

REPORT TO: Planning Committee
MEETING DATE: 6 June 2023
BY: Executive Director for Place
SUBJECT: Application for Planning Permission for Consideration

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Note – *this application was called off the Scheme of Delegation List by Councillor McFarlane for the following reasons:* I feel it would be beneficial for the Committee to visit the site and fully discuss this application. There are other similar developments close by that have been approved and none of the permanent residents have raised objections about this application so I would like this application to be reviewed at Committee.

Application No. **23/00128/P**
Proposal Alterations and extensions to flat, formation of second floor balcony
Location **Seafield
10 Forth Street
North Berwick
EH39 4HY**

Applicant Mr and Mrs Paul and Julie Harrison
Per Somner Macdonald Architects

RECOMMENDATION Application Refused

REPORT OF HANDLING

PROPOSAL

The property to which this application relates is a large three storey detached property with accommodation within its roof space, and its garden located in North Berwick. The building is divided into 2 flats 10 and 10A, Forth Street, North Berwick. The building is located within the North Berwick Conservation Area.

The property is bounded to the north by the foreshore of West Beach. It is bounded to the east by Lorne Lane, a small access path, beyond which are neighbouring properties, to the west by neighbouring residential properties and to the south by the public road of Forth Street.

The building is two storey in height, constructed from traditional red-sand stone and has white painted timber windows and doors. The building that has a two storey component that protrudes out from part of its rear (north) elevation. The west elevation of that protruding component has a small box dormer on its west elevation roof slope. The building also has a pitched roof dormer on each of its front and rear elevation roof slopes.

The building is set back from the main road to the south, the B1346, which serves as access however, but is readily visible from West Bay.

Planning permission is sought for:

- i) the formation of a large L shaped flat roofed dormer on the rear (north) elevation roof slope of the building and would also attach to the west elevation roof slope of the two storey protruding component of the building with associated terrace and glazed balustrade;
- (ii) the addition of a flat roofed extension to the east elevation roof slope of the two storey protruding component;
- iii) the formation of a pitched roof dormer on the western side of the south elevation roof slope of the building;
- (iv) the enlargement of an existing window on the first floor of the north elevation of the building to form a door and the installation within the enlarged opening of a door with fanlight;
- (v) the replacement of the railings enclosing the first floor terrace on the rear elevation of the building with a glass balustrade, and
- (vi) the formation of 2 new window openings at first floor level on the east gable elevation of the building and the installation of new white painted timber framed windows within the new openings;
- (vii) the installation of a rooflight on the flat top of the roof of the main building.

A planning statement has been submitted with the application.

The building currently has a single small box profile dormer within the west facing roof of the protruding 2 storey rear component and a pitched roof dormer within each of the north and south elevation roof slopes of the main building.

Subsequent to its registration, the application has been revised to remove a rooflight within the hipped north-facing roof and the removal of door at first floor within the west elevation of the protruding rear component.

DEVELOPMENT PLAN

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

The development plan is the approved National Planning Framework 4 (NPF4) which was adopted by The Scottish Government on the 13th February 2023 and the adopted East Lothian Local Development Plan 2018.

Policies 7 (Historic assets and places), 14 (Liveable Place) and 16 (Quality Homes) of NPF4 are relevant to the determination of this application. Policies CH2 (Development Conservation Areas), DP2 (Design) and DP5 (Extensions and Alterations to Existing Buildings) of the East Lothian Local Development Plan 2018 are relevant to the determination of this application.

Also material to the determination of the application is Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states that a planning authority must have regard to the desirability of preserving or enhancing the character or appearance of a conservation area in exercising its responsibilities in the determination of any application for planning permission for development affecting a conservation area.

REPRESENTATION

Two letters of objection have been received in relation to the application. The main grounds of objection are:

- * Large roof dormers that would significantly change the roof line and appearance of the building creating an un-balanced, top-heavy building with glass balustrading emphasising this;
- * Radical and incongruous change to the roof structure, dominating the façade;
- * Detract from notable character of pitched roof;
- * Changing roof to large modern glass doors, balconies and dormers, either preserves or enhances the appearance of this historic property;
- * Skylight window in 'turret' style roof facing the beach does not appear to be appropriate in size or location, and would significantly change the character of the roof;
- * The proposed new dormer window on the south facing roof would have views into rooms of adjacent properties;
- * Proposal would dramatically change the visual appearance of a significant building in the North Berwick conservation area. Proposed materials are not in keeping with the current construction materials, the radical alterations to the roof structure are disproportionate and overbearing, and the plans do not preserve the appearance of this property nor, arguably, enhance the character of Seafield.
- * North elevation is the most visible elevation;
- * alteration are intrusive and would impinge on the special architectural character and appearance of the CA and does not preserve or enhance the CA;
- * Proposals not complementary to the buildings character and appearance, glass inserts being out of scale and intrusive into the beach front scene and character.

In addition one letter of support has been received to this application which states that the house of Seafield has been left in a state of disrepair for some time as the owners have neglected to do any remedial works. The works will enhance the house and the area.

COMMUNITY COUNCIL

North Berwick Community Council has made no comment on the application

PLANNING ASSESSMENT

Policy DP5 of the ELLDP requires that alterations and extensions to existing buildings must not, amongst other things harm the residential amenity of any neighbouring residential properties through overlooking or overshadowing.

On the matter of residential amenity, there are no new openings proposed on the east elevation of the building. Therefore there would be no harmful overlooking in that direction.

The new glazed openings in the north and south elevations of the building would not

allow for overlooking that would be any different to that already possible from the existing windows in the north and south elevations of the building. Therefore there would be no harmful overlooking of neighbouring properties in those directions.

The glazed openings of the dormer to be formed on the west elevation roof slope of the protruding rear component would face toward the rear garden of the neighbouring house to the west. However any overlooking from those new openings would not be significantly different to that already possible from the windows of the existing box dormer and from the existing first floor terrace on the rear of the building. Therefore those new openings would not allow for harmful overlooking of any neighbouring residential properties.

Therefore the proposals would not allow for harmful overlooking of any neighbouring residential properties.

Due to their form, size and scale the proposals would not cause a loss of daylight or sunlight to any neighbouring residential properties.

On those matters of amenity the proposals are not contrary to Policy DP5 of the adopted East Lothian Local Development Plan 2018.

Policy CH2 of the ELLDP requires that 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.

Policy DP5 of the ELLDP requires that alterations and extensions to existing buildings must be of a size, form, proportion and scale appropriate to its surroundings and, where the existing building has architectural merit be in keeping with or complement that existing building.

The houses and buildings that back onto the west beach are largely of a traditional architectural form and character that together make a positive contribution to the character and appearance of this part of North Berwick Conservation Area. The rear elevations of some of the houses and buildings that back onto the beach have previously been altered and extended. However, individually and cumulatively those alterations have largely retained the character of the buildings and the conservation area albeit with more modern style interventions.

The proposed pitched roof dormer to be added to the western end of the south elevation roof slope of the building would largely replicate the form and appearance of the existing dormer on the eastern end of that roof slope. Therefore the addition of the proposed pitched roof dormer would be in keeping with that existing dormer. By virtue of its form, size, scale and positioning the proposed pitched roof dormer would be appropriate to its setting and in keeping with its surroundings. It would not be harmful to the character and appearance of the house or to the character and appearance of this part of the North Berwick Conservation Area.

The proposed flat roofed extension would sit between the north elevation roof slope of the building and the chimney on the east elevation of the two storey protruding rear component. Whilst it would be of a non-traditional flat roofed form, due to its contained position it would not be readily visible from public places. Therefore it would not be seen to be harmful to the character and appearance of the building or harmful to this part of the North Berwick Conservation Area.

By virtue of their form, size, scale and positioning the proposed new window openings to

be formed in the side (west) elevation of the building would be appropriate to their setting and in keeping with their surroundings. They would not be harmful to the character and appearance of the building or to the character and appearance of this part of the North Berwick Conservation Area.

The enlargement of the window opening on the north elevation of the building to form a doorway and the installation of a new door with fanlight within the enlarged opening would not be harmful to the character and appearance of the building or to the character and appearance of this part of the North Berwick Conservation Area.

Due to its size, scale and positioning the proposed rooflight would not be harmful to the character and appearance of the building or harmful to the character and appearance of this part of the North Berwick Conservation Area.

The replacement of the balustrade of the first floor terrace with a new glazed balustrade would be a modern intervention on the building. However due to its lightweight glazed form it would not be harmful to the character and appearance of this part of the North Berwick Conservation Area.

Notwithstanding the above, the main component of this application is the L shaped dormer to be added to both the north elevation of the building and to the west elevation of the protruding rear component attached to the north elevation of the building.

The building of 10 Forth Street is positioned such that its front elevation is set some 25m back from Forth Street and consequently the rear elevation of the two storey protruding component of the building borders the foreshore of West Beach. The building is therefore readily visible from West Bay and in longer distance views from Victoria Road. Due to its positioning and of its traditional architectural form and character the north elevation of the building makes a significantly positive contribution to the character and appearance of this part of the North Berwick Conservation Area.

The proposed L shaped dormer would be some 2.4m in height. It would be some 3.5m in length and would project some 2m out from the west elevation roof slope of the protruding 2 storey component of the building, and some 3.2m in length and would protrude out some 1.6m out from the north elevation roof slope of the main building. Its roof would be clad in an uPVC membrane. Its cheeks would be glazed as would its façade, using powder coated aluminium in dark grey. The openings within the north and west facing elevation of the dormer, would comprise full height aluminium frames; each of which would further comprise a small projection, akin to a Juliet balcony formed in front of those door openings, fronted by glazed balustrades.

The proposed L shaped dormer would be significantly larger in size and scale than the dormers it would replace and would be of a very different architectural character to those existing small dormers.

Due to its size and scale the L shaped dormer would occupy most of the north and west elevation roof slopes of the building on which it would be placed. As such it would not be of a size or scale proportionate to the size and scale of the roof slopes of the building on which it would be placed, and would not be a subservient or complimentary addition to the roof of the building. Furthermore, due to its form and appearance it would not be in keeping with the original building or complementary to its character and appearance. Moreover, due to the prominent position of the building, readily visible from the beach and from Victoria Road, the proposed L shaped dormer would not be well integrated into its surroundings and would instead appear as a dominant and incongruous addition to the roof of the existing building that would not be sympathetic to the architectural

character of the existing building or to the built form of this part of the North Berwick Conservation Area. Consequently the proposed L shaped dormer would be an inappropriate addition to the roof of the building that would radically change the appearance of the building. Therefore the proposed L shaped dormer would neither preserve nor enhance but would be harmful to the character and appearance of the building and harmful to the character and appearance of this part of the North Berwick Conservation Area contrary to Policy 7 of NPF4 and Policies CH2 and DP5 of the adopted East Lothian Local Development Plan 2018.

The main component of this planning application is the L shaped dormer to be added to the north elevation of the building and to the west elevation of the protruding rear component attached to the north elevation of the building. As that L shaped dormer is not supported by the relevant policies of the development plan and is therefore unacceptable, then notwithstanding that the other components of this planning application are acceptable, the whole planning application should be refused planning permission.

Therefore in conclusion, the proposed L shaped dormers is considered not to be in accordance with the provisions of the stated relevant Development Plan policies and there are no material considerations which outweigh the fact that the L shaped dormer does not accord with the Development Plan.

REASON FOR REFUSAL:

- 1 The proposed L shaped dormer would be an inappropriate addition to the roof of the building that would radically change the appearance of the building and would neither preserve nor enhance but would be harmful to the character and appearance of the building and harmful to the character and appearance of this part of the North Berwick Conservation Area contrary to Policy 7 of NPF4 and Policies CH2 and DP5 of the adopted East Lothian Local Development Plan 2018.