- 3.1.5 A standing building assessment and site walkover was undertaken on the 13th September 2019. The focus of the assessment was the Listed Building and Boundary Wall at 12 Westgate and the elements of the Conservation Area that could potentially be affected by the proposal.
- 3.1.6 A general and detailed digital photographic record was undertaken of the interior and exterior of the building, with the exception of the western elevation of the 1980s extension, access to which is limited given its proximity to the adjacent Blenheim House Hotel. General views were taken, along with detailed photographs of specific features, such as examples of doors, windows, blocked openings, original and early features, and architectural and structural detail. A number of digital photographs have been used to illustrate this report (Plates 1 – 16).
- 3.1.7 A written description of the building has been produced. This description makes reference to existing floor plans and elevations and observations made during the site visits. The results of the standing building assessment are presented below in Section 6.
- 3.1.8 The Site Visit also examined the building within the context of the North Berwick Conservation Area and assessment of views along Westgate, the High Street and Beach Road.

3.2 Assessment Criteria

- 3.2.1 This Heritage Impact Assessment considers the cultural heritage significance of No. 12 Westgate, North Berwick which is proposed for redevelopment.
- 3.2.2 The historical research and site visits undertaken to inform this assessment aim to identify historical associations and architectural features of interest which contribute to the special interest of the building. Features identified will be considered against the criteria for Listing set out in HES's Designation Policy and Selection Guidance (2019b) and include considerations of Architectural Interest, including any interest resulting from design or setting, and Historic Interest, including any interest resulting from age and rarity, social historical interest or association with people or events of national importance.
- 3.2.3 The contribution that the Site and the building at 12 Westgate make to the character of the North Berwick Conservation Area will be examined in line with the Character Statement provided in ELC's Cultural Heritage and Built Environment SPG (2018b), which will be used to determine the special architectural and historical interest of area, the character or appearance of which ELC deems are desirable to preserve or enhance.
- 3.2.4 The likely magnitude of the impact of the proposed development works will be determined by identifying the degree of change from the proposed development upon the 'baseline' conditions of the Listed Building and the Conservation Area.
- 3.2.5 The identified impact can be either neutral, adverse (negative) or beneficial (positive) and will be discussed with reference to how the proposed change would affect the significance of the assets. Where it is not possible to confirm the magnitude of impact (eg, due to lack of development design information), a professional judgement as to the scale of such impacts will be applied. This will be undertaken in line with current national and local planning policy and guidance for the historic environment. It will be undertaken in the context of the current development proposals.

3.3 Limitations

- 3.3.1 It should be noted that the report has been prepared under the express instructions and solely for the use of Mr and Mrs Sharp and their partners. All the work carried out in this report is based upon AOC Archaeology Group's professional knowledge and understanding of current (September 2019) and relevant United Kingdom standards and codes, technology and legislation.
- 3.3.2 Changes in these areas may occur in the future and cause changes to the conclusions, advice or recommendations given. AOC Archaeology Group does not accept responsibility for advising Mr and Mrs Sharp or associated parties of the facts or implications of any such changes in the future.
- 3.3.3 This Heritage Statement is based upon data obtained from publicly accessible archives (as described in Section 3.1 above). HES's designated asset data, the National Record of the Historic Environment (NRHE) and Historic Environment Record data were examined via online databases in September 2019.
- 3.3.4 As noted above, the examination of the exterior western elevation of the building was limited due to its proximity to the adjacent Blenheim House Hotel, the grounds of which are private and gated. As such examination and photographs of this elevation were undertaken from Westgate. Similarly, while full visibility of the northern elevation was possible, this elevation backs directly onto the private garden of 12b Westgate, and examination and photographs were therefore undertaken from Beach Road and the gate to the back garden. It should also be noted that access to the building was for No. 12 Westgate only and therefore in the discussion of elements of the building, which may be of special architectural and historical interest, especially in terms of interior features and plan form, comment will be limited to No. 12 and necessarily will not consider features of the wider Listing (which includes the now separate properties at Nos. 12b and 10).

4 PLANNING BACKGROUND

Listed Buildings

- 4.1.1 No. 12 Westgate is a Category B Listed Building. All Listed Buildings are protected under the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. Buildings are selected for listing by Historic Environment Scotland (HES) based on special architectural or historical interest.
- 4.1.2 The following criteria, set out within the HES's Designation Policy and Selection Guidance: Annex 2 (2019b), are used to assess whether a building is of special architectural or historical interest and warrants designation. The principles of selection for statutory listing are broadly its:
1. Architectural Interest including its:
 - a. Design; and/or
 - b. Setting.
 2. Historic Interest including its:
 - a. Age and rarity;
 - b. Social historical interest; and/or
 - c. Association with people or events of national importance

- 4.1.1 Architectural interest is divided into two topics, design and setting. Design is related *‘to the building’s design and also takes into account its level of authenticity and completeness as later changes may add to or detract from the interest. The key factors we [HES] will consider include:*
- *the artistic skill and/or architectural details or features and how they have been used in the building’s design*
 - *the interest of the designer in relation to the building’s design*
 - *interior design and fixed interior decorative schemes*
 - *the plan form of the building*
 - *materials used in the building*
 - *technological excellence or innovation demonstrated in the building type or its design*
 - *local or regional traditions that might be demonstrated in the building type, material or form’ (ibid. 12, p17).*
- 4.1.2 The setting of a building is defined as *‘the context of a building and takes into account the current and historical setting. The building’s contribution to its setting and how other features both built and natural relate to it are also taken into account. Factors include:*
- *the building’s relationship with its immediate and wider surroundings, including views to and from it*
 - *the building’s relationship with its landscape, townscape or other buildings which may form a group*
 - *the degree to which the immediate and wider setting of a building contributes to our understanding of its function or its historical context’ (ibid. 12, para 17).*
- 4.1.3 Historic interest is assessed according to three criteria; age and rarity, social historical interest and associations with people or events of national importance. With regard to age and rarity the guidance notes that *‘the older a building is, and the fewer of its type that survive, the more likely it is to be of special interest’* stating that HES considers *‘the age of the building and how it contributes to its interest’* and *‘the relative rarity of its building type or design’*. Social historical interest is defined as *‘the way a building contributes to our understanding of how people lived in the past, and how our social and economic setting is shown in a building and/or in its setting’*. Historical associations are related to *‘the connections that a building has with people or events which have had a significant impact on Scotland’s cultural heritage’*. In determining this HES take into consideration, *‘the length of the association, how well documented and authenticated the association is, the significance of the association and whether it is of national importance, how the association is shown in the fabric, plan form, design and/or setting of the building’ (ibid. 13, para 18).*
- 4.1.4 In Scotland once a decision has been made to List a building then it is placed in one of three categories in accordance with its importance. Although all Listed Buildings are considered to be of *‘special architectural or historic interest’* Category A Listed Buildings are deemed to be *‘outstanding examples of a particular period, style or building type’*, Category B Listed Buildings are *‘major examples’* and Category C Listed Buildings are *‘representative’ (ibid. 13, para 19).*

Conservation Areas

- 4.1.5 The Site is set within the North Berwick Conservation Area, the extent of which is shown on Figure 2. Conservation Areas are protected under the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and represent areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance.
- 4.1.6 ELC has produced Supplementary Planning Guidance on Cultural Heritage and the Built Environment (2018b) which includes in Appendix 1 a Character Statement for the North Berwick Conservation Area which outlines elements of special architectural and/or historic interest it deems desirable to preserve or enhance. These can largely be summarised as follows:
- The original core of the town centred on harbour, Quality Street and High Street
 - The character of which is defined by buildings of 18th and 19th century date, with 20th century infill, the height and tightly packed nature of which, along with the narrowness of the streets form intimate scale spaces and reflect the towns windy coastal position.
 - The harbour promontory which retains many of its distinctive warehouse and stores
 - The eastward and westward expansion of the town, from the original core, in the 19th century
 - To the west, the character of which is defined by architect designed Victorian, Edwardian and Georgian housing and mature vegetation which partially limit views of buildings from the streets.
 - To the east, the character of which includes terraces in Melbourne Road and Balfour Street and larger guesthouses, hotels and residences along Marine Parade, Glasclune Gardens and Greenhead Road.
 - Green spaces including the Lodge Grounds, East Links, the Glen and the Glebe Field.
 - Views of sea from the town and of town in its coastal context
 - Including glimpse of the sea between buildings; and
 - Views across the Conservation Area which show the original core in the context of Milsey Bay and the wider agricultural setting.
 - Views and glimpses of North Berwick Law

4.2 National and Local Planning Policy

National Planning Policy

- 4.2.1 The statutory framework for heritage in Scotland is outlined in the Town and Country Planning (Scotland) Act 1997, as amended in the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and Ancient Monuments and Archaeological Areas Act 1979, both of which are modified by the Historic Environment (Amendment) (Scotland) Act 2011.
- 4.2.2 The implications of these Acts with regard to planning policy are described within Scottish Planning Policy (SPP) (Scottish Government 2014) and Historic Environment Policy for Scotland (HEPS) 2019.
- 4.2.3 SPP deals specifically with planning policy in relation to heritage. The planning policy expresses a general presumption in favour of preserving heritage remains *in situ*. Their 'preservation by record' (ie,

through excavation and recording, followed by analysis and publication, by qualified archaeologists) is a less desirable alternative. SPP expresses the following policy principles:

'The planning system should:

- *promote the care and protection of the designated and non-designated historic environment (including individual assets, related settings and the wider cultural landscape) and its contribution to sense of place, cultural identity, social well-being, economic growth, civic participation and lifelong learning;*
- *and enable positive change in the historic environment which is informed by a clear understanding of the importance of the heritage assets affected and ensure their future use. Change should be sensitively managed to avoid or minimise adverse impacts on the fabric and setting of the asset, and ensure that its special characteristics are protected, conserved or enhanced'* (Scottish Government 2014, Para 137).

4.2.4 With specific regard to Listed Buildings SPP states that:

'Change to a listed building should be managed to protect its special interest while enabling it to remain in active use. Where planning permission and listed building consent are sought for development to, or affecting, a listed building, special regard must be given to the importance of preserving and enhancing the building, its setting and any features of special architectural or historic interest. The layout, design, materials, scale, siting and use of any development which will affect a listed building or its setting should be appropriate to the character and appearance of the building and setting. Listed buildings should be protected from demolition or other work that would adversely affect it or its setting' (Scottish Government 2014, Para 141).

4.2.5 With specific regard to Conservation Areas SPP states that:

'Proposals for development within conservation areas and proposals outwith which will impact on its appearance, character or setting, should preserve or enhance the character and appearance of the conservation area. Proposals that do not harm the character or appearance of the conservation area should be treated as preserving its character or appearance' (ibid, Para 143).

4.2.6 Historic Environment Policy for Scotland (HEPS) (Historic Environment Scotland 2019a) sets out the agency's policy for the sustainable management of the historic environment which it defines as *'our surroundings as they have been shaped, used and valued by people in the past, and continue to be today'* (ibid.3). The policy sets out six policies for managing the historic environment:

HEP1

Decisions affecting any part of the historic environment should be informed by an inclusive understanding of its breadth and cultural significance.

HEP2

Decisions affecting the historic environment should ensure that its understanding and enjoyment as well as its benefits are secured for present and future generations.

HEP3

Plans, programmes, policies and strategies, and the allocation of resources, should be approached in a way that protects and promotes the historic environment. If detrimental impact on the historic environment is unavoidable, it should be minimised. Steps should be taken to

demonstrate that alternatives have been explored, and mitigation measures should be put in place.

HEP4

Changes to specific assets and their context should be managed in a way that protects the historic environment. Opportunities for enhancement should be identified where appropriate. If detrimental impact on the historic environment is unavoidable, it should be minimised. Steps should be taken to demonstrate that alternatives have been explored, and mitigation measures should be put in place.

HEP5

Decisions affecting the historic environment should contribute to the sustainable development of communities and places.

HEP6

Decisions affecting the historic environment should be informed by an inclusive understanding of the potential consequences for people and communities. Decision-making processes should be collaborative, open, transparent and easy to understand (ibid. 9).

Local Planning Policy

- 4.2.7 At a regional level strategic policy is provided by the Strategic Development Plan for Southeast Scotland (SESplan 2013). Whilst detailed historic environment matters fall outside the remit of the Strategic Development Plan it clearly respects Scottish Planning Policy, which contains policies for the protection and enhancement of the built and historic environment. Policy 1B outlines development principles which include indication that Local Development Plans should ‘*Ensure that there are no significant adverse impacts on the integrity of international and national built or cultural heritage sites in particular World Heritage Sites, Scheduled Ancient Monuments, Listed Buildings, Royal Parks and Sites listed in the Inventory of Gardens and Designed Landscapes;*’ (ibid).
- 4.2.8 ELC adopted the current Local Development Plan (LDP) in September 2018. The document details where development is expected to take place and sets out the framework for planning policies as well as the criteria for planning applications.
- 4.2.9 The following policies, relating to development which could impact upon Listed Buildings and Conservation Areas, are relevant to the proposed development and this assessment:

Policy CH1: Listed Buildings

Internal or external alterations or extensions to listed buildings will only be permitted where they do not harm the architectural or historic character of the building.

The demolition of a listed building will not be permitted unless the building is no longer of special interest, is incapable of repair or there are overriding environmental or economic reasons, and it must be satisfactorily demonstrated that every effort has been made to continue the present use or to find a suitable new use.

New development that harms the setting of a listed building will not be permitted

Policy CH2: Development Affecting Conservation Areas

All development proposals within or affecting a Conservation Area or its setting must be located and designed to preserve or enhance the special architectural or historic character or appearance of the Conservation Area. Proposals for new development should accord with the size, proportions,

orientation, alignment, density, materials, and boundary treatment of nearby buildings and public and private spaces. Parking requirements of new developments must accord with the Council's adopted parking standards unless it can be demonstrated that a reduced level of parking (which in exceptional circumstances could be no parking provision) will achieve positive townscape benefits without compromising road safety.

The Council will set out in supplementary planning guidance more detailed policies on the circumstances in which it would support proposals for alterations to shop fronts, external security, external wall treatment and the display or installation of advertisements in Conservation Areas.

5 HISTORICAL CONTEXT

5.1 Historic Evidence

- 5.1.1 Full details of the ownership and uses of 12 Westgate are set out in 12 WESTGATE 'PARK HOUSE', NORTH BERWICK – A BRIEF HISTORY AND ANALYSIS (Andrew Megginson Architecture 2019b). The original villa was built in the 1840s. A Great Reform Act Plan of 1832 (Figure 3) for North Berwick indicates that at this date building on the northside of what is now Westgate only extended as far the western side of what is now Church Street, where two buildings at the northern and southern corners of the road are annotated 'Schools'. Greenwood and Fowler's map of 1844 (Figure 4) shows expansion westward along Westgate but only a single building is shown set back from the road and this appears to be to the east of No. 12. No. 12 in its original form (prior to later 19th century extension) is depicted, for certain, for the first time on the 1854 6 inch to the mile Ordnance Survey (OS) map (Figure 5), which was surveyed in 1853. The house is annotated 'Park House' and shown set in a formal garden with access from the southwest corner of the plot along a path. Outbuildings are shown to the east of the main house and in the northeast corner of the rear garden. Evidence from the valuation rolls indicates that the property was at this time owned by James Dall and comprised a 'House and Garden' (ibid).
- 5.1.2 The 1895 OS map (Figure 6) indicates that villa had been extended to the east and right up to the eastern property boundary. A small outbuilding appears to have been constructed to the west and from later maps is likely to have been a conservatory. The small outbuilding in the northeast corner of the rear garden appears to have been enlarged and is likely to have been the stables referred to in the 1876-77 valuation roll when the property is shown to have been in Ann Dall's ownership. The form of the building and the layout of the garden is clearer in the 25 inch to the mile OS map of 1894 (see Andrew Megginson Architecture 2019b).
- 5.1.3 The next known occupant of the villa was Dr John Crombie, who certainly owned the property in 1923, when it was purchased by the Commercial Bank of Scotland. An extract from the Royal Bank of Scotland (RBS) Archive, (presented in full in Andrew Megginson Architecture 2019b) indicates that the property was then known as 12 Westgate. It may by that point also have been split into two residences, and the building was in both residential use and housing the doctor's surgery, as references are made to both consulting and waiting rooms. The valuation rolls indicate that under Dr John Crombie the property was classed as a 'House, offices and garden'.
- 5.1.4 A 1945 OS map, revised 1938, reproduced in Andrew Megginson Architecture 2019b shows the separation of the villa into Nos. 10 and 12 Westgate with the plot division resulting in the former stable being located in the rear garden of No. 10. No.12 is annotated as a 'Bank' with a small extension still shown to the western elevation, though apparently much reduced, and a boundary wall extending from this to the boundary with the Blenheim House Hotel to the west. A further OS map (Figure 7) of the

same date does not show the division in the plot boundary or the internal division between Nos. 10 and 12; however, it does show the division of the bank premises from the rest of the building.

- 5.1.5 The current flat roofed western extension was constructed in 1984 to expand the bank premises (ibid). The bank was closed in 2018.

6 STANDING BUILDING ASSESSMENT

6.1 12 Westgate

- 6.1.1 Nos. 12 and 12b Westgate form the western portion of a much larger villa, which also includes No. 10 Westgate (Figure 8). The building as a whole is constructed of dressed coursed sandstone with ashlar chamfered dressings to the openings and three-over-four timber sash-and-case windows. Nos. 12b and 10, to the east, form the larger part of the building with a bay-fronted living room to the south and a large first floor window above set in a tall gable front. Nos. 12 and 12b are therefore the western range of the original villa, which is a two-bay two-storey element with later modern extension (Plate 1). No. 12b, which is to the east side features a projecting porch with sharply pitched slate roof and ogee-headed front door and a slim west-facing side window. The first floor dormer windows – one to each bay with rising triangular pediments – also form part of the No. 12b property.
- 6.1.2 The entrance to No. 12 Westgate has been divided from No. 12b by a rounded small boundary wall with a modern concrete flagstone path leading up to the main entrance. This appears to have been a three-bay window originally which was later converted to a doorway after the house was broken up into three properties (Plate 2) and this is noted in the Listing description. Today, it houses a single leaf timber panelled floor with its original brass fittings and a three-light glazed panel above. It is flanked by very thin side sash windows with two panes to the upper sash and a large single pane below. To the west side there is a single-storey two-bay extension in modern ashlar, built in 1983-84, which formed the main bank. The construction of dressed ashlar is similar in style to the original villa, although the colour is slightly lighter, and the surrounds to the openings in the extension mimic the chamfered style seen on the original villa. It has a flat roof with upper string course and contains two large one-over-two sash windows. The western bay is set slightly forward of the eastern bay.
- 6.1.3 The rear elevation of No. 12, together with the rest of the villa, was built in more economical fashion, with the more refined architectural detail saved for the more visible frontage at Westgate. Constructed in a coursed and snecked red sandstone rubble, the quoins and surrounds to the openings are in ashlar (Plates 3 and 4). No. 12 comprises a large bay window to the ground floor with an iron decorative balustrade over and a tall first floor three-over-four sash window (Plate 4). It is set in a gable front with fine skew stones with a moulded skew put. The adjacent two bay single-storey extension is also built in red sandstone rubble in an attempt to match the adjacent build although is more randomly coursed. The slightly wider section to the west side has ashlar quoins (again mocking the original villa) and houses a small one-over-one sash window (Plate 5).
- 6.1.4 The front walls bounding the property, together with the curved wall dividing the former bank from the adjacent house No. 12b, are built of a similar style and consist of a randomly coursed stone rubble wall, heavily re-mortared in places. However, it is assumed that curved dividing wall and indeed the dividing wall between No. 12b and No. 10 are latter additions which relate to the division of the property. Indeed, the dividing wall between No. 12b and No. 10 is built to a different style with regularly coursed rectangular blocks. It is also assumed that the entrance gates to Nos. 12b and 10 are later additions to give access to the divided property, though these gates have been finished in the same style as the entrance to No. 12.

- 6.1.5 At No. 12, to either side of the entrance are chisel-dressed uprights to which the main entrance gate is attached. There is evidence that the uprights were painted black to match the gate at some point, although this has now mostly weathered away. The wall is capped with a smooth triangular cope and forms part of a longer boundary wall which runs along all three properties comprising the Listed Building.

6.2 Interior

- 6.2.1 The interior of No. 12 consists of a ground floor containing a banking hall, office, safe room and toilet facilities (Figure 9). The main entrance opens out into a small lobby, Room 1a (Plate 6). This appears to have originally been one with the adjacent storeroom, Room 1b, as a later modern partition has divided a cornice in this room (Plate 7). The lobby opens out into the banking hall area, Room 2, which is in the later extension to the west side of the original villa (Plates 8 and 9). The windows in the south wall have been disturbed by the modern false ceiling (Plate 10). An office, Room 3, is located to the east side, which has been created by modern partition walls and glazing. The north side of the banking hall features a toilet block to the west side, Room 4, with a small sash window to the west side (Plate 11). Adjacent to this, to the centre of the north side and within the later extension, is a safe room – Room 5, complete with caged safe to the west side (Plate 12). Finally, forming part of the original villa, Room 6 is another office with a bay window in the north wall. The timber panelling of the window is still *in situ* and the room also has a deep moulded skirting (Plates 13 and 14).

7 ASSESSMENT OF SIGNIFICANCE OF THE LISTED BUILDING & CONSERVATION AREA

7.1 Assessment of 12 Westgate (including 1980s extension) Against Listing Criteria

- 7.1.1 No. 12 Westgate is a Category B Listed Building and therefore, under the terms of the 1997 Act, deemed to be of special architectural and historic interest. The building was Listed in 1988 and the Listing includes the 1980s extension and the associated retaining walls. The Listing description does not include a Statement of Special Interest explicitly outlining the buildings special architectural and historic interest as more modern, and some updated, Listings do. In line with HEP1 (HES 2019) decisions affecting the historic environment should be informed by an understanding of cultural significance. On this basis this Section examines the building in line with the Listing criteria set out in the HES's Designation Policy and Selection Guidance (HES 2019b) to form a clearer understanding of the elements of the building which contribute to its significance and are therefore desirable to preserve or enhance.
- 7.1.1 The Listing criteria, used by Historic Environment Scotland to determine whether a building is of special architectural and/or historic interest, are noted above in Section 4. These criteria provide a framework within which professional judgement is exercised to reach a conclusion about whether or not the structure in question warrants being Listed. This assessment will seek to identify any elements of the asset which contribute to its cultural significance and which constitute the special interest required for Listing. Considering a building to be of '*interest*' does not in itself provide sufficient grounds for Listing, as the HES guidance makes clear '*designating a site or place as a listed building recognises its cultural significance at a national level. To be listed, a building must meet the criteria of special architectural or historic interest as set out in the 1997 Act*'. The test which therefore needs to be applied is not whether a building, or elements thereof, is of interest but whether it is of 'special interest'. This is particularly relevant in the light of fact that since 2015 any new Listings or amended Listings could

apply legal exclusions to make clear elements of structures which did not meet the threshold of 'special interest' and were therefore not included in the designation.

7.2 Architectural Interest

Design

- 7.2.1 HES notes in its Designation Policy and Selection Guidance that design relates to: artistic skill or architectural features; interest of the designer in relation to the building's design; interior design and fixed interior decorative schemes; plan form; materials; technological excellence or innovation and/or regional traditions that might be demonstrated in the building type, material or form. The guidance also states that this takes into account the level of authenticity and completeness.
- 7.2.2 Based on the standing building assessment in Section 6, Nos. 10 and 12 (1840s core with later 19th century eastward extension but less the 1980s extension) are judged to provide, as a whole, a well-executed example of a Victorian villa. Whilst it is fairly typical in its overall plan form and materials used it is finished to a high quality. The exterior architectural details, especially in relation to the chimney stacks, fenestration and balustrading, are notable along with the projecting porch with sharply pitched slate roof and ogee-headed front door and a slim west-facing side window at the centre.
- 7.2.3 There is no particular evidence of the interest of the designer in relation to the buildings design or evidence for technological excellence or innovation.
- 7.2.4 In terms of interior design or decorative scheme's this assessment can only comment upon the portion of the villa included in the current No. 12 property. With regard the 1840s element of the villa this is limited to Rooms 1a, 1b, 3 and 6, the western elevation of which was lost to the 1980s extension. Much of the interior detail of the original villa has been lost through, or is potentially hidden behind, elements of its more modern conversion. The rather limited exceptions to this are the corncicing visible in Room 1b and the bay window in the north wall, with the timber panelling of the window still *in situ* and a deep moulded skirting in Room 6.
- 7.2.5 The 1980s extension, as noted in the standing building assessment above, has been finished with exterior material which aimed to be sympathetic to the external finish of the villa. However, as noted above, this been less well finished. The building does not contain any artistic or architectural features of note, nor does it contain any evidence for technical excellence or innovation. Its plan form and interior are modern and entirely functional in nature as is any apparent interest of the designer in designing a commercial building to house a bank.
- 7.2.6 In terms of authenticity – the 1980s extension has resulted in a direct adverse impact upon the material of the building through the loss of the lower portion of the western elevation. The modern partitioning of Rooms 1a, 1b, 3 and 6 have also had an adverse impact upon the ability to understand and appreciate this element of the building as part of a larger original villa, as original features have either been removed or covered up. However, it needs to be acknowledged that the extension does allow for an understanding of the later authentic use of the property as a banking premises.

Setting

- 7.2.7 HES's Designation Policy and Selection Guidance (2019b) indicates that a building's setting may contribute to its architectural interest. Setting relates to the context of the building and takes into account both its current and historical setting. Factors to considered are noted in Paragraph 4.1.2 above.

7.2.8 The historic setting of the building, as understood for the map regression presented in Section 5 above contributes to the understanding of the building as part of the Victorian expansion of the town. It is the first building when moving west along the High Street which is set back from the street frontage¹ and demonstrates the change in character from the commercial core along the High Street to the later residential expansion which extends along Westgate. The well-maintained front garden contributes to an understanding and appreciation of No. 12's previous and original residential character and is in keeping with the continued use of the rest of the villa (No. 12b & No. 10). On this basis the location and setting of the building can be said to contribute to an understanding and appreciation of the building and the context in which it was constructed and originally used. The fact that the setting of the asset has changed little since its original construction also allows for an experience of the building in this original context.

7.3 Historic Interest

7.3.1 As noted in Paragraph 4.1.3 above, Historic Interest, in terms of Listing relates to age and rarity, social historical interest and association with people and events that have had a significant impact on Scotland's cultural heritage. As noted above Nos. 10 and 12 as a whole provide a well-executed example of a Victorian villa but on this basis can also not be said to be of any significant age or particularly rare. Further, as per the presentation of the historical context and development of the building in Section 5 above, there is no evidence of the building having association within any people or events that were significant in Scottish history.

7.3.2 As per the Designation Policy and Selection Guidance, social interest refers to '*the way a building contributes to our understanding of how people lived in the past, and how our social and economic setting is shown in a building and/or in its setting*'. The building has some social interest in that it is part of a group of buildings which demonstrates the Victorian expansion of North Berwick following its popularity as a seaside destination (ELC 2018b) which roughly coincided with the opening of the railway station in 1850 which eased access to the town. The later use of a portion of the building for a banking premises reflects its location at the edge of the commercial centre of the town and the later 1980s extension is reflective of the changes to banking of more recent times including the development of use of more automated and electronic functions, as evidenced by the inclusion of an ATM machine.

7.4 Significance of the Listed Building

7.4.1 On the basis of the above, the special interest of the Listed Building can be seen to largely relate to the original villa and particularly its fine architectural detail and its setting. The latter can be seen to relate to the immediate garden setting which demonstrates the building's original use as a villa and it along with building itself contribute to the understanding of the building as part of the Victorian expansion of the town away from the historic and commercial core located to the east along the High Street.

7.4.2 The 1980s extension has no architectural significance and indeed it has, along with internal alteration to original elements of No. 12, adversely impacted upon the villa through the removal, division and covering up of 1840s material. The extension can be said to have some social historic interest, as it demonstrates the use of the building for nearly 100 years (1923 to 2018) and reflects a move in the 1980s to modern banking practices. This limited social historical interest cannot however be said to amount to the 'special interest' required for Listing particularly where the extension does not demonstrate interest in any of the other ways outlined in the Designation Policy and Selection

¹ It is noted that the building to the immediate east of No. 10 were the first of this expansion but have since had single storey extension to their southern elevations which extend the built structures to the street frontage.

Guidance (HES 2019b). This is further evidenced by HES's consultation response (2019d) which does not comment on the loss of the 1980s extension nor do they state that its loss would result in an adverse impact. Their comments are limited to the 'visual impact' upon the retained Listed Building, understood here to refer to original 1840s villa with later 19th century eastern extension. This implies that the loss of the 1980s extension is not considered to impact upon the special interest of the building as a whole. By extension this may also imply that if an update of the Listing was undertaken then 1980s extension may be excluded from the designation in line with Annex 2, Paragraph 9 of the Designation Policy and Selection Guide (2019b).

7.5 12 Westgate in the context of North Berwick Conservation Area

- 7.5.1 The elements of North Berwick Conservation Area, which are deemed to be of importance in terms of the area's special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance are summarised, based on the Character Statement in ELC's SPG (ELC 2018b), in 4.13 to 4.14 above.
- 7.5.2 In the context of the wider Conservation Area, No. 12 Westgate is located immediately west of the town centre in an area of westward expansion, largely characterised by Victorian period villas set back from the road with gardens and drives, some featuring mature vegetation, to Westgate. Overall the building contributes to the character of the area, though the western extension is slightly incongruous, being single storied and flat roofed in an area where the majority of buildings are two storeys and pitch roofed.
- 7.5.3 The building is not prominent in views when traveling west down the High Street, due to the narrowness of the street and the buildings fronting directly on to the pavement. When traveling in this direction the original villa, including both Nos. 10 and 12 Westgate only come into view from around No. 4 Westgate. Only the upper portions of the villa and the adjacent Blenheim House Hotel are visible from this location, the 1980s extension is hidden from view by vegetation and boundary walls associated with the properties at Nos. 10 and 12.
- 7.5.4 The villa is more visible when travelling from the east along Westgate. From just west of the junction with Bank Street the original villa becomes visible, protruding to the south and seen beyond the Blenheim House Hotel. The later 1980s extension is largely hidden from view by the Blenheim House Hotel and its associated wall and hedge until one is east of the Bank Street Junction (Plate 15). Full views of the extension are limited to the immediate proximity of the property.
- 7.5.5 From the south side of Beach Road, which is paved, views of the Listed Building are largely limited to the immediate proximity of the property due to the height of the northern boundary walls of the Westgate properties. Views are possible from the opposite side of the road at Elcho Green and the 1980s extension is more visible in views from the north than in the views along the High Street and Westgate, as described above. However, it appears less incongruous in these views, where the red sandstone rubble finish blends more consistently with the original buildings and where there is a mixture of modern extensions and single storey outbuildings protruding into these rear, northern gardens (Plate 16).
- 7.5.6 Overall the original 1840s villa with its later 19th century extension to the east contributes to the character of this Victorian expansion element of the Conservation Area, being an attractive example of an early villa at the edge of the original town core. The pitched roof and interesting fenestration and chimney pots, along with the well-maintained front gardens, which introduce greenery and vegetation to the street frontage, contribute to the aesthetics of the streetscape as one moves beyond the more commercial and crowded character of the High Street. They also allow for an understanding of the

historic Victorian and later expansion of the town, representing a change in character from the narrow commercial core with buildings fronting directly on to the High Street.

- 7.5.7 The 1980s extension does not currently contribute to the character or appearance of this portion of the Conservation Area. As noted above it is largely hidden from views as one travels along the High Street and Westgate and is unassuming in views from the north, given the mix of building material and heights facing on to Beach Road. While appearing slightly incongruous in close views from Westgate the single storey extension cannot, either, be said to detract from the character or appearance of the Conservation Area.
- 7.5.8 The building, on the whole including the original villa with 19th century eastern extension and 1980s western extension, does not contribute nor detract from the other key elements of the Conservation Area as summarised in Paragraphs 4.13 and 4.14 above, as it lies well outwith and is not visible from, what can be described, as the other character areas. Further, in terms of identified key views there are not currently glimpses of the sea from this location and, due to the height and proximity of the buildings on the south side of Westgate, there are no clear views to North Berwick Law.

8 PREDICTED IMPACTS

8.1 Development Proposal

- 8.1.1 The development proposal is outlined in Paragraph 2.1.1 above and in full in the Design and Access Statement (Andrew Megginson Architecture 2019) submitted with the applications for planning permission and Listed Building Consent. The nature of the proposal necessitates consideration of the potential for both direct physical impacts upon Listed Building fabric and for impacts upon the setting of the Listed Building and the North Berwick Conservation Area.
- 8.1.2 Section 8.2 below will consider the potential for direct physical impacts resulting from the removal of the 1980s extension, the renovation of the ground floor of No. 12 which comprises part of the original 1840s villa, the erection of the proposed new extension and the widening of the entrance gateway. Section 8.3 will consider the potential for impacts upon the setting of Nos. 10 and 12 as a result of the finished proposal and will also consider its potential for impacts upon the character of the North Berwick Conservation Area.

8.2 Direct Impact Assessment

- 8.2.1 Scottish Planning Policy highlights the need for any changes to Listed Buildings to preserve their special interest while allowing them to stay in active use. Local planning policy similarly requires that development does not adversely affect the special interest of Listed Buildings. The removal of the 1980s extension will remove modern material which has no particular architectural interest and which has had an adverse impact upon the fabric of the 19th century villa. Its removal will see the loss of some historic interest related to the modern use of the western portion of the villa for a banking premise. However as per the above this interest cannot be seen to constitute 'special interest' as per HES's Designation Policy and Selection Guidance (2019b). The historical interest resides not just in the 1980s extension but is also recorded on historical OS maps and by the RBS archive, so even with loss of the physical building this element of the property's history can still be understood. Overall the removal of the 1980s extension would not adversely impact upon the special interest of the Listed Nos. 10 and 12 Westgate which, as per the assessment above, relates to its architectural interest and its setting.
- 8.2.2 The erection of the new extension would have minimal impact upon the fabric of the original 1840s villa, as the lower portion of the western elevation has already been lost to the 1980s banking

extension. The renovation of the interior of the ground floor of the original 1840s villa has the potential to have a beneficial impact upon the Listed Building. As discussed in Section 6 above, the conversion of the building for banking use has resulted in the loss of the lower portions of the western elevation of the building and loss of interior features through subdivision of the rooms and the insertion of modern features such as a false ceiling which have either removed or obscured original features, for example the cornice in Room 1b. Removal of later partition walls and false ceilings has the potential to reveal further surviving original features and would allow for an understanding of property at No. 12 as part of an original larger villa residence.

- 8.2.3 The removal of a portion of a retaining wall at the entrance gate to No. 12 would represent a loss of historic fabric. However this loss represents a minor portion of the overall retaining wall which also includes the walls to Nos. 12b and 10. Given the subdivision of the original 1840s villa with later 19th century extension in the east, this would not represent the first change to the wall, which was presumably broken through to allow access into Nos. 12b and 10 at the front of the properties. Additional walls within the overall plot for the original villa have also been added to subdivide the gardens for the now three properties and the 1980s extension was built into and incorporated a portion of the western boundary wall. These previous changes to the retaining wall have largely been undertaken sympathetically, having, with the exception of the dividing wall between Nos. 12b and 10, been constructed in a similar style and with similar materials to the original wall. The insertion of new walls and breaking through of original walls to create additional points of access has not resulted in an adverse impact upon the special interest of the Listed Building. The widening of the current access to No. 12 would not alter the location of the original entrance to the property as shown on the 1854 OS map (Figure 5) and, provided the materials and style are in keeping with the existing walls and the work is undertaken in line with HES's guidance on boundaries (HES 2010, Paragraph 5.6), would not adversely impact upon the special interest of the Listed Building. The wall would still be understandable as a property boundary for the original villa and retain its overall architectural character.

8.3 Impact on Setting and Character

- 8.3.8 ELC's primary reasons for refusal relate to impacts upon the setting of the Listed Building at Nos. 10 and 12 Westgate and the character of the North Berwick Conservation Area. Their concerns primarily relate to the fact that they deem the proposed extension, as a result of its height, scale and massing, to not be subservient to the Listed Building and they judge that this would therefore result in adverse impacts upon the architectural and historical character of the building. They deem the changes to access to be incongruous with the current setting of the Listed Building and the character of the Conservation Area. ELC's full reasons for refusal, in relation to cultural heritage, are outlined in Section 2.1.
- 8.3.9 The proposed extension as outlined in the Design and Access Statement (Andrew Megginson Architecture) would be constructed in a sympathetic and style and with sympathetic materials to the existing Listed Building but would be clearly read as a modern extension. Its pitched roof would be in keeping with the Listed Building and with the overall character of this portion of the North Berwick Conservation Area. While the proposed extension would project in front of the portion of the Listed Building which comprises No. 12 it would not project in front of the Listed Building (Nos. 10 and 12) as a whole, but would rather align with the central projection of the building which currently houses No. 12b. Given the architectural styling of the central portion of the villa contained within No. 12b it is likely that this will still be legible as the dominant portion of the overall building and will be the most visible element of the building when travelling west down the High Street/Westgate and likely also when

travelling east on the southern side of Westgate. The new extension would likely prohibit some views of the central element of the Listed Building when travelling east along the northern side of Westgate, but as discussed above views of the Listed Building from this side of the road are limited due to the presence of the Blenhiem House Hotel and its associated boundary wall and hedge. By the time one was in close enough proximity to view the extension and the Listed Building their distinction would likely be clear. In views from Beach Road the extension would appear subservient to the Listed Building, with the chimney pots and roof of the Listed Building distinctly higher than the immediately adjacent flat element of roof for the extension.

- 8.3.10 The construction of the proposed extension would result in a change to the current setting of the building, by replacing the 1980s flat roofed, single storey extension with a two storey pitched roofed extension. The proposed extension would therefore be more visible in the streetscape than the current modern extension by virtue of its height. However, its style and primary use as a residence would be more in keeping with the character of this portion of Westgate than that of the current extension. Further the proposed extension would not adversely impact upon the elements to of setting that have been identified as contributing to the Listed Buildings special interest. The proposed extension would maintain the overall position of the Listed Building, set back from the Westgate frontage with access and garden lying between. This setting, in contrast with the adjacent character of the High Street, contributes to an understanding of the villa as having been constructed as part of the Victorian and later expansion of the town in a primarily residential area, near to but distinct from the earlier commercial core of the town to the east. On this basis a minor adverse impact upon the setting of the Listed Building is predicted. However, it is argued that impact would be limited to views from west along Westgate and would result from the projection of the proposed extension in front of the element of the Listed Building contained with No. 12 only; the overall villa would still be visible and legible with its central projection at, now contained within No. 12b, in these views along the streetscape. Overall, the changes to the setting resulting from the proposed extension would not impact upon how setting contributes to the special interest of the Listed Building.
- 8.3.11 ELC's reasons for refusal also note that they deem the changes to the access, including the widening of the gate and the creation of a hardstanding area for car parking incongruous with the setting of the Listed Building and character of the Conservation Area. The current garden space is a combination of paving stones set in gravel to allow pedestrian access to the former bank and ATM. A planted border is located along the western boundary wall and a small area of grass is located at the centre. The proposed development would maintain the planted area along the western boundary but would relocate the soft landscaping area from the centre to the northeast corner to allow for car parking in the centre. While this represents a change in arrangement it would still maintain the current and historic function of the space providing garden space and access to the property. As noted above in Section 8.2 this access proposal would maintain the original access point to the property as shown on the 1854 OS map. The maintenance of planted border and of an area of soft landscaping would also maintain the aesthetic qualities of the garden area between the Listed Building and Westgate. The function and overall character of the garden would not be materially changed and it is possible that the relocation of the soft landscaping to the east, directly in front of 1840s element of No. 12 aid in understanding it in the context of the rest of the original villa, with Nos. 12b and 10, and distinct from the proposed extension. Overall the access proposal would see little change to overall character of the area and as such would not result in a change to the setting of the Listed Building, such that it would impact upon the special interest of the Listed Building or adversely impact upon the ability of an observer to understand, appreciate and experience the significance of the Listed Building.

- 8.3.1 In the context of the North Berwick Conservation Area, the 1980s extension was judged to make a largely neutral contribution to the character of the Conservation Area, being largely obscured from view by neighbouring buildings and vegetation. As such its removal is not judged to impact upon the character of the Conservation Area. The erection of the proposed extension and proposed changes to access, as discussed above in the context of the setting of the Listed Building, would also not adversely impact upon the character of the Conservation Area. It is acknowledged that given its height it would be more visible than the current modern extension and it would be seen adjacent to the Blenheim House Hotel in views from east. A CGI view showing the proposed extension in this context is shown on Page 9 of the Design and Access Statement (Andrew Megginson Architecture 2019), and while the proposed extension projects slightly forward of the Blenheim House Hotel, it does not obscure any of that building's front elevation and as such does not prevent understanding or appreciation of it or hamper its own contribution to the Conservation Area. Increased vegetation in the garden in No. 12b since this picture was taken, including hedges along the boundary and a tree at the centre of the lawn would partially screen the proposed extension in this view.
- 8.3.2 The original 1840s villa with its later 19th century extension to the east contributes to the character of this Victorian expansion element of the Conservation Area, being an attractive example of an early villa at the edge of the original town core. The pitched roof and interesting fenestration and chimney pots, along with the well-maintained front gardens which introduce greenery and vegetation to the street frontage, contribute to the aesthetic appearance of the streetscape as one moves beyond the more commercial and crowded character of the High Street. They also allow for an understanding of the historic Victorian and later expansion of the town, representing a change in character from the narrow commercial core with buildings fronting directly on to the High Street.
- 8.3.12 The extension would, as discussed above, maintain the character of residential buildings set back from the street frontage as one moves from the High Street onto Westgate. The proposed maintenance of an access and garden area to the front of No. 12 would be in keeping with the aesthetics of this area of the streetscape. The proposed changes would not adversely impact upon the ability to understand this area of the Conservation Area as representing an area of historic expansion and the contrast between the commercial area of the High Street to the east and the residential area of Westgate to the west would be maintained.

9 CONCLUSION

- 9.1.1 This Heritage Impact Assessment has considered the potential impacts of the proposed development at No. 12 Westgate upon the cultural heritage significance of the Listed Building at Nos. 10 and 12 Westgate and upon the significance of the North Berwick Conservation Area.
- 9.1.2 The assessment has concluded that the 1980s extension to No. 12 Westgate, whilst included in the Listing, does not contribute to the special architectural and historic character of the Listed Building. This special interest is rather found in the architectural detail of the 1840s villa and its later 19th century eastern extension and in its setting. What interest the 1980s extension has is not deemed to meet the criteria to be considered 'special' and lies in its ability to demonstrate the use of a small portion of the overall Listed Building as a bank premises; an interest that can also be understood from historical maps and archival records. As such the demolition of the 1980s extension would remove an element of the building not deemed to be of special interest and would not harm the special architectural and historic character of the Listed villa. HES (2019d) have not commented on the loss of the 1980s

extension indicating that they do not consider the demolition to adversely affect the special interest of the Listed Building.

- 9.1.3 Internal renovations to original 1840s elements of No. 12 have the potential to enhance understanding and appreciation of the building by removing modern features which have damaged or hidden original features. This would allow for a better understanding of this element of the building in the context of the rest of the villa which now comprises Nos. 12b and 10 to the east.
- 9.1.4 The widening of the access to No. 12 would result in the loss of some fabric but would not alter the understanding or character of the boundary wall in relation to the house. The wall has been subject to previous alterations as a result of the division of the property without adversely impacting upon the special architectural and historic interest of the Listed Building.
- 9.1.5 The importance of the setting of the Listed Buildings along Westgate and indeed the character of the Conservation Area relate to the ability to understand the buildings and the character area as Victorian and later expansion of the town of North Berwick. This is understood through the architectural styles employed and the location of the buildings set back from the street frontage in contrast to the character of the older High Street to the east with its narrowness and buildings fronting directly onto the street. The proposed extension is set back in line with the projecting central element of the 1840s villa now making up the property at No. 12b and the access and garden area to the front of No. 12 would be maintained. A minor impact upon a single view of the Listed Building from the west, along Westgate, is predicted which would result from the proposed extension being seen in front of the current No. 12 in this view. However, overall the proposed extension and the changes to the front garden and access arrangements would not result in adverse impacts upon the integrity of the setting of the Listed Building such that the special interest afforded by this criteria would be harmed or the ability to understand, appreciate and experience the building or Conservation Area would be reduced.
- 9.1.6 As such on balance, and taken into consideration minor loss of historic fabric in the form of a small portion of the boundary wall and minor impacts upon views from the west, the proposed development is not judged to harm the Listed Building or Conservation Area to the extent that there would be adverse impacts upon or loss of the special architectural and historic interest of the building or the Conservation Area. As such, the proposals largely accord with SPP Paragraph 141 which places emphasis on the protection of the special interest of a Listed Building and also largely accords with SPP Paragraph 143 which indicates that where proposal do not harm the character or appearance of a Conservation Area they should be treated as preserving it. On this basis the proposals can also be seen to preserve the architectural and historic character of the Conservation Area in line with Local Development Plan Policy CH2. The proposed extension is not deemed to materially impact upon the setting of the Listed Building and would not harm the architectural and historic character of the Listed Buildings at Nos. 10 and 12 Westgate. The 1980s extension is not considered to be of special interest and its removal would not adversely impact upon the special interest of the rest of the Listed Building and, as such, the proposals would not be contrary to Policy CH1 of the Local Development Plan. In line with SPP Paragraph 141, the internal renovations to No. 12 have the potential to enhance the significance of the Listed Building by removing later unsympathetic partition walls and false ceilings and revealing original elements which may have been masked.

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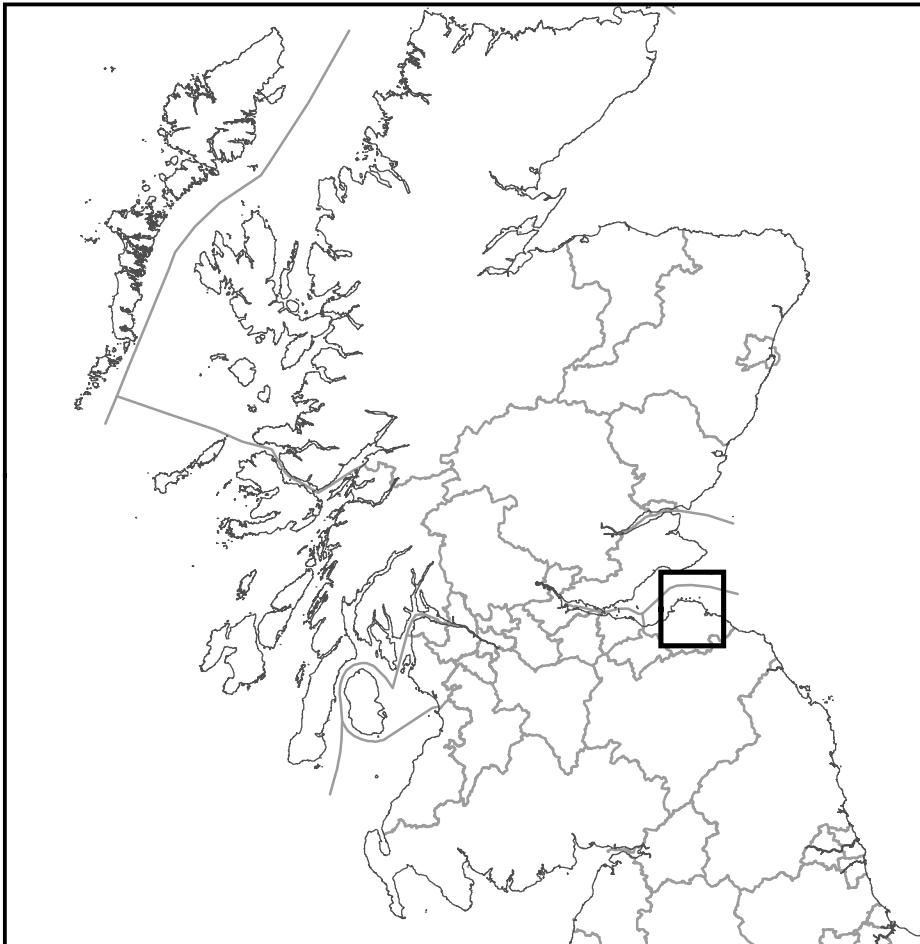


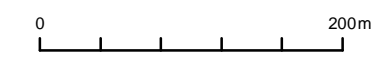
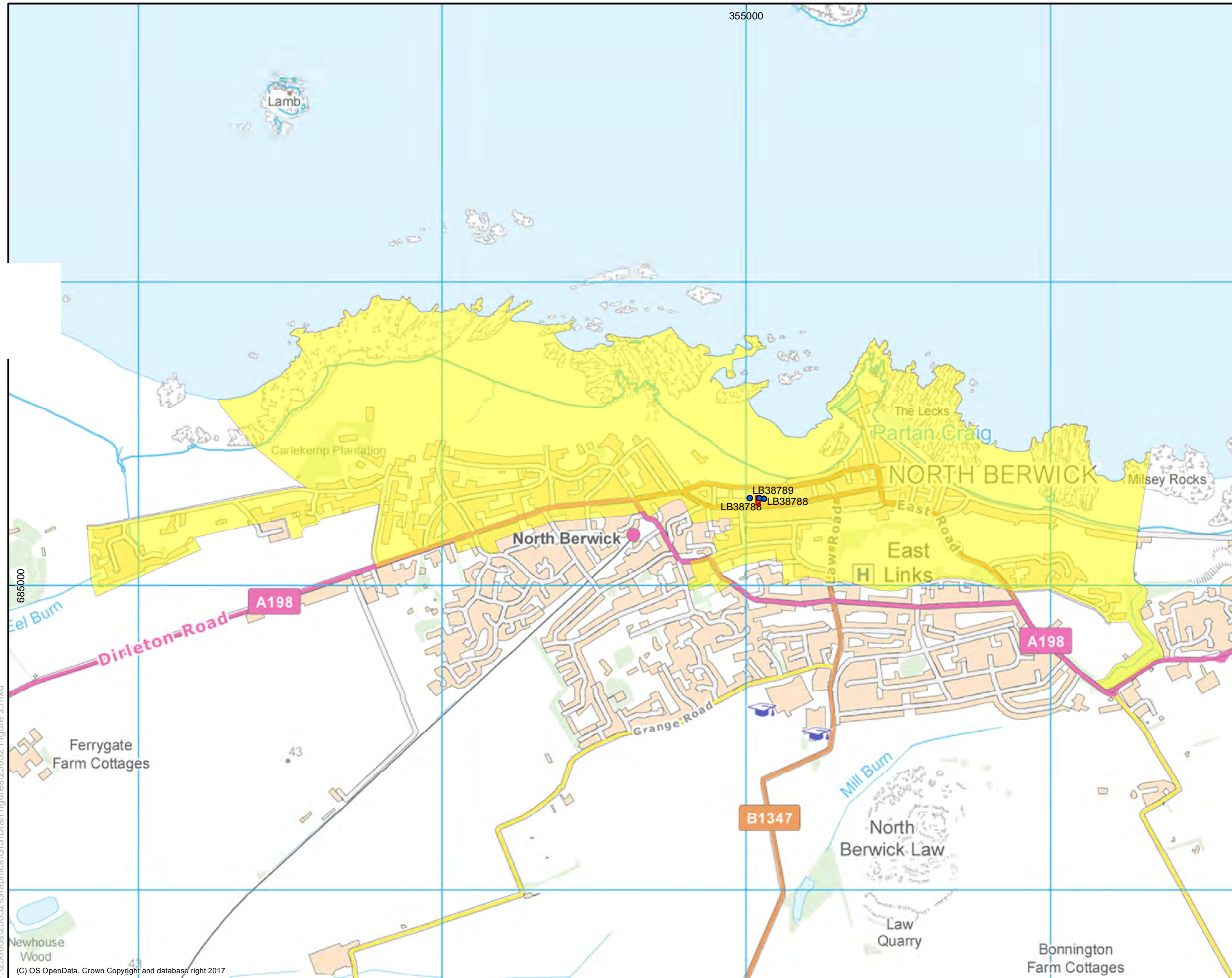


Figure	1
Site Location Plan	
Legend Site Boundary	
FOR	
Mr and Mrs Sharp 57a Westgate North Berwick	
Drawn/checked:	VO/SO
DWG no:	01/25032/HIA/01/01
AOC Project No.:	24272
 (C) AOC Archaeology Group 2019	
	
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Coordinate System: British National Grid Projection: Transverse Mercator Datum: OSGB 1936	
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(C) OS OpenData, Crown Copyright and database right 2017	

North Berwick Conservation Area and Listed Buildings discussed in the assessment

Legend

- Listed Buildings
 - discussed in the report
- Site Boundary
- North Berwick
- Conservation Area



FOR
 Mr and Mrs Sharp
 57a Westgate
 North Berwick

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AOC Project No.:	25032



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 Coordinate System: British National Grid
 Projection: Transverse Mercator
 Datum: OSGB 1936

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Figure

3

Extract from Great Reform Act Plan, 1832

Legend

□ Site Boundary

FOR

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North Berwick

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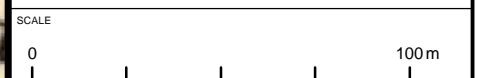




Figure 4

Extract from Greenwood and Fowler's map of 1844

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 Site Boundary

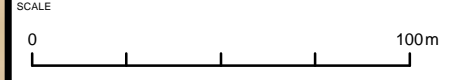
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DWG no:	01/25032/HIA/04/01
AOC Project No.:	25032



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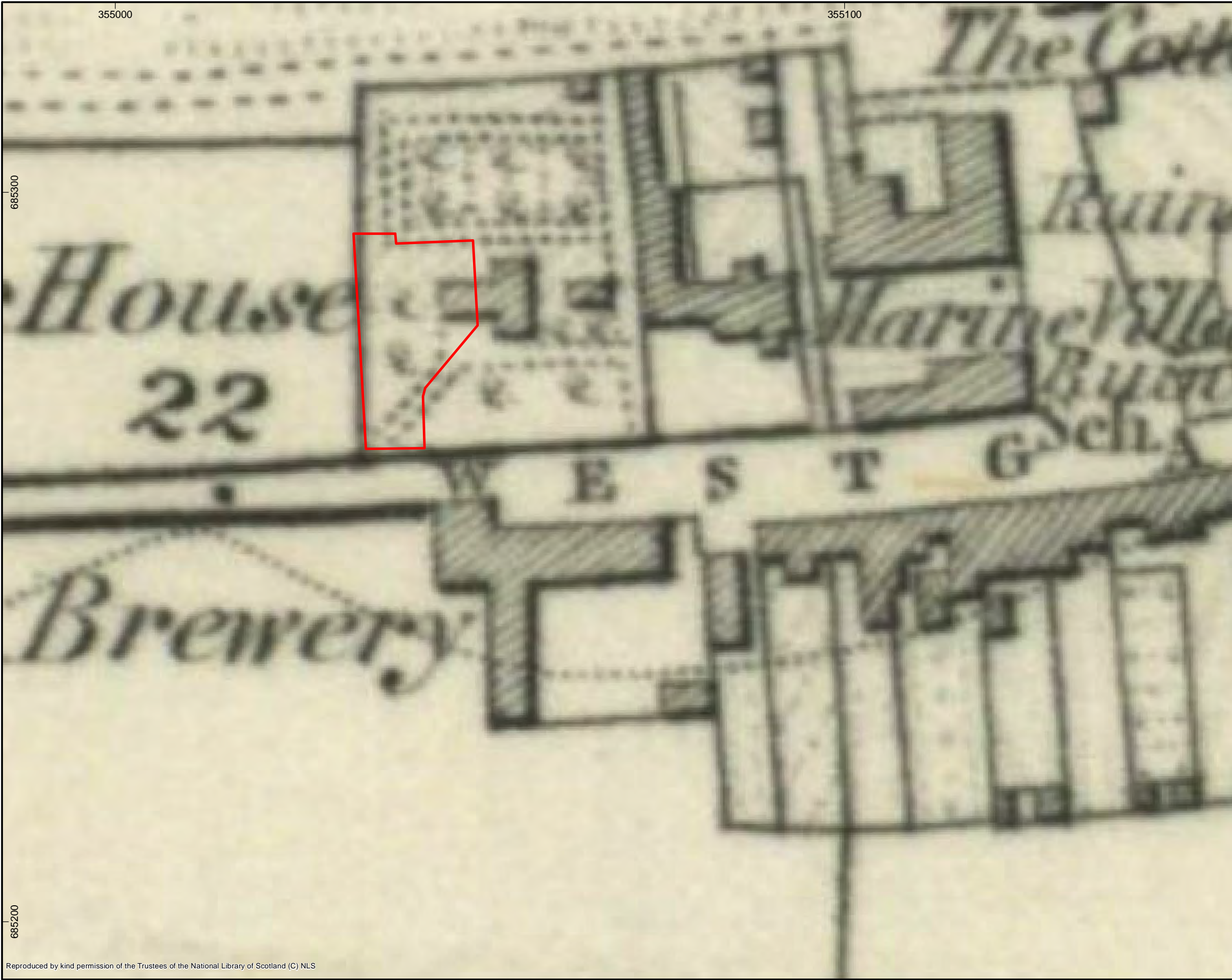


Figure 5

Extract from Ordnance Survey map of 1854

Legend
 Site Boundary

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 North Berwick

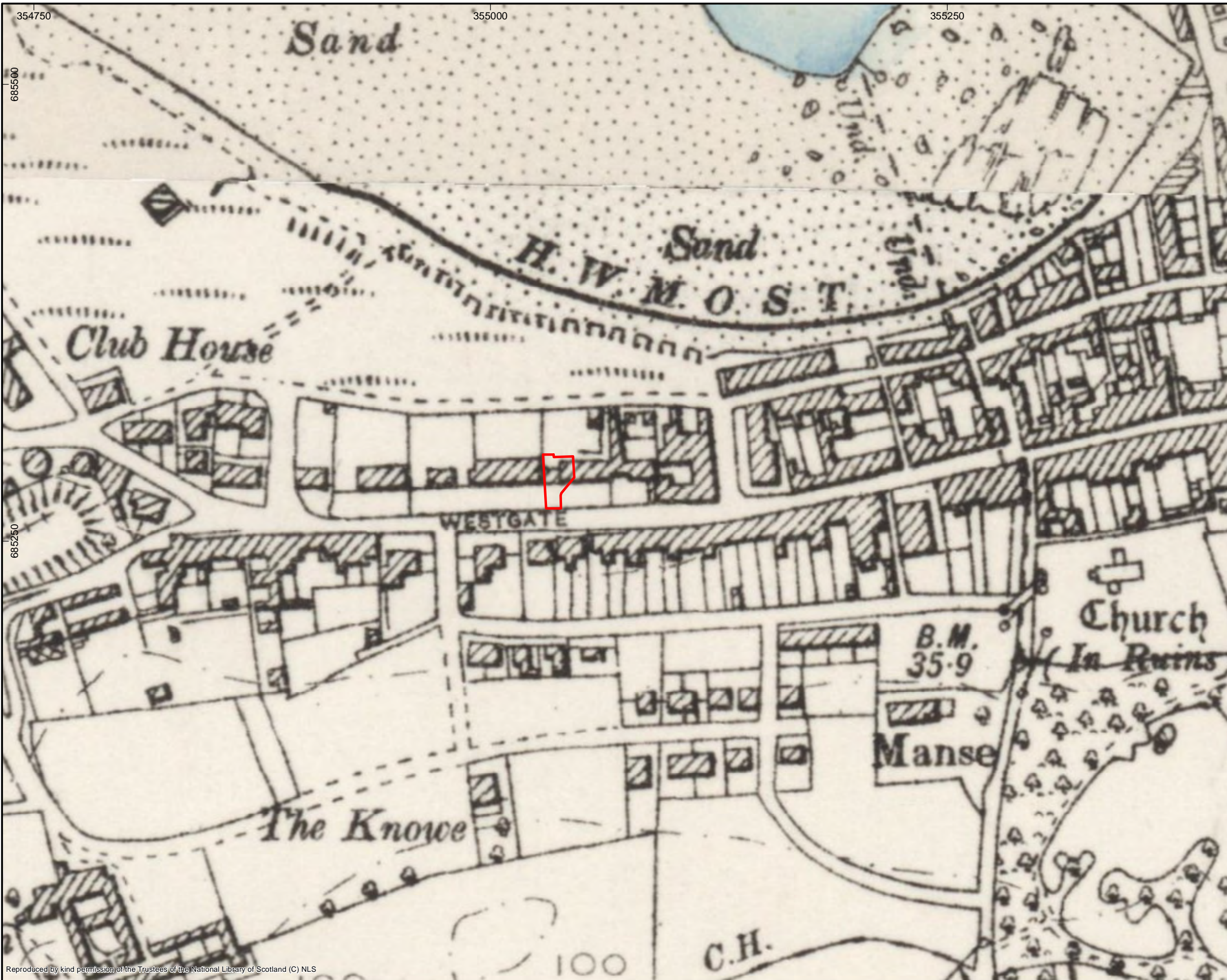
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AOC Project No.:	25032



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 Projection: Transverse Mercator
 Datum: OSGB 1936

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Figure

6

Extract from Ordnance Survey map of 1895

Legend

□ Site Boundary

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AOC Project No.:	25032

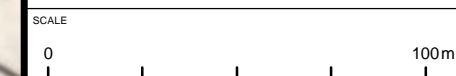


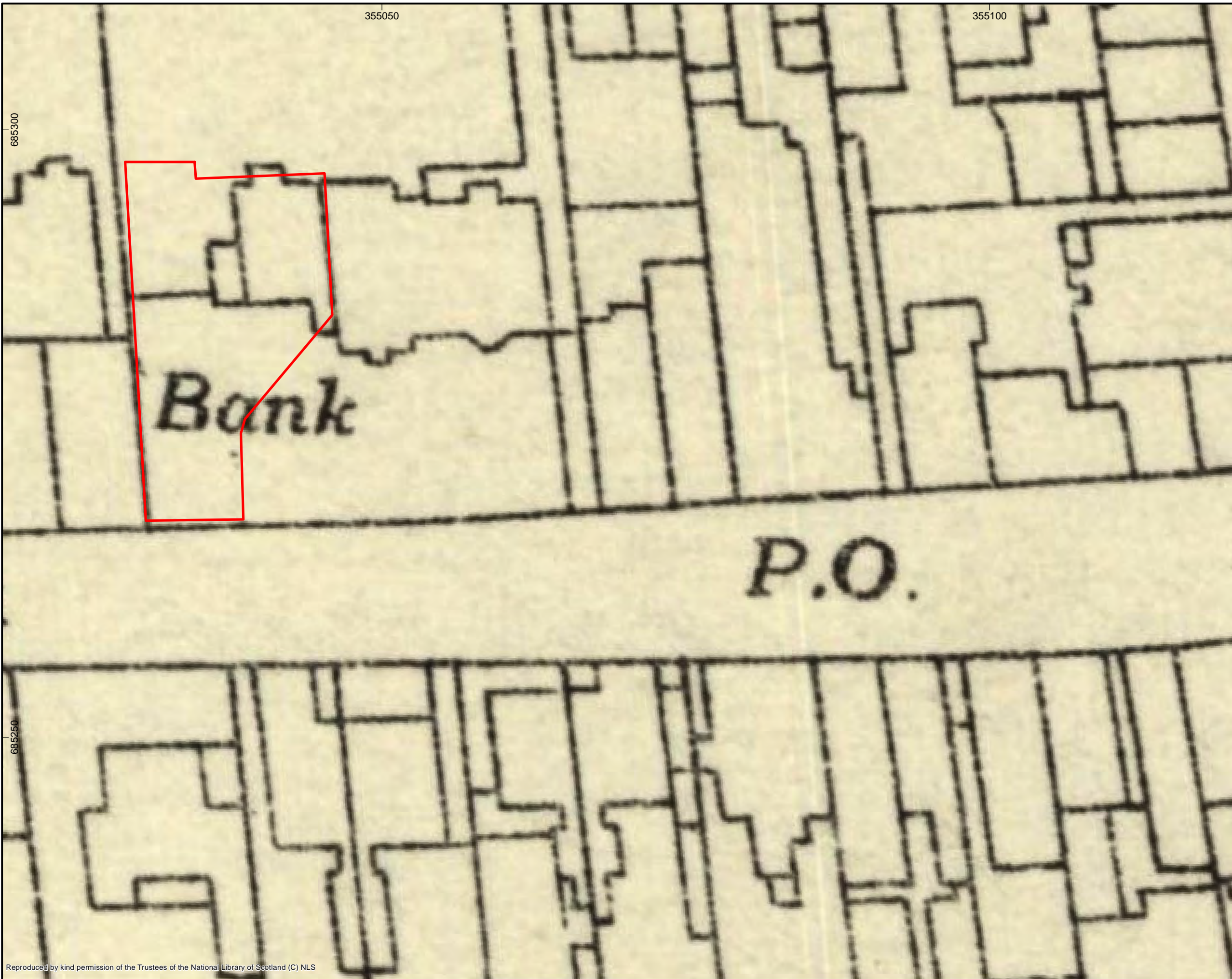
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Figure

7

Extract from Ordnance Survey map of 1945 rev 1938

Legend

□ Site Boundary

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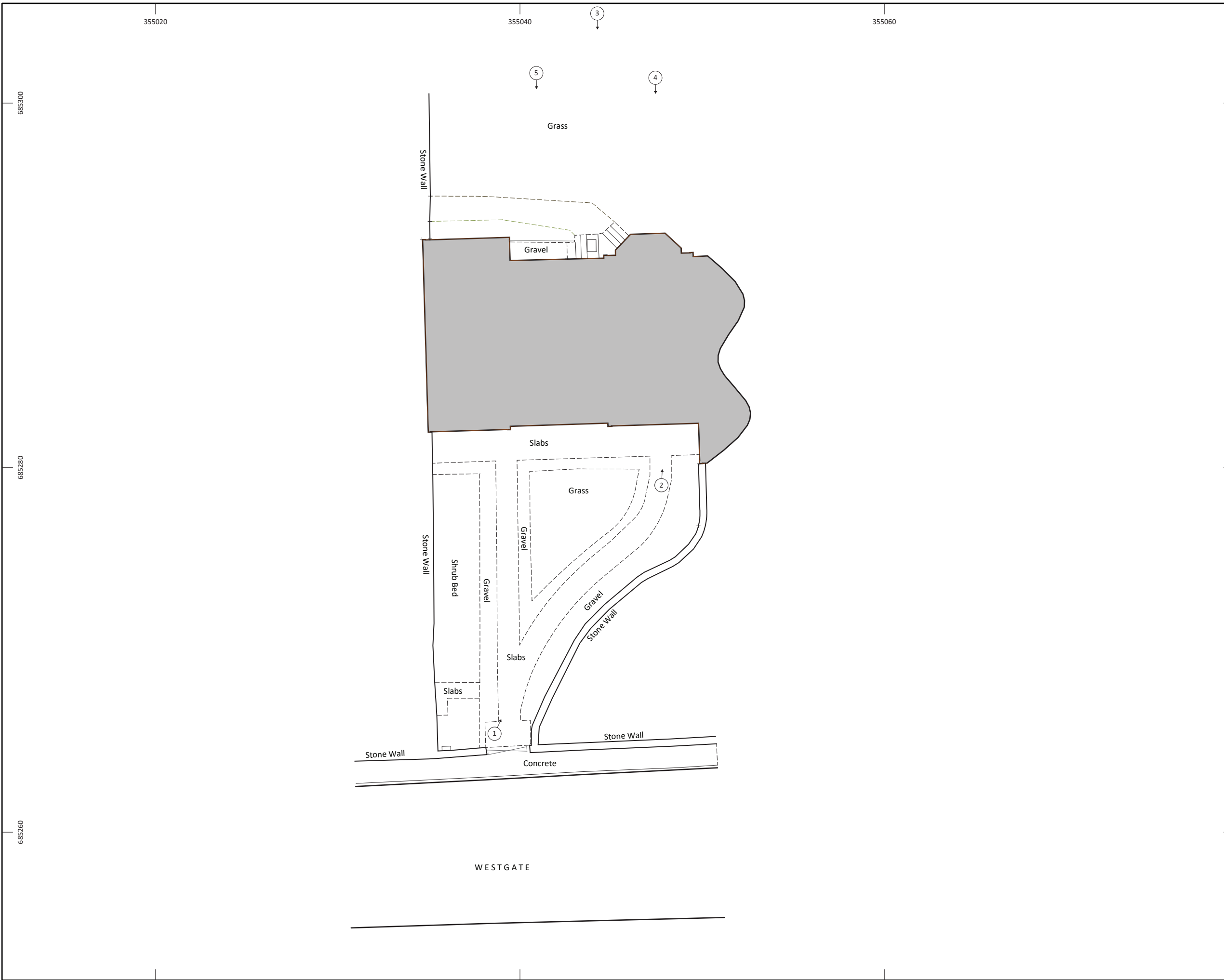


Figure 8

Site plan of No 12 Westgate

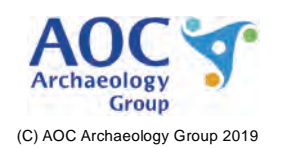
Legend

④ Plate location and direction

FOR

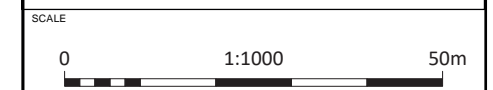
Mr & Mrs Sharp
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North Berwick

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AOC Project No.:	25032





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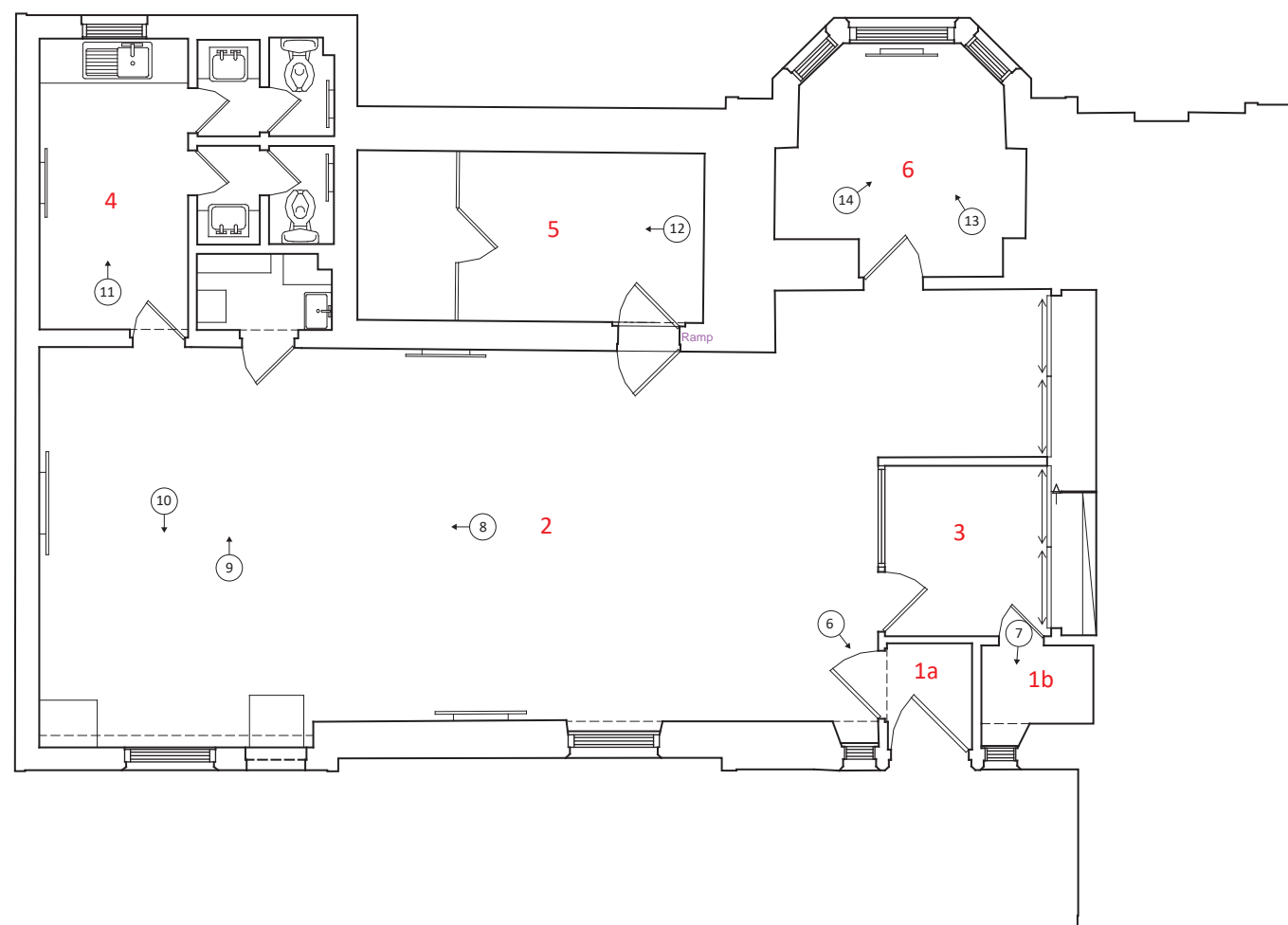
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Ground floor plan of No 12 Westgate

Legend

-  Plate location and direction
-  Room number



FOR

Mr & Mrs Sharp
57a Westgate
North Berwick

Drawn/checked: JH/SO

DWG no: 01/25032/HIA/09/01

AOC Project No.: 25032



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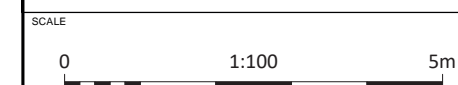




PLATE 1: No. 12 and 12b Westgate, general view from the SSW



PLATE 2: No. 12 Westgate, detail of main entrance in the south elevation, from the south



PLATE 3: No. 12 Westgate, general view of the north elevation, from the north



PLATE 4: No. 12 Westgate, detail of the westernmost bay of the original villa, from the NNE



PLATE 5: No. 12 Westgate, general view with the later extension, from the north



PLATE 6: Room 1a, detail of main entrance from the north-west



PLATE 7: Room 1b, detail of cornice in the south wall, from the NNE



PLATE 8: Room 2, general view from the east



PLATE 9: Room 2, general view of the west side of the north wall, from the south



PLATE 10: Room 2, detail of the westernmost window in the south wall, disturbed by the false ceiling, from the north



PLATE 11: Room 4, detail of the window in the north wall, from the south



PLATE 12: Room 5, general view showing caged safe, from the east



PLATE 13: Room 6, detail of the bay window from the SSE



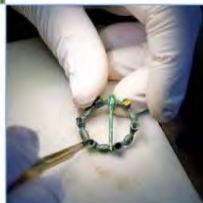
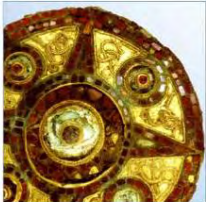
PLATE 14: Room 6, detail of the bay window from the south-west



PLATE 15: View east down Westgate from Bank Street Junction



PLATE 16: View of No. 12 Westgate from Elcho Green to the north



To: Mr A Megginson
Andrew Megginson Architecture
29/1 Jamaica Mews
Edinburgh
EH3 6HL

By email only to: [REDACTED]

Our ref: 82504/BTM/CAH
Date: 25 September 2019

Dear Andrew

12 Westgate, North Berwick EH39 4AF

We have been appointed to assess the viability of 12 Westgate, North Berwick as a commercial office premises.

In order to evaluate the commercial viability, we have sought to calculate the estimated payback period for the capital expenditure required to return the unit to FRI (Full Repairing & Insuring) standard suitable for letting as a commercial office. In doing this we have considered the following:

- The project costs associated with undertaking works to return the unit to FRI (Full Repairing & Insuring) standard suitable for letting as a commercial office.
- Other associated consequential costs.
- The likely rent achievable as a commercial office premises.

Our inspection was undertaken on 20 September 2019 by Clare Holyoake BSc (Hons) MRICS. The weather conditions at the time of our inspection were dry and sunny. For the purpose of this report front of the premises faces south.

The scope of service was confirmed on 18 September 2019, as were the Hollis terms and conditions of **appointment and also our 'standard limitations' and 'survey limitations' (both of which are annexed to this report)** that apply to this instruction.

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T +44 131 240 2800 W hollisglobal.com

Clare Holyoake
DD +44 131 240 2805 M +44 7880 190239 F +44 131 240 2801 E clare.holyoake@hollisglobal.com

Regulated by RICS

In addition to the published limitations we were restricted during our inspection in the following respects:

- Access to the rear and west elevations of the building was not possible. The rear elevation was viewed using binoculars from a distance. We were unable to view the west elevation.
- No access was available above the suspended ceilings.
- We did not undertake any testing of the services and comments regarding M&E installations are limited to the visual findings of a building surveyor with no specialist M&E expertise.

We would also highlight that all commentary in regard to rental rates and the rental market has been derived from data obtained from various online resources and is based on our basic knowledge as building surveyors.

Summary

To summarise, our calculations indicate that it would take over six and a half years for the landlord to recoup the cost of the capital expenditure and consequential costs which would be incurred in bringing the premises up to a standard suitable for letting as a commercial office space.

This would be the 'break-even' point and only after this stage would the landlord begin to recoup a return on capital employed. The 'break-even' point would be pushed further into the future should it take longer than six months to secure a letting, which is the assumption in our calculation. Current market data indicates that this is a relatively optimistic assumption. No account has been taken of future events that may have a negative effect on the economy.

Our conclusions and calculations are set out in more detail below:

Description of the premises

The building is a former Royal Bank of Scotland branch. The accommodation is set over the ground floor and comprises of a larger front office, small back office, large walk in vault, kitchen and WC facilities.

The building is generally in a deteriorated condition and we consider that works are necessary to put it into a condition suitable for letting as a commercial office premises.

Externally, the building fabric is in a fair condition with isolated deteriorate elements. In particular there is significant erosion to the stonework around the entrance door and beneath the window openings. The windows are also in a poor condition, the timber is weathered, the putties are brittle and cracked and perimeter pointing is missing. There is also a large penetration in the external stonework where a former ATM has been removed.

Internally, the premises have been partly stripped of the former occupiers fit out but still contains the large walk in vault, a smaller fixed safe and partitioning. The finishes are worn and the floor coverings in particular are in a poor condition.

According to GVA's sales particulars the net internal area is 1,180 sq ft.

Capital expenditure

Works are required to bring the premises up to a standard suitable for re-letting. We have assumed that it would be necessary to refurbish the premises to a good grade B standard in order to attract a new tenant and achieve a letting on FRI (Full Repairing & Insuring) terms.

Briefly, the significant works we consider necessary are as follows:

- External stonework repairs.
- External redecoration.
- Overhaul of the existing sash windows.
- Removal of the existing tenant fit out internally.
- Removal of the wall between the walk in safe and the large office to create additional useable office space.
- Installation of new suspended ceilings throughout.
- New floor coverings throughout.
- The installation of new lighting throughout.
- Testing and rationalisation of the existing electrical systems.
- Testing, servicing and overhauling of the existing heating system.

Our full Budget Cost Plan is attached however a summary of the costs is provided below.

		Total (£)	m2 total (£)
Building envelope	£	13,461.00	
External works	£	660.00	
Internal works	£	18,439.00	
Mechanical & electrical works	£	10,650.00	
Completion and testing	£	800.00	
Contingency @ 10%	£	4,401.00	
Sub total	£	48,411.00	£ 41.03
Preliminaries & OHP	15% £	7,261.65	
Sub total	£	55,672.65	£ 47.18
Contract Administration	14%	7,794.17	
Mechanical and Electrical		1,000.00	
Principal Designer		1,000.00	
Structural Engineer		1,500.00	
Sub total	£	11,294.17	£ 9.57
Total (excl. VAT)	£	66,966.82	£ 56.75

Rental rates

We have undertaken research into current/recent office rental rates in the East Lothian and Midlothian areas to estimate the likely rental income that could be achieved for a property of this type.

Our analysis of data from Radius Data Exchange revealed only six office letting deals over the past 12 months. Analysis of the rental rates achieved indicates an average rent of £14.69 sq ft/per annum. A summary of the data is provided below:

Office Deals Agreed in the Last 12 months (Radius Data Exchange)					
Address	Size (sq ft)	Primary Use Type	Deal Date	Achieved Rent (£/Annum)	Achieved Rent (£/SqFt)
Suite 3, Eskmills Park, Stuart House, Station Road, Musselburgh, EH21 7PB	1,000	Office	15/04/2019	13,000	13
Bush House, Edinburgh Technopole, Milton Bridge, Penicuik EH26 0BB	2692	Office	03/01/2019	35,000	13
Bilston Glen Industrial Estate, Imex Business Centre, Dryden Road, Loanhead, EH20 9LZ	726	Office - Business Park	15/12/2018	9,000	12.39
Bilston Glen Enterprise Centre, Dryden Road, Loanhead, EH20 9LZ	550	Office	15/11/2018	5,500	10
Eskmills Park, Stuart House, Station Road, Musselburgh, EH21 7PB	407	Office	15/10/2018	7,750	19.04
10A, Newhailes Business Park, Newhailes Road, Musselburgh, EH21 6RH	303	Office - Business Park	15/10/2018	6,273	20.70
Average (£)				12,753.83	14.69

We have also looked at the asking rents for office properties which are currently on the market. This information has been obtained from NovaLoca Commercial Property Search. It should be noted that we have been limited to using examples where we were able to obtain advertised rental figures.

This research indicates an average rent of £12 sq ft/per annum. A summary of the data obtained is set out below:

Advertised Offices to Let (NovaLoca Commercial Property Search)					
Address	Size (sq ft)	Primary Use Type	Indication of time of market (months)	Advertised Rent (£/Annum)	Advertised Rent (£/SqFt)
Court Street 22B, Opera Close, Haddington, EH41 3JA	477	Office	Unknown	8,500	17.82
1 Lodge Street, Haddington, EH41 3DX	1,277	Office	6	16,000	12.53
3 Cockburn Halls, Ormiston, EH35 5JB	1,200	Office	15	14,400	12
The Mill, Former Fordel Inn, Dalkeith, Crossgatehall, EH22 2PH	638	Office	2	7,500	11.75
94 High Street, Musselburgh, EH21 7EA	1,938	Office	5	25,000	12.90

Advertised Offices to Let (NovaLoca Commercial Property Search)					
Address	Size (sq ft)	Primary Use Type	Indication of time of market (months)	Advertised Rent (£/Annum)	Advertised Rent (£/SqFt)
10B Newhailes Business Park, Newhailes Road, Musselburgh, EH21 6RH	1,378	Office - Business Park	8	16,536	12
Soutra Point, Dalkeith, Millerhill, EH22 1HU	1,653	Office	23	9,918	6
Average (£)			9.8	13,979.14	12.14

The average rental rate across both sets of data equates to £13.31 sq ft/per annum.

Based on the NIA (Net Internal Area) of 1,180 sq ft and an average rental rate of £13.31 sq ft/per annum, we believe the premises in question could achieve a rental figure of around £15,705.80 pa as a commercial office premises.

We do not have data to confirm the average time to let office premises in this area, however, of the properties currently available, the average time they have currently been on the market is around 9 months. We would therefore anticipate a potential void period of at least 6 months.

From our personal knowledge of the market we would also anticipate any prospective tenant to be offered some form of incentive. This is often in the form of an initial rent-free period. We have therefore assumed that the landlord will also incur the cost of providing a six-month rent-free period.

Consequential costs

In addition to the cost of the works, the landlord will incur consequential costs during the time the premises are unoccupied.

These consequential losses are likely to include the following:

- **Business rates: based on an annual cost of £3,456 as stated in GVA's sales details.**
- Insurance premiums: we have estimated this cost at around £750 a month.
- Loss of rental income: assuming an anticipated rental figure of £15,705.80 pa.
- Rent free incentive (to incoming tenant): assuming an anticipated rental figure of £15,705.80 pa.

The above costs have been factored into our payback calculation which is set out below.

Payback period

The payback period calculation is based upon the time it would take to recoup the total capital costs from the anticipated rental income.

We have calculated the payback period to be over 6.5 years. Our calculation is set out below:

Payback Calculation		
<u>Project costs:</u>		
Cost of Works (incl. fees)		£ 66,966.82
VAT (tbc)	@ 20.00 %	£ 13,393.36
<i>Sub-total of project costs:</i>		£ 80,360.19
<u>Consequential costs:</u>		
Loss of rent income *	56 weeks @ £ 397.12 pw	£ 22,238.44
Liability for business rates *	56 weeks @ £ 66.46 pw	£ 3,721.76
Insurance premiums*	56 weeks @ £ 180.00 pw	£ 9,692.48
Rent free period	26 weeks @ £ 302.04 pw	£ 7,853.04
<i>Sub-total of consequential losses:</i>		£ 25,960.20
Summary of costs		£ 106,320.39
Anticipated rental**		£ 15,705.80
Payback period (years)		6.77

The estimated void period of 56 weeks is broken down as follows:

Preparation of a Specification of Works and tender documentation	4	weeks
Statutory approval period	12	weeks
Tender period	4	weeks
Review tenders received, place order with contractor and contractor's lead-in	4	weeks
Contract period	6	weeks
Marketing period	26	weeks

** The anticipated rental is calculated as follows:

Rental rate (sq ft/pa)	£ 13.31
Area (sq ft)	1,180
	<u>£ 15,705.80</u>

We trust the above provides you with sufficient information to understand the potential payback period if the premises were refurbished to provide commercial office accommodation to an FRI standard.

If you have any queries, please do not hesitate to contact us.



Associate

Enc. Budget cost plan
 Terms and conditions of appointment
 Standard limitations
 Survey limitations

Draft budget cost plan

Project: 12 Westgate, North Berwick EH39 4AF
 File reference: 82504/BTM/CAH
 Date: 25 September 2019
 Issue no. No. 1 (One)

		Total (£)	m2 total (£)
Building envelope	£	13,461.00	
External works	£	660.00	
Internal works	£	18,439.00	
Mechanical & electrical works	£	10,650.00	
Completion and testing	£	800.00	
Contingency @ 10%	£	4,401.00	
Sub total		£ 48,411.00	£ 41.03
Preliminaries & OHP	15% £	7,261.65	
Sub total		£ 55,672.65	£ 47.18
Contract Administration	14%	7,794.17	
Mechanical and Electrical		1,000.00	
Principal Designer		1,000.00	
Structural Engineer		1,500.00	
Sub total		£ 11,294.17	£ 9.57
Total (excl. VAT)		£ 66,966.82	£ 56.75

Notes

No accurate scale drawings of the building were provided to assist with the preparation of this budget estimate. Dimensions and quantities are approximate, based on photographs and sketch plans obtained during our recent inspection.

No asbestos register was available prior to preparation of this cost plan.

Building envelope

Approx net internal area of building 1180 sq ft

Building envelope

12 Westgate, North Berwick EH39 4AF
82504/BTM/CAH
25 September 2019

Item	Description	Qty	Unit	Rate (£)	Total
1	Roofing works				
1.1.1	Clear away all moss and vegetation growth.	1	Item	100	£100
1.1.2	Reinstate stone chippings to the roof where missing.	5	m2	25	£125
1.1.3	Redress lifting lead weatherings to the stone parapet drip course.	1	Item	80	£80
2	Elevations				
2.1	<u>Brickwork/cladding</u>				
2.1.1	Cut out eroded stonework to the front elevation and replace to match existing.	1	Item	5,000	£5,000
2.1.2	Infill external penetrations where cash machine and other items have been removed. Infill with materials on a like for like basis.	1	Item	1,100	£1,100
2.2	<u>Doors and windows</u>				
2.2.1	Overhaul and redecorate all windows including for timber repairs, renewal of putties and the installation of new ironmongery.	8	No.	800	£6,400
2.2.2	Clean glazing to all windows (internally and externally).	8	No.	12	£96
2.2.3	Overhaul and redecorate the entrance door including the installation of new ironmongery.	1	Item	500	£500
2.2.4	Redecorate fan lights above the entrance door.	1	Item	60	£60
Sub-total					£13,461

External works

12 Westgate, North Berwick EH39 4AF
82504/BTM/CAH
25 September 2019

Item	Description	Qty	Unit	Rate (£)	Total
3	Demolition/strip out				
3.1.1	Remove the previous tenants signage pole in the front garden.	1	Item	80	£80
4	External areas				
4.1.1	Overhaul and redecorate the entrance gates.	1	Item	200	£200
4.1.2	Replace all cracked and damaged concrete paving slabs.	3	no.	50	£150
4.1.3	Undertake soft landscaping including for removing all weeds and moss.	1	Item	150	£150
4.1.4	Rake out and renew loose and missing sections of mortar to the joint between the external paving and the front elevation.	1	Item	80	£80
Sub-total					£660

Internal works

12 Westgate, North Berwick EH39 4AF
82504/BTM/CAH
25 September 2019

Item	Description	Qty	Unit	Rate (£)	Total
5	Demolition/strip out				
5.1.1	Remove the tenant installed partitioning.	6	lm	50	£275
5.1.2	Remove the tenant installed built in cupboards and all internal fixtures.	1	Item	100	£100
5.1.3	Remove the glazed door to the entrance lobby and the associated accessible access controls.	1	Item	150	£150
5.1.4	Remove the small safe in the front right corner of the main office.	1	Item	750	£750
5.1.5	Remove the large walk in safe and break out separating wall to the main office to create an open plan space.	13	m2	200	£2,600
5.1.6	Break out raised concrete plinth in location of the former ATM was located.	1	Item	100	£100
5.1.7	Undertake a refurbishment and demolition asbestos survey.	1	Item	750	£750
5.1.8	Apply for a building warrant prior to undertaking changes to the layout.	1	Item	650	£650
6	Office accommodation				
6.1.1	Supply and install new suspended ceiling to office accommodation.	102	m2	31	£3,162
6.1.2	Undertake repairs to plastered walls.	1	Item	200	£200
6.1.3	Prepare and redecorate all internal walls.	160	m2	8	£1,280
6.1.4	Prepare, undercoat and redecorate all joinery.	1	Item	1380	£1,380
6.1.5	Prepare, undercoat and redecorate all radiators and pipework.	1	Item	120	£120
6.1.6	Install new latex floor levelling throughout office area prior to the installation of new floor coverings.	102	m2	7.50	£765
6.1.7	Supply and install new carpet tiles throughout office accommodation.	102	m2	27	£2,754

Internal works

12 Westgate, North Berwick EH39 4AF
82504/BTM/CAH
25 September 2019

Item	Description	Qty	Unit	Rate (£)	Total
6.1.8	Supply and install new skirtings where missing to match existing.	15	lm	15	£225
6.2	<u>Windows and doors</u>				
6.2.1	Overhaul and clean the secondary glazing to ensure it is in good operable condition.	1	No.	250	£250
7	Kitchen				
7.1.1	Replace the kitchen units and sink.	1	Item	350	£350
7.1.2	Supply and install new suspended ceiling.	8.5	m2	31	£264
7.1.3	Supply and install new vinyl flooring.	8.5	m2	45	£383
7.1.4	Prepare and redecorate all internal walls.	25	m2	8	£200
7.1.5	Prepare, undercoat and redecorate all joinery.	1	Item	340	£340
7.1.6	Prepare, undercoat and redecorate all radiators and pipework.	1	Item	25	£25
8	WC's				
8.1.1	Supply and install new suspended ceiling.	4.5	m2	31	£140
8.1.2	Rake out and renew all mastic sealants.	1	Item	100	£100
8.1.3	Supply and fix new vinyl flooring.	4.5	m2	45	£203
8.1.4	Deep clean all sanitary fittings, tiling, grout etc.	1	Item	100	£100
8.1.5	Prepare and redecorate all internal walls.	20	m2	8	£160
8.1.6	Prepare, undercoat and redecorate all joinery.	1	Item	320	£320
8.1.7	Prepare, undercoat and redecorate all radiators and pipework.	2	no.	25	£50
9	Cleaners cupboard				
9.1.1	Supply and install new vinyl flooring.	2	m2	45	£90
9.1.2	Prepare and redecorate all internal walls.	13	m2	8	£100
9.1.3	Prepare, undercoat and redecorate all joinery.	1	Item	80	£80
9.1.4	Deep clean cleaners sink.	1	Item	25	£25
Total					£18,439

Mechanical & electrical works

12 Westgate, North Berwick EH39 4AF
82504/BTM/CAH
25 September 2019

Item	Description	Qty	Unit	Rate (£)	Total
10	Demolition				
10.1.1	Strip out all existing lighting.	1	Item	300	£300
10.1.2	Remove the former tenants data and comms installations.	1	Item	150	£150
10.1.3	Remove the intruder alarm system.	1	Item	100	£100
11	Mechanical services				
11.1.1	Service, clean and undertake any necessary repairs to the ventilation systems.	1	Item	500	£500
11.1.2	Service and overhaul the heating system including the boiler and all perimeter radiators.	1	Item	800	£800
11.1.3	Relocate 1no. radiator following removal of the wall between the walk-in safe and the office.	1	Item	120	£120
12	Electrical services				
12.1.1	Supply and install new lighting throughout.	126	Item	55	£6,930
12.1.2	Allow a provisional sum for installing additional floor boxes and reverting existing to an open plan layout. Allow for breaking out the floor slab and reconfiguring floor channel ducts.	1	Item	1,000	£1,000
12.1.3	Supply and install a new fire alarm.	1	Item	750	£750
Total					£10,650

Completion and testing

12 Westgate, North Berwick EH39 4AF
82504/BTM/CAH
25 September 2019

Item	Description	Qty	Unit	Rate	Total
13	Completion and Testing				
13.1.1	Upon completion, undertake full statutory compliance testing and certification all retained electrical systems, including lighting, small power etc.	1	Item	£300	£300
13.1.2	Upon completion, undertake full statutory compliance testing and certification all retained gas systems.	1	Item	£200	£200
13.1.3	Undertake full statutory compliance testing and certification of the water systems.	1	Item	£200	
13.1.4	Properly clean all surfaces internally to the satisfaction of the "CA" (not a simple builder's clean).	1	Item	£300	£300
				Sub-total	£800

Terms and Conditions of Appointment of Hollis

Agreement

This document together with standard and service specific limitations and an accompanying letter or email forms the basis of your Agreement for the Appointment of Hollis ('Agreement'). In the event of any differences between these terms and conditions and the cover letter or email, the letter or email will take precedence.

Parties to the Agreement

Hollis is the trading name of Malcolm Hollis LLP. In this Agreement references to "Hollis", "we", "us" and "our" are references to Malcolm Hollis LLP ("Hollis") a limited liability partnership registered in the UK. Registered Office at Battersea Studios, 80-82 Silverthorne Road, London, SW8 3HE. Company number OC314362.

We may from time to time engage sub-consultants to perform our obligations to you under an appointment but in such event your relationship remains solely with Hollis, who has the sole legal liability for the work done for you and for any act or omission in the course of that work. No member, consultant or employee of Hollis or of any sub-consultant will have any personal legal liability for that work whether in contract, tort or negligence. In particular, the fact that an individual member, consultant or employee of Hollis or any sub-consultant signs in his or her own name any letter or other document on behalf of Hollis in the course of carrying out that work does not mean that he or she is assuming any personal legal liability for that letter or document. No reference to a "partner" is to imply that any person is carrying on business with others in partnership for the purposes of the Partnership Act 1890.

References to 'you' or 'your' refer to the person, company or other entity engaging the services of Hollis whether for themselves or a third party. Where you engage our services on behalf of a third party you warrant that you have the authority to enter into this Agreement with Hollis on behalf of the third party client.

Performance of Services

Services that we or any sub-consultant appointed by us perform pursuant to our Agreement ('Services') shall be performed exercising all the reasonable skill, care and diligence to be expected of a properly qualified and competent consultant experienced in carrying out work of a similar nature, size, scope and complexity as the instruction.

Fee Basis

The basis of our fee for individual instructions will be confirmed to you in writing. Unless stated otherwise, fees are quoted exclusive of expenses, disbursements and Vat. Where a time charge fee is agreed we will charge you for all time that our professionals spend on your work under our appointment. Hourly rates depend on the experience of the personnel involved in your matter and the type of work being undertaken. Unless agreed otherwise we may invoice you each month, and reserve the right to do so regardless of whether the work is complete.

Expenses and Disbursements

Specialist testing, specialist equipment hire, travel and subsistence, photography, bulk printing and couriers, planning and building regulation application fees, etc. are all charged in addition to time costs or other fees unless agreed otherwise. We may add a handling and finance charge to disbursements.

Other Costs

When the appointment of specialist consultants is required, unless we expressly agree in writing to appoint such consultants as our sub-consultants, we expect that appointment to be made direct by our clients to provide a separate contractual relationship. Save for costs of sub-consultants appointed directly by us, costs of consultants working under our control are to be met directly by our clients unless otherwise agreed.

Payment Terms

Payment is due upon receipt of the invoice. We reserve the right to charge interest at 4% over the base rate of the National Westminster Bank plc on any accounts which are overdue.

Inspections

Where access to premises is arranged but is not available at the confirmed time and date, resulting in an abortive visit, or if we find that access is restricted to some parts of the building and that a return visit is required we reserve the right to charge for additional time spent and expenses incurred.

Health and Safety

We require to be informed in advance of visiting premises for the purpose of carrying out our services of any relevant issues that may affect the health and safety of our personnel, for example dangerous structures or contamination. As required by the Control of Asbestos Regulations 2012 a duty holder must take reasonable steps to find asbestos containing materials and provide information on the location and condition of the material to anyone who is liable to work on or disturb it. If an up to date asbestos survey or information on significant risks has not been provided, an aborted site visit fee may be charged to the Client if the site risk assessment determines it is unsafe for our operative to perform their duties.

Suspending and Terminating Instructions

You may terminate or suspend the Agreement by giving 14 days written notice. If either party becomes insolvent the other may suspend performance or terminate the Agreement by giving written notice. In the event that you are in default over payment we may, on giving 7 days written notice, suspend performance of our services. Performance would be resumed upon payment. We may terminate the Agreement if you materially breach your obligations and have failed to remedy the breach in the 14 days following notice served by us. In all cases you shall pay all fees and expenses due, commensurate with the services performed, including time spent in closing down the instruction. We reserve the right to invoice for the greater of a time-charge for the work carried out or:

- Lump-sum fixed fees: Pro-rata the fee by reference to the stage that work has reached.
- Building Projects: A proportion of work that we have carried out according to pre-determined Service Stages.
- 'Success' fees: A reasonable percentage of the anticipated fee, by reference to the stage in negotiations that has been reached.

We may terminate suspended instructions after a period of six months from suspension. We may charge a fee for resumption of services or make reasonable adjustments to an agreed fee basis.

Complaints

In the event that you have a complaint you will have access to our Complaints Handling Procedure, a copy of which will be provided on request. If we are unable to resolve a complaint to your satisfaction we agree to referral to the Centre for Effective Dispute Resolution (CEDR), 70 Fleet Street, London, EC4Y 1EU, www.cedr.com.

Copyright

Copyright in all drawings, plans, details, specifications, schedules, reports and all other 'Documents' in any form or any revisions of the same that we prepare in connection with the services remains our property. We grant to you an irrevocable, royalty free, non-exclusive licence to use and reproduce Documents for any purpose relating to the instruction, subject to payment of all fees due under our appointment. We accept no liability for any use of the Documents for any purpose other than that for which they were originally prepared.

Data Protection

We may need to collect certain personal data ("Personal Data") regarding you and your employees ("Contact Persons") but will only do so subject to a legal justification and to the extent that it is required for specific Purposes (the "Purposes") which are detailed in the Privacy Notice on our website: www.hollisglobal.com/privacy-notice.

The Personal Data may include, but is not limited to, name, title, position, and contact details including postal address and place of work, telephone numbers, fax numbers, e-mail address and VAT Number/Tax Identification.

For the purposes of data protection legislation, we will be the "controller" or "data controller" of all Personal Data. We will always fully comply (and be able to demonstrate our compliance) with relevant and applicable data protection legislation, including the General Data Protection Regulation ("GDPR"), when processing your personal data. For the full range of information including further details on relevant legislation and how to contact our Data Protection Officer, please read our Privacy Notice.

The Personal Data will be collected, stored and processed by us (either directly or through a third party acting as a data processor) in an electronic file or database. The Personal Data will be collected, stored and processed in accordance with our legitimate interests as a commercial building surveying consultant (or in accordance with another legal justification where appropriate) for Purposes detailed in the Privacy Notice.

We will only transfer personal data outside the EEA subject to appropriate safeguards. For details of transferring data outside of the EEA, please refer to our Privacy Notice.

We may, as appropriate, ask individuals for their consent to process their Personal Data in order to provide them with the best possible customer service, and to keep them updated about our Services. Such consent may be freely granted, withheld, withdrawn or amended at any time by contacting our Marketing Department, updating the appropriate preferences as requested or by clicking the "unsubscribe" link on any email received from us.

We will only process Personal Data to the extent necessary and for as long as is necessary for the Purposes. Wherever appropriate, Personal Data will be pseudonymised, anonymised, destroyed or erased. For guidance on how long certain data is likely to be kept before being destroyed please refer to our Privacy Notice. We will never make data available to any third parties without prior consent except where:

- (a) we use a processor, in which case we will ensure that the processor complies with all relevant data protection legislation;
- (b) we are required to do so by law;
- (c) the sharing is necessary for third parties who provide products or services to us (or for our subsidiary or holding companies from time to time);
- (d) we enter discussions for a sale or transfer of or an investment into any part of our business or assets (in which case we may disclose Personal Data confidentially to third parties as appropriate in accordance with our legitimate interests).

We will take appropriate technological and organisational measures to prevent unlawful or unauthorised processing and accidental loss of or damage to of Personal Data. We will endeavour to ensure that the Personal Data is accurate, up to date and not kept for longer than is necessary for the Purposes. We will take all reasonable steps to delete or amend inaccurate, out-of-date or excess data. It is your responsibility to inform Hollis of any changes to any Personal Data. Please refer to our Privacy Notice for more details.

In cases where you supply Personal Data relating to Contact Persons and/or other third parties, you warrant:

- (i) That the Personal Data has been lawfully obtained and is accurate and up-to-date; and
- (ii) That the transfer of the Personal Data by you to Hollis in order to achieve the Purposes will be lawful in accordance with relevant data protection legislation; and
- (iii) That at all relevant times you will comply with all applicable legal provisions relating to the protection of Personal Data.

Professional Indemnity Insurance

Hollis will effect professional indemnity insurance with a limit of indemnity of not less than £5,000,000 (five million pounds) in respect of each and every claim or series of claims arising out of the same originating cause and maintain such insurance in full force and effect from the date on which we were first instructed to provide the Services until six years after completion of the Services provided always that such insurance is available on commercially reasonable terms having regard to premiums required and policy terms obtainable.

Limitation of Liability

Unless otherwise specifically agreed in writing, our liability arising from any breach of the terms of this Agreement, whether in contract, tort, statute or otherwise, howsoever and whenever such liability was or is incurred, shall be strictly limited to the sum of £5,000,000 (five million pounds) in respect of each and every claim and no action or proceedings for any breach of our Agreement shall, in any event, be commenced after the expiry of 6 years from the date of the completion of our services under our Agreement. Notwithstanding the above paragraph, the limit of our liability for claims related to asbestos or pollution shall be £500,000 in the aggregate. Nothing in this Agreement shall exclude or limit our liability for death or personal injury caused by our negligence, or that of our members, consultants, employees, agents or sub-consultants (as applicable) or fraud by us or our members, consultants or employees.

Asbestos

We accept no liability for claims related to asbestos unless and until a claim arises as a direct result of a negligent act, error or omission committed by us or alleged to have been committed by us in the conduct of our professional business but only then to the extent that the claim is for the cost of re-performance of the work or rectification or remediation and/or involves a claim made in respect of any diminution in value of buildings or structures (or any part of either or both of them). We shall not be liable in respect of any bodily injury including any psychological damage or mental stress or impairment, or damage to property other than that part of the building or structure which requires re-performance of our work or rectification.

Pollution

We accept no liability for pollution, either direct or indirectly, in relation to all matters with the exception of claims or losses arising from a negligent structural design, specification or failure to report a structural defect in a property, provided further that this relates only to that part of any claim which relates to the cost of redesigning, respecifying, remedying or rectifying the defective structure but not to the cost of loss or damage to the environment or consequential or other losses of value.

Liability to Third Parties

Our reports are for the use of the Client(s) for whom they are prepared and must not be reproduced in whole or in part or relied upon by any third party without our express written authority.

Timescales

We will use our best endeavours to deliver work to agreed programme, deadlines or timescales we communicate to you. All timescales cited will assume a prompt response from parties external to Hollis providing us with any necessary information or access. We can accept no liability for any delay or loss which accrues due to delay by others.

Anti-bribery Policy

Hollis is committed to the highest standards of ethical conduct and integrity in its business activities. We take a zero tolerance approach to bribery and corruption and expect all organisations with whom we have business dealings to adopt the same approach. A copy of our anti-bribery policy is available on request.

Anti-facilitation of Tax Evasion

You shall:

- (i) Not engage in any activity, practice or conduct which would constitute either a UK or a foreign tax evasion facilitation offence under sections 45 (1) and 46 (1) of the Criminal Finances Act 2017;
- (ii) Promptly notify us of any request or demand from a third party to facilitate the evasion of tax within the meaning of Part 3 of the Criminal Finances Act 2017 in connection with the performance of this agreement.

Third Party Information

Where we incorporate documents and drawings produced by third parties (other than our own appointed sub-consultants) into our reports we accept no liability for their content.

Governing Law

The application and interpretation of our appointment shall in all respects be governed by English law and any disputes or differences arising under it shall be referred to the English courts to be finally determined.

Contracts (Rights of Third Parties) Act 1999

Nothing in our Agreement shall either confer or purport to confer rights on any third party under the Contracts (Rights of Third Parties) Act 1999 other than those rights which are specifically preserved and protected here.

Standard Limitations

Any appointment of Hollis is subject to Standard Limitations as detailed below. Where our Appointment relates to Building Surveys, Dilapidations, Reinstatement Cost Assessments, EPCs, Building Audits, Party Walls, Rights to Light and Measured Surveys additional service specific limitations will apply.

Inspection Limitations

Weather Conditions

Our inspection may be impeded by the prevailing weather conditions.

Concealed and Hidden Elements and Areas

In all buildings there are inaccessible, concealed or unexposed elements. In occupied properties, access to some areas that would normally be inspected may be restricted or denied.

Where safe and practicable to do so, an inspection of voids above suspended ceilings, beneath raised floors and other similar areas will be carried out from a small number of sample points. However, very often, inspections are severely limited by factors including lack of light, obstructions, void depths and the occupancy of the building.

We will not lift all manhole covers, only, where possible, a representative sample, and, where necessary, we will recommend a CCTV examination.

We will not lift fitted floor coverings, floorboards or move appliances or heavy furniture. Where inspections are restricted as described above our findings can only be based on the evidence available to us, therefore, we will not be able to comment conclusively upon the true condition, construction and detailing of hidden, unexposed or inaccessible elements.

Where a specialist inspection of the engineering services has specifically been instructed, access panels may be removed or opened but only where it is safe to do so and where no disruption to the operation of the building will be caused.

Vertical Access Restrictions

We will use a surveyor's ladder where practical and safe to do so although our comments will be predominantly based upon findings from a pavement or floor-level inspection or other available safe vantage points. We will arrange for the hire of mechanical access equipment where we are advised prior to our inspection that it is required to inspect high level elements.

Destructive Tests and Opening up Works

We will not carry out any destructive tests, expose any part of a property, or carry out any opening up works which will require specialist tools or which may damage existing fixtures and finishes.

Specialist Consultants & Contractors Limitations

Where specialist consultants or contractors are engaged on your behalf we will not be responsible for their performance. We may make reference to their findings in our report, but this should not be thought of as a substitute for reading their report in its entirety, nor can we take responsibility for their conclusions.

Budget Cost Limitations

Costs will be:

- Given at current prices; no adjustments will be made for future inflation;
- Quoted as budget estimates only and are not to be thought of as a substitute for obtaining competitive quotations from reputable contractors;
- Exclusive of VAT and professional fees.

We will not:

- Investigate whether the cost of carrying out all works immediately will be greater than carrying them out individually, as and when required;
- Include the cost of investigative works to establish the cause of defects, unless specifically highlighted;
- Allow for any loss and/or damage to works as a direct result of a bomb blast or other act of terrorism, malicious damage, fire, flood, or other Act of God;
- Include costs consequent to a delay in works caused by the discovery of asbestos or other generally accepted deleterious materials
- Include the costs incurred in out of hours working or of security staff.

Survey Limitations

Listed below are the limitations specifically applying to surveys; they must be read in conjunction with our Standard Limitations.

Building Services

Where a specialist building services survey has not been instructed, the information that we will provide will be of a general and basic level only; we do not undertake to assess the efficiency of any installation nor its compliance with regulations. We will, however, advise you where we consider a need for specialist advice exists.

Where a specialist building services survey has been instructed this may be undertaken either using an in-house specialist engineering surveyor or a specialist sub-consultant. The inspection will be visual in nature with no testing or dismantling of plant and equipment. The appraisal will not include any design checks or any assessment of energy performance or efficiency.

Contamination

We will comment on any obvious contamination issues but we will not undertake any tests or investigation of current or previous uses of the site or adjoining land. We will advise you where we consider a need for specialist advice exists.

Rights of Way/Support/Light

Where necessary we will comment upon any apparent rights of way, support or light which might be visible or suspected. Our comments on such rights and easements will be very much in outline only and are not subject to any detailed investigations.

Disabled Access

We will provide basic comment upon the general accessibility of the building within our report but such comments will be of a cursory nature only, limited to pronounced problems with key access provisions. Our comments should in no way be considered a substitute for a full Access Audit.

Deleterious Materials

We will not test for the presence of deleterious materials but will advise you where we consider such tests to be necessary. Where we make comment on the presence (or suspected presence) and effect of deleterious materials, our advice will be confined to the following:

Admixtures and aggregates in concrete; Asbestos; Brick Slips; Calcium Silicate Brickwork; High Alumina Cement; Lead; Urea Formaldehyde Foam; Woodwool cement slabs (as permanent shuttering).

Note: Many factors including location, use, design and quantity determine whether a material is deleterious or not and, therefore, the inclusion of a material in the above list does not, of itself, imply that it is deleterious.

Further, our report does not constitute an Asbestos Register under the duty to manage asbestos within the Control of Asbestos Regulations 2006.

