

Notice of Review Supporting Statement

Trabroun Farmhouse, Huntington, Macmerry, Haddington

Erection of 1 Replacement house

Ref. 23/00373/P

On behalf of

Mr & Mrs Andrew Bain

September 2023

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EXECUTIVE SUMMARY

This request for 'Review' is submitted on behalf of Mr & Mrs Andrew Bain, following the decision of East Lothian Council to refuse planning permission for the erection of a replacement dwellinghouse (application ref. 23/00373/P) at Trabroun Farmhouse, Huntington, Macmerry, Haddington on the 13th June 2023.

The application subjects comprise an existing 1970's detached farmhouse with garage and associated garden grounds. The house is not listed and does not fall within a conservation area. The property, within the ownership of the applicants, is an early form of 'kit home' and is subject to a number of serious **structural and energy efficiency defects corroborated by an independent Engineer whom has recommended demolition and replacement.** The existing house sits within a complex of farm related buildings, including the substantial original farm steading and tower (B-Listed) to the north, a row of 4 cottages to the south, a further cottage and new build house (under construction) to the north of the steading, and large recently constructed grain store and dryer to the north east. Together these buildings read as a visually interrelated building grouping of mixed vernacular and age.

The Farm forms part of a wider business enterprise in which the applicants and their Son are partners. The proposed replacement house will, in due course, enable succession as the applicants step back from the farm.

Given the proposal is for the replacement of an existing house within the foregoing grouping, the proposal does not constitute new development in the countryside. Objectively, the 'principle' of development should thus not be a material consideration (having been developed in the 1970's). The recent approval of **National Planning Policy Framework 4 supports one-for-one replacement.** Moreover, the existing plot benefits from an established landscape structure within which the proposal has been carefully designed to assimilate and respect the adjoining building group including the original steading. This proposal would not be a new encroachment into the countryside and comprises an energy efficient and sustainable approach for a replacement dwelling in recognition of East Lothian's Council motion declaring a climate emergency in September 2017.

Whilst suggesting that the development, conversely, *would* form new development in the countryside, and that this would not respect the B-listed steading (without considering the site is already developed), the Case officer has also mistakenly referenced that the proposal is some 20m from the edge of a Local Garden and Designed Landscape (Elvingston) when in fact this garden was removed from Historic Environment's Inventory in 2016 as no longer meeting criteria for inclusion. Contrary to the Case Officer's personal assessment, significant to this appeal to the Local Review Body, the Council's own **Landscape Officer has raised no concerns or objection** in terms of impact upon the listed steading or wider landscape setting.

In addition to Landscape, **no statutory objections have been received to the application.** Likewise, no neighbour objections have been raised. The original application attracted a representation supporting proposals and, in the preparation of this request for review, three letters of support have been pledged.

Given the essentially brownfield nature of the application site, this appeal thus focuses upon review of the Case Officer's personal interpretation of proposals regarding design and scale.

This Statement sets out the opposing Case for the applicants and will demonstrate that:-

- In terms of principle, National Planning Framework 4 (NPF4) supports the proposal in terms of a replacement rural building and succession as part of an established farming enterprise and that there is discordance between NPF provision and the Case Officer's application of Local Development Plan policy where the Scottish Government's Chief Planner has provided advice for such instances.
- The proposal would meet with the aims and objectives of development plan policy in terms of encouraging high quality carbon neutral rural development and investment and sympathetic design which can ensure a sense of place and identity – the siting of the house relates directly to the established historic pattern and scale, form and materials including the adjoining Steading.
- The proposal has demonstrated a thorough, practical and environmentally sustainable approach to the replacement of an existing 1970's house which is already owned by the applicants separately to the Farm which has been certified by an Independent Engineer as being subject to structural and energy efficiency defects with a recommendation for demolition.
- The proposed layout and building positioning relate well to the existing pattern of buildings at Trabroun (underscored by there being no objection from the Council's landscape architect) contrary to the Case Officer's personal assessment.
- The Case Officer's appraisal in terms of visual impact is not consistent with other recent planning appraisals by other planning colleagues and their decisions associated with consents at Trabroun and has erroneously cited a Garden and Designed Landscape that Historic Environment Scotland have removed from their inventory. The Case Officer consulted with the Council's Landscape Officer who had no concerns in terms of visual impact to the setting of the steading or the wider landscape context.

It is asked that the Local Review Body (LRB), whilst considering matters, simultaneously appraise the enclosed documentation which accompanied the original application. It is respectfully requested that the Local Review Body reconsider the Officer's recommendation and find favour in the applicants' proposal for which it is contended meets Planning Policy aims and objectives, subject to conditions, as deemed appropriate.

1.0 BACKGROUND TO THE APPLICATION

1.1 Location & Description

- 1.1.1 The application site, extending to 1.19 acres, is located within the building group of Trabroun, approximately 1.6 miles north of Haddington, East Lothian. The site itself comprises a 6 room single storey farmhouse with garage (an early form of kit house' erected in the 1970's together with associated garden ground and orchard. The application site is enclosed by high hedge planting to its east, west and southern boundaries and to the north by a traditional stone wall. The site is bound to the south by a row of traditional cottages, Trabroun steading to the north, farmland to the east and a large modern grain store and dryer to the north east. The steading is 'B listed' whereas the cottages are not listed. The farmhouse recommended for demolition and replacement can be deemed to have no architectural merit and does not contribute to the foregoing grouping and, indeed, could be regarded as detracting from the setting of the Steading.
- 1.1.2 Given the setting, and the opportunity presented by a brownfield site, the applicants specifically commissioned architects, Richard Hall Architects, to develop plans for a suitable replacement house in terms of the positioning within the established building group with a scale/footprint relative to the established building pattern at Trabroun.
- 1.1.3 The application was received and validated by East Lothian Council on 11th April 2023 and was subsequently, to the disappointment of the applicants given the comprehensive extent of site design submissions, refused under delegated powers on the 12th June 2023, on the basis of the appointed Case Officer's subjective recommendation.

1.2 The Development Proposal

- 1.2.1 The proposal which was the subject of the aforementioned application for planning permission and this 'Notice of Review' Statement comprises the erection of a replacement carbon neutral dwellinghouse. The proposed drawings (Richard Hall Architects) detailing the proposal, accompany this Statement within **Appendix 1**.
- 1.2.2 The proposed design is elaborated upon within both Appendix 1 and the Supporting Statement (Richard Hall Architects) contained within **Appendix 2**. Whilst the principles of the design and site context are addressed hereafter, the proposal provides for a largely single-storey, 4 bedroom house with associated private parking and tree planting/landscaping, all set within the existing brownfield plot.

1.3 Planning History

- 1.3.1 The Case Officer's report (Page 2, Paragraph 5) makes mention of a previous proposal for the site having been withdrawn prior to determination and cites application Ref 21/00438/P. However, upon review of Council records, that application related to a third-party proposal for the erection of a house at Phantassie Farm, Limekilns, East Lothian and has no relevance to this case. However, for the Local Review Body's (LRB) benefit, a previous application (Ref 22/01283/P) was made by Mr & Mrs Bain at Trabroun, in terms mirroring that subject of this Notice of Review, which was validated by East Lothian Council on the 23rd November 2022. At the request of the Case Officer, that proposal was withdrawn on the 16th January 2022 on the implicit advice that the application be resubmitted following anticipated Scottish Ministers' Adoption of National Planning Framework 4 (NPF4) which the Officer deemed would be

supportive of proposals. As noted above, taking advice of the Council, the application was resubmitted, in good faith, and validated on the 11th April 2023.

1.4 Reasons for Refusal

1.4.1 The Decision Notice (contained within **Appendix 3**) recommended refusal on the basis of the following reasons:

1. ***“The erection of a house on the application site would be a new build housing development in the countryside of East Lothian on land which is not allocated for housing development, is not brownfield land where a return to a natural state will not happen without intervention, does not reuse a redundant or unused building, and for which a need to meet the requirements of the operation of an agricultural, horticultural, forestry, countryside, recreation, or other business, leisure or tourism use has not been demonstrated, and which is not proposed as affordable housing of an existing rural settlement. The proposal is therefore contrary to Policy 17 of NPF4 and Policies DC1 and DC4 of the adopted East Lothian Local Plan 2018 and Government policy guidance regarding the control of new housing in the countryside expounded in Scottish Planning Policy: June 2014.”***
2. ***“The proposed house would not: i) be a like for like replacement of a dwelling recently rendered uninhabitable by unforeseen circumstances; ii) replace an existing dwelling with lawful use rights as such (not the plot of a previous, now demolished house) that the Council accepts that due to the construction of the building it is incapable of retention for habitation and that all reasonable efforts have been made to maintain the building; or iii) be similar in size, scale and massing to the original. Therefore the proposal does not comply with either criteria (i) or (ii) of Policy DC3 of the adopted East Lothian Local Development Plan 2018.”***
3. ***“The erection of a house on the application site would be a new build housing development in the countryside of East Lothian for which a desirable primary use supported in principle by criterion b of Policy DC1 and with benefits that outweigh the normal presumption against new build housing in the countryside has not been demonstrated; and which is not an appropriate of a historic environment asset or promoted to fund the restoration of a listed building, building of recognised heritage value or significant designated feature of the built or natural environment, the retention of which is desirable. The proposal is therefore contrary to Policy DC5 of the adopted East Lothian Local Development Plan 2018.”***
4. ***“The proposed replacement house would be of a form, size and scale that would compete with a draw focus from the category B-listed Trabroun Steading and be harmful to its setting contrary to policy 7 of NPF4 and Policy CH1 of the adopted East Lothian Local Development Plan 2018.”***
5. ***“The proposed house would be seen as a harmfully dominant, discordant and incongruous feature within its rural landscape setting and adjacent to the Elvingston Local Garden and Designed Landscape. Therefore the proposed house would not be suitably sited, scaled or designed to be in***

keeping with the character of the area contrary to Policies 7, 17 and 29 of NPF4 and Policies CH6, DP1 and DP2 of the adopted East Lothian Local Development Plan 2018.”

2.0 GROUNDS FOR REVIEW OF THE PLANNING DECISION

2.1 National Planning Policy Context

2.1.1 The Planning system in Scotland is plan-led. Development Plans are at the heart of the planning system with a requirement set in law that planning decisions must be taken in line with the development plan. Significant changes to development planning were made by the Planning (Scotland) 2019 Act. In particular, the National Planning Framework (NPF) is now part of the development plan with NPF4 being adopted in February 2023. Under this new and transitioning system the applicants, contrary to the Decision Notice, remain of the view that proposals do indeed accord with planning policy. In particular, following review of the Case Officer’s Report (**Appendix 4**), the applicants would take this opportunity of addressing the above reasons for refusal. However, it is important to **firstly set the national context** in relation to the proposal to correctly inform the review of the planning decision.

NPF4 (February 2023)

2.1.2 National Planning Policy Framework 4 (NPF4) was adopted by Scottish Ministers in February 2023. NPF4 specifically considers rural development with a view to ***“encouraging , promoting and facilitating the delivery of more high quality, affordable and sustainable rural homes in the right locations”*** (Policy Intent, Page 65).

2.1.3 In this respect, NPF **Policy 17** is clear in its directive to decision makers in that it states ***“proposals for new houses in rural areas will be supported where development is suitably scaled, sited and designed to be in keeping with the character of the area and the development: (inter alia) vi) is for a single home for the retirement succession of a viable farm holding, and viii) reinstates a former dwelling house or is a ‘one-for-one’ replacement of an existing permanent house”***. In this regard, firstly considering the principle of development (scale and massing is considered further below), the proposal does relate to a long-established farming enterprise, A & K Bain. The Bain family have farmed in East Lothian since 1928 and the farming operations and grain store are centred at Trabroun. Mr & Mrs Bain are Partners in this business with their Son, Fraser Bain, becoming a Partner in 2018. In terms of succession, Mr & Mrs Bain are increasingly taking a step back from the day to day running of the farming enterprise and the proposed house at Trabroun forms part of their forthcoming plans to fully retire from the business (NB. The existing house is within the applicants’ separate ownership). Unfortunately, the Case Officer has omitted to consider the farming enterprise and succession context and that, in this respect alone, Mr & Mrs Bain’s proposal does accord with criteria (vi) of NPF4 Policy 17.

2.1.4 In addition, the proposal seeks to replace the existing 1970’s dwelling and is thus a **‘one-for-one’** replacement again compliant with criteria (vii) of **Policy 17**. Of note, this newly adopted policy (and, to reiterate, part of the development plan), does **not state that a replacement dwelling cannot be larger than the preceding house**. This is a key consideration underpinning this review highlighting an inconsistency between newly adopted NPF4 and **Policy DC 3** (Replacement Dwellings in the Countryside) of the adopted East Lothian Local Development Plan 2018 of which one of the two qualifying criteria calls for a new house be a

'like for like replacement'. The Case Officer has relied upon this wording as opposed to the newly adopted NPF guidance.

- 2.1.5 In this respect, the Scottish Government's Chief Planner issued a letter to all Local Authorities on the 8th February 2023 regarding transitional arrangements for applying NPF4 in decision making ahead of new style LDP's being in place to ensure consistency (NB East Lothian Council is now preparing a replacement LDP in cognisance of legal requirements and to reflect the provisions of NPF4). Paragraph 6 of this letter (**Appendix 5**) is clear as to which should take precedence stating that **"whether an LDP has been adopted prior to or after adoption and publication of NPF4, legislation states that in the event of an incompatibility between a provision of NPF and a provision of an LDP, whichever of them is the latter in date is to prevail"** (Town and Country Planning (Scotland) Act 1997 ('the 1997 Act') Section 24 (3)). Given that the East Lothian Local Development Plan was adopted in September 2018, and NPF4 in February 2023, on point of law, the wording of NPF4 Policy 17 criteria (viii) supercedes LDP Policy DC3 criteria (i) in that, in terms of the development plan provisions, it is now acceptable for a replacement rural dwelling to be larger than the existing house. Unfortunately, the case officer has relied upon the wording of LDP Policy DC3 and advanced assessment of the proposal on that basis without cognisance to the foregoing inconsistency and, therefore, prevailing NPF wording. Furthermore, as noted above, NPF4 Policy embraces succession planning for farming businesses. Mr & Mrs Bain's application therefore offers two-fold compliance with Policy 17 and comfort the Local Review Body.

2.2 Reasons for Refusal

- 2.2.1 The first refusal reason is repeated below for ease of reference:

"The erection of a house on the application site would be a new build housing development in the countryside of East Lothian on land which is not allocated for housing development, is not brownfield land where a return to a natural state will not happen without intervention, does not reuse a redundant or unused building, and for which a need to meet the requirements of the operation of an agricultural, horticultural, forestry, countryside, recreation, or other business, leisure or tourism use has not been demonstrated, and which is not proposed as affordable housing of an existing rural settlement. The proposal is therefore contrary to Policy 17 of NPF4 and Policies DC1 and DC4 of the adopted East Lothian Local Plan 2018 and Government policy guidance regarding the control of new housing in the countryside expounded in Scottish Planning Policy: June 2014."

- 2.2.2 Whilst the Council have commenced a review of the LDP, the East Lothian Local Development Plan 2018 remains in place but decision makers must now take cognisance of NPF4 as this now forms part of the development plan. As part of the preparation of the forthcoming LDP2, the Council have prepared a **Countryside Fact Sheet** within which it is recognised that NPF4 "does have a more relaxed approach to housing in the countryside (See **Appendix 6** and highlighted section). In this respect, the first reason for refusal narrates that inter alia the application site is not allocated for housing development and is not a brownfield site. In this regard, given the farming complex sits within countryside, it is of course acknowledged that the application subjects, nor the associated building group at Trabroun, are identified as a housing opportunity in the LDP. The crux of the matter is that the proposal is not for 'new' development in the Countryside but for a replacement dwelling, the plot having already been developed in the 1970's. There is thus no policy imperative to demonstrate an operation link to a rural business as the site is not greenfield undeveloped land (albeit there is a clear inherent connection to an established rural business). The proposal, in line with NPF4, is for a **one-for-one** replacement. The first reason for refusal is therefore not applicable given the proposal is

essentially a brownfield opportunity to replace a dwelling within a clearly established plot and wider building group as opposed to a fresh encroachment into the East Lothian Countryside. **Figure 1** below illustrates this context.



Figure 1 – Building Group Context

2.3 Second Reason for Refusal

2.3.1 The second refusal reason is repeated below for ease of reference:

“The proposed house would not: i) be a like for like replacement of a dwelling recently rendered uninhabitable by unforeseen circumstances; ii) replace an existing dwelling with lawful use rights as such (not the plot of a previous, now demolished house) that the Council accepts that due to the construction of the building it is incapable of retention for habitation and that all reasonable efforts have been made to maintain the building; or iii) be similar in size, scale and massing to the original. Therefore the proposal does not comply with either criteria (i) or (ii) of Policy DC3 of the adopted East Lothian Local Development Plan 2018.”

2.3.2 As stated above in terms of the newly adopted national planning policy, and in light of the transitional context, NPF4 supports rural proposals for one-for-one replacement dwellings implicitly without excluding an increase in footprint. To reiterate, given the conflict between NPF provisions and the Adopted LDP (the former now taking precedence) the applicability of Policy DC 3 in this instance is questioned by the applicants. Notwithstanding, whilst an increase in floor area is accepted, the existing house and that proposed are both 4 bedroom dwellings. The proposed house is largely single storey and remains subservient to the adjacent steading of a similar massing to the existing 1970's dwelling. Of note, under **Permitted Development Rights**, the existing house could be extended by 4m in a southerly direction or to east in any case albeit the applicants have chosen to pursue an environmentally efficient redevelopment of the large and generous plot. To set proposals within their proper context, the following extract from the original application pack (**Figure 2**) illustrates a 'before and after' (East and West cross sections). Upon review, it is contended that the material variation given the sensitive design is marginal. Notwithstanding, to recapitulate NPF4 now provides the prevailing up to date planning guidance and Policy 17 therein allows, de facto, for an increase in scale or indeed for a single

home for the retirement succession of a viable farm holding. With respect, Policy DC3 of the East Lothian Local Development Plan has thus been inappropriately applied in this instance.

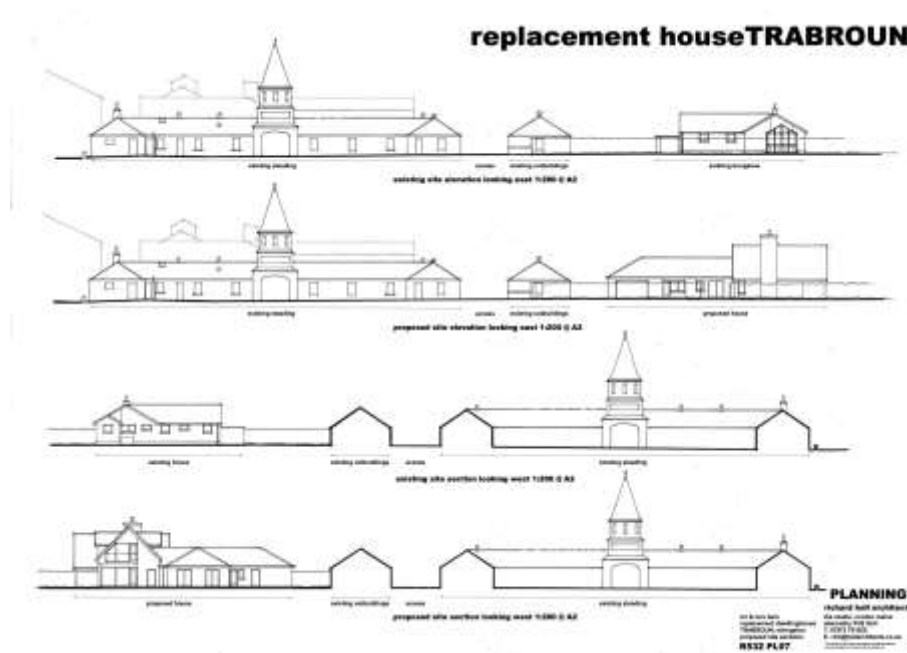


Figure 2 – Before and After Cross Sections

2.3.3 As an aside, and as noted in the Case Officer’s Report, an independent Structural Engineer’s report accompanied the application (**Appendix 7**). This confirmed structural defects and energy inefficiencies in the existing property which, from both a practical and financial point of view, supported the applicants’ brief to their architect to design a replacement dwelling of modern highly insulated construction with a minimal carbon footprint. In the course of the appeal preparation, the Applicant’s Engineers have provided an addendum to the original report for the LRB’s consideration (**Appendix 8**). Upon review, same details an estimated cost of £162,415 to rectify defects previously highlighted to the Case Officer before even considering any other improvements to the 1970’s property to bring it up to current day standards. These likely cumulative costs are deemed unviable when set against the property’s market value and present architectural appeal.

2.4 Third Reason for Refusal

2.4.1 The third refusal reason is repeated below for ease of reference:

“The erection of a house on the application site would be a new build housing development in the countryside of East Lothian for which a desirable primary use supported in principle by criterion b of Policy DC1 and with benefits that outweigh the normal presumption against new build housing in the countryside has not been demonstrated; and which is not an appropriate of a historic environment asset or promoted to fund the restoration of a listed building, building of recognised heritage value or significant designated feature of the built or natural environment, the retention of which is desirable. The proposal is therefore contrary to Policy DC5 of the adopted East Lothian Local Development Plan 2018.”

2.4.2 In this respect, the applicants accept and support a general presumption against development in the open countryside of East Lothian. However, to rehearse that stated earlier in this

Statement, the proposal is not for a new house on greenfield land but a replacement home as supported by NPF4 Policy 17. Policy DC1 and DC5 of the adopted LDP, together with associated criteria, are thus not invoked.

2.5 Fourth Reason for Refusal

2.5.1 The fourth reason for refusal is repeated below for ease of reference:

“The proposed replacement house would be of a form, size and scale that would compete with a draw focus from the category B-listed Trabroun Steading and be harmful to its setting contrary to policy 7 of NPF4 and Policy CH1 of the adopted East Lothian Local Development Plan 2018.”

2.5.2 The applicants do not agree with this subjective assessment. To recapitulate, the Council’s own Landscape Architect was consulted by the Case Officer as part of the application process and raised no objection to the proposals in terms of its form, size or scale nor potential negative visual impact upon the listed steading.

2.5.3 At the outset, the applicants brief was that the proposed building be designed to respond to the character of the Category B-Listed steading, as well as the character of the local area. The materiality of the existing building is at odds with the stone construction of the listed building and other nearby traditional buildings. The proposed replacement house incorporates material such as stone and slate that are appropriate for this context. The design of the proposed replacement house is intended to respond to that character, without mimicking historic design features or trying to mislead as to its age. To that end, the design incorporates traditional features such as substantial stone lintels, large stone sills and rubble coursing, especially on the west facing elevation as visible from the public road. The proposed building will be viewed in conjunction with the Steading from the road, and the sensitivity of this elevation has been recognised within the design. The design also incorporates characteristic modern features such as large, glazed elements, however, they have been located on less visible elevations.

2.5.4 The footprint and composition of the proposed building is intended to respect that of the Steading. The proposal is oriented in line with the west facing elevation of the listed Steading and will appear as a flanking element to, and a continuation of, the farm complex.

2.5.5 The proposed building has been designed to respect the mass and scale of the Steading. The northern portion of the proposed house is designed with a shallow pitched roof including a hipped gable end, consistent with the listed building. In addition, the ridge line of the northern portion of the proposed house reflects the height of the listed building, so as not to challenge its prominence in views from the road. Although the proposed house steps up by an additional half-storey to the south, this variation in height has purposefully been sited away from the listed building. As such, Trabroun Steading will retain its dominance in views from the road, with the central tower of the range remaining the focal point. The significance of the listed building derives from its prominence in views from the road which will be sustained by the proposals and, indeed complimented, given the removal of the adjacent incongruous 1970’s dwelling.

2.6 Fifth Reason for Refusal

2.6.1 The fifth refusal reason is repeated below for ease of reference:

“The proposed house would be seen as a harmfully dominant, discordant and incongruous feature within its rural landscape setting and adjacent to the Elvingston Local Garden and Designed Landscape. Therefore the proposed house would not be suitably sited, scaled or

designed to be in keeping with the character of the area contrary to Policies 7, 17 and 29 of NPF4 and Policies CH6, DP1 and DP2 of the adopted East Lothian Local Development Plan 2018.”

- 2.6.2 As noted above, the Council’s own Landscape Architect, having reviewed the application, had no objections to the proposals. It is thus unclear how the Case Officer has arrived at this personal assessment without qualified corroboration. The Case Officer’s conclusion is thus at odds with his colleague’s expert professional opinion. The applicants’ concerns in this regard are underscored by the fact that the Case Officer has also referred to perceived negative impact upon the Elvingston Local Garden and Designed Landscape failing to recognise that this landscape designation was removed from the Historic Environment Scotland’s Inventory of Garden & Designed Landscapes on the 1st September 2016 (See **Appendix 9**). Contrarily, it is the applicants’ contention that the existing house is a discordant and incongruous feature and that the proposed sympathetically designed proposed alternative offers an opportunity to significantly enhance landscape setting.

In summary, taking into account all policy provisions, it is the applicant’s position that the development proposal should be supported when appraised properly against both national and local planning policy.

3.0 PRECEDENTS IN DECISION MAKING

- 3.1 Attention is respectfully drawn to recent planning approvals which are relevant to this Review. Firstly, in terms of scale and massing within proximity to the Listed Steading, approval for the erection of 1 house, garage and associated works in August 2021 (Ref 20/01457/P) to the north of the farm complex demonstrated the Council’s view as to the introduction of a new build dwelling adjacent to the steading. In this case, the land was not previously developed and whilst the principle was acceptable given it was tied to the farming enterprise (to provide a home for the applicants’ Son), the design and scale was deemed as not detracting from the setting of the Listed Steading (please see **Figure 3** where the tower of the Steading is visible).



Figure 3 – Visual Impression (massing) of Consent 20/01457/P (Approved August 2021)

3.2 Secondly, in terms of both setting of the listed steading, and demonstrative of the scale of the farming complex at Trabroun, as seen within the wider landscape, reference is also drawn to the recently constructed Grain Store located immediately to the north east of the listed building (Ref. 18/01296/P) which was granted in May 2019 (**Figures 4, 5 & 6** below). It remains the Applicants' contention that the proposed replacement house subject of this review shall form a subserviently scaled insertion to the complex of buildings at Trabroun at the heart of which the Listed Steading remains the focal point from the public road.



Figure 4 – Visual Impression (Looking North East) of Consent 18/01296/P (Approved May 2019)



Figure 5 – Visual Impression (Looking South East) of Consent 18/01296/P (Approved May 2019)

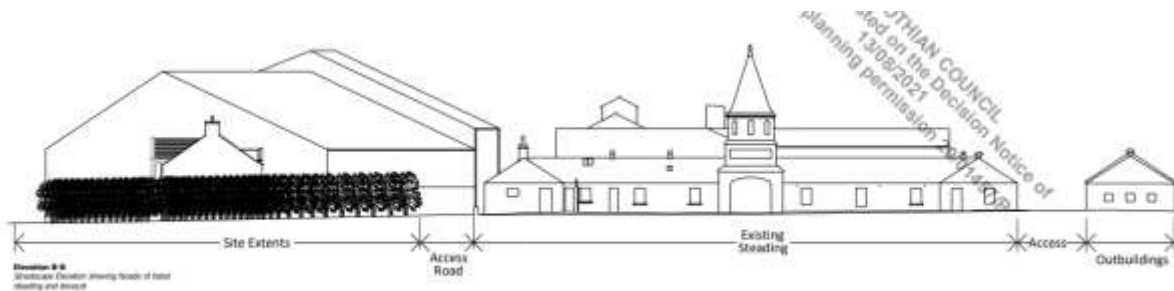


Figure 6 – Extract from approved drawing pack (looking East showing both the new house and grain store within the context of the Listed Steading) consent Ref 20/01457/P (Approved August 2021)

5.0 STATUTORY CONSULTEES & THIRD PARTY REPRESENTATIONS

5.1 In terms of **statutory and local Consultations**, notwithstanding the Case Officer reasoning, **no objections were received.** In particular:

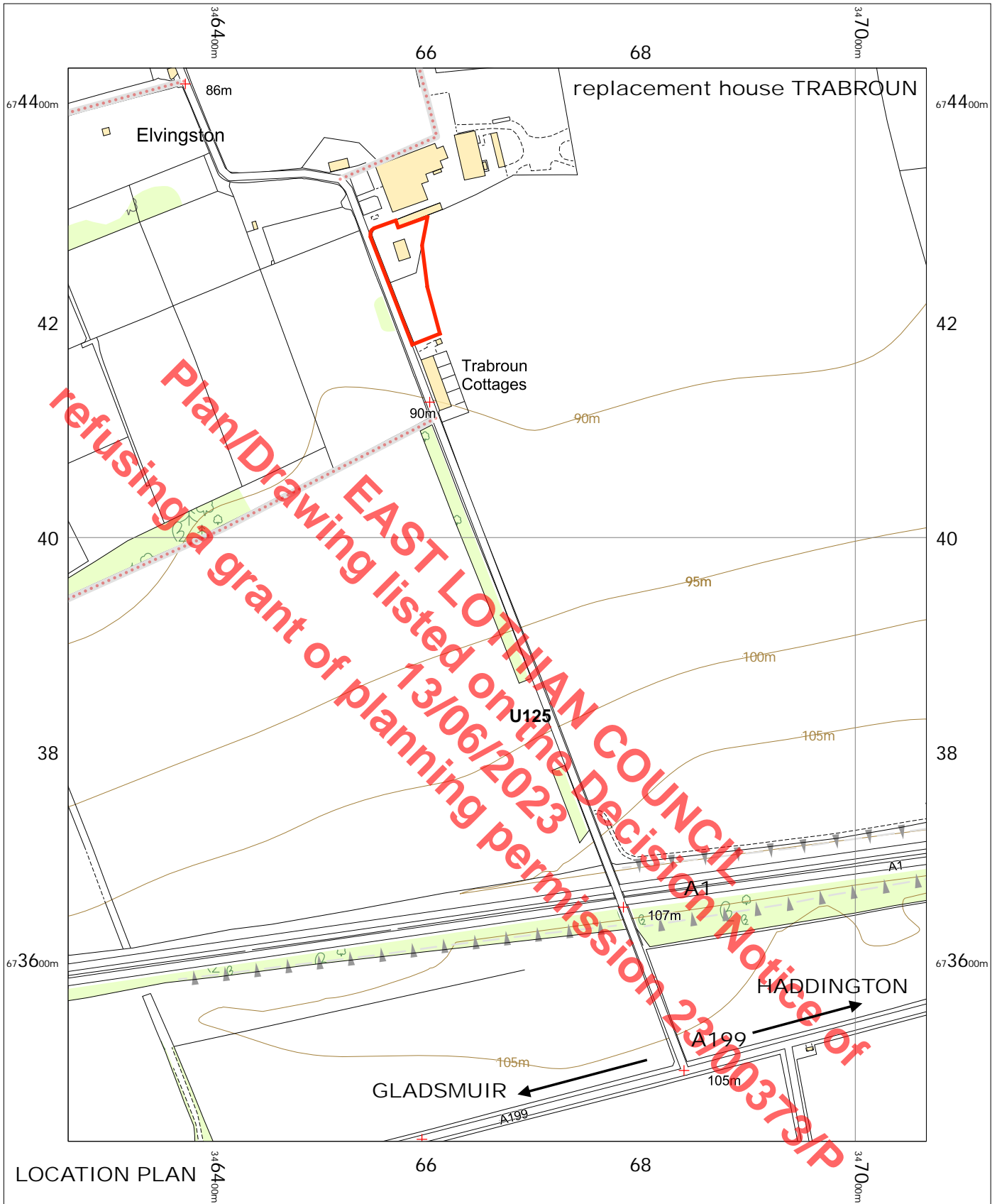
- Roads Planning Service raised no objection
- Environmental Health raised no objection
- Scottish Water raised no objection
- The Council's Biodiversity Officer offered no response
- The Council's Landscape Officer raised no objection
- The Council's Contaminated Land Officer raised no objection (subject to informatives which are noted by the applicants)
- No local objections were raised with one letter of support lodged as part of the application process and, in the preparation of the review request, three letters of support from neighbours at Trabroun have been pledged which are included for the LRB's reference at **Appendix 10 (i, ii & iii)**.

6.0 CONCLUSION

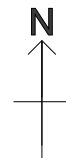
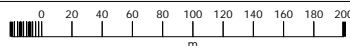
6.1.1 The preceding Statement, in conjunction with the appended supporting documentation, demonstrates the deliverability of the proposals within the context of newly approved NPF4 and local planning policy, as per the original advice from the Case Officer leading to the withdrawal and resubmission of the proposal.

6.1.2 The Case Officer's purported concerns as to visual impact are at odds with the Council's own Landscape Architect who raised no concerns or objection and are not consistent with adjacent recent consents. The proposal if granted will support succession in the established farming enterprise and deliver a high-quality carbon neutral replacement of a 1970's dwelling (recommended for demotion given structural and energy efficiency defects) within an established landscaped plot. This proposal is supported by both statutory consultees and immediate neighbours.

6.1.3 On the basis of the foregoing, it is respectfully requested that the submitted planning application be viewed positively by the Local Review Board of East Lothian Council with the applicants agreeable to the imposing of appropriate planning conditions, as necessary.



LOCATION PLAN



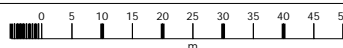
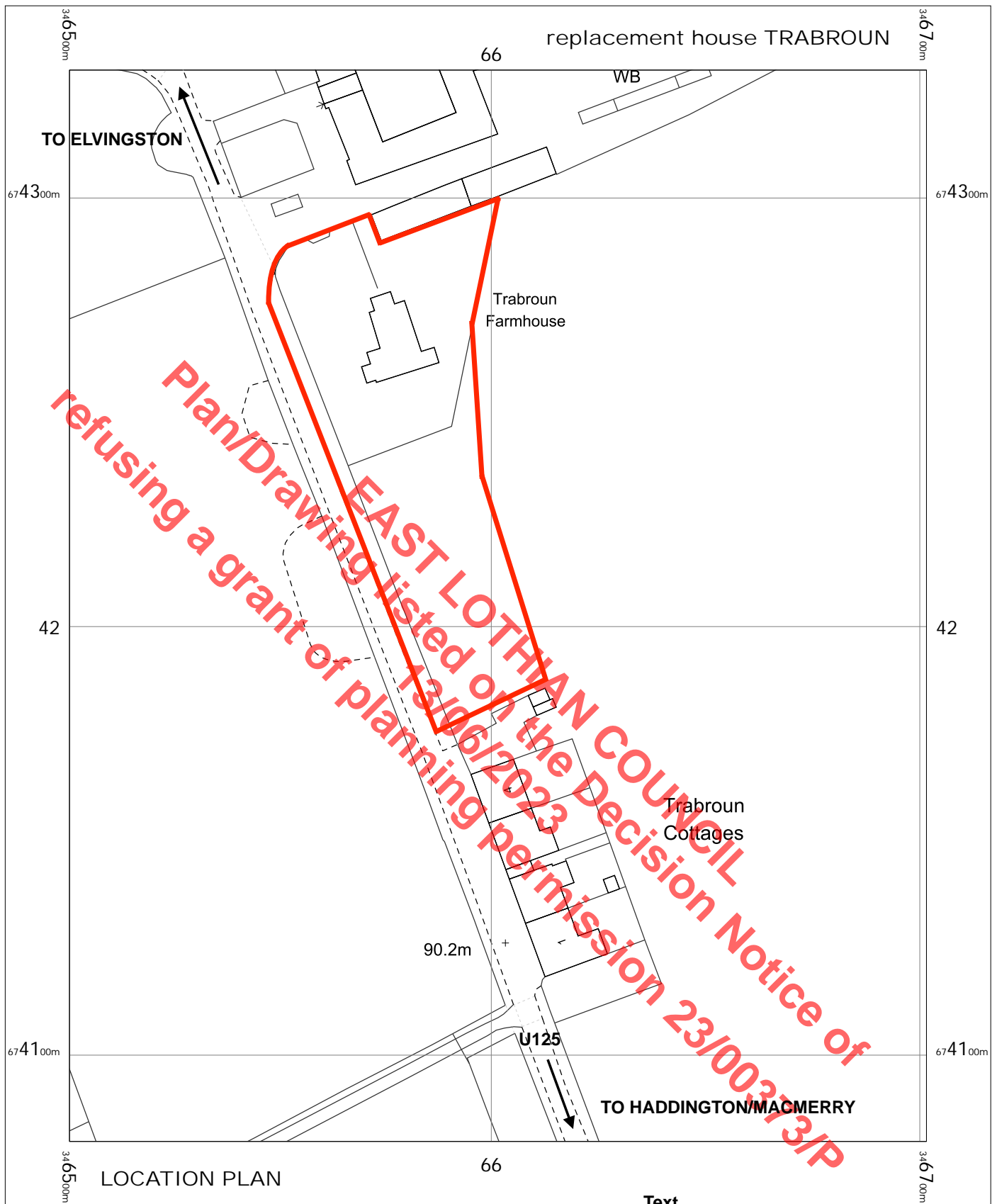
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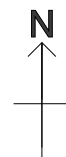
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OS MasterMap 1250/2500/10000 scale
 Tuesday, November 15, 2022, ID: M4P-01072220
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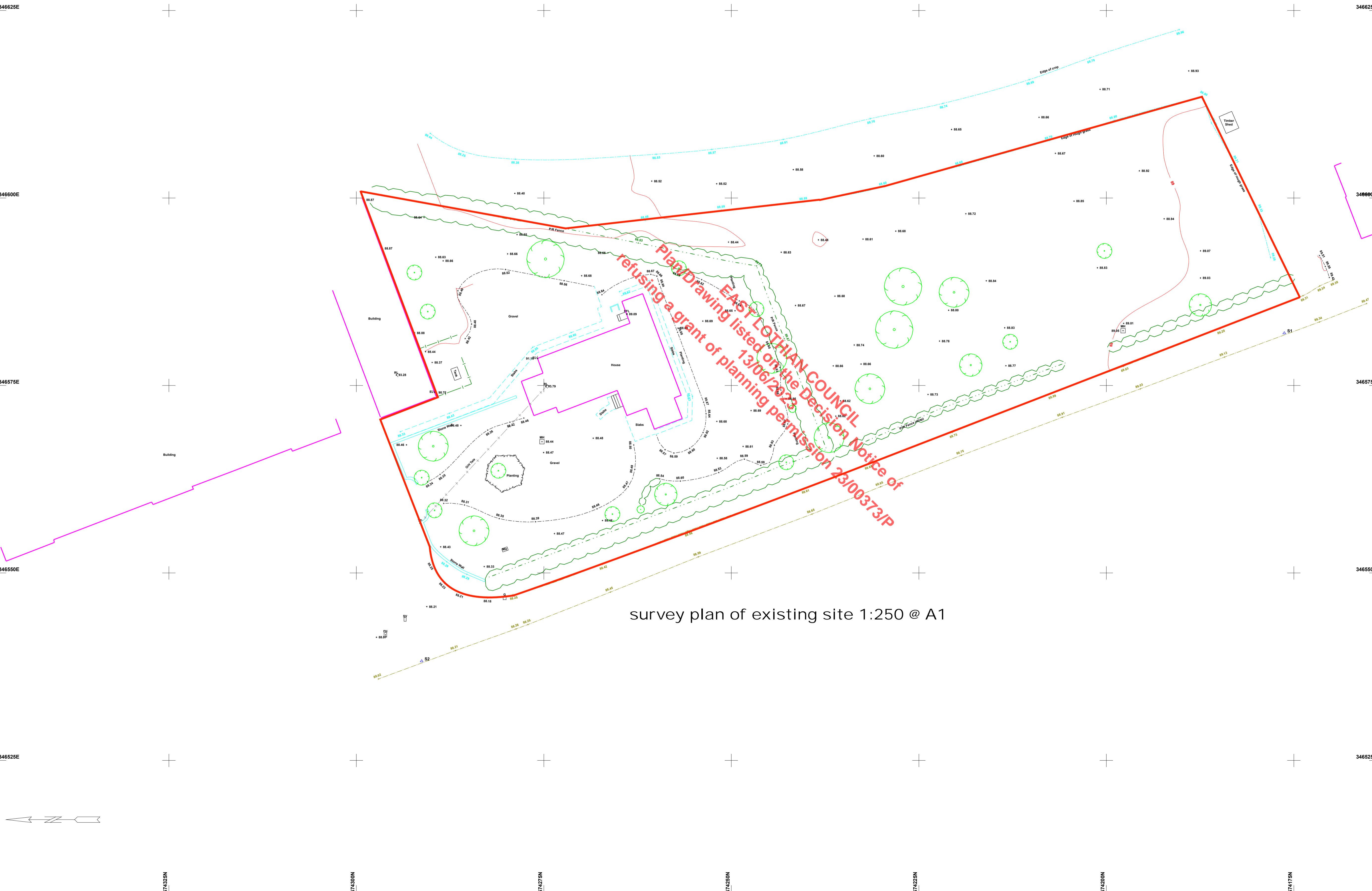
1:1250 scale print at A4, Centre: 346602 E, 674205 N

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replacement house TRABROUN

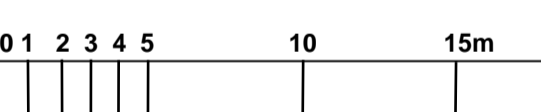


survey plan of existing site 1:250 @ A1

- Legend**
- MH □ Standard Manhole Square
 - MH ▲ Standard Manhole Triangular
 - MH ○ Standard Manhole Round
 - G □ Gully
 - RE □ Rodding Eye
 - SV □ Scour Valve
 - FH □ Fire Hydrant
 - FFL □ Finished Floor
 - SP □ Sign Post
 - LP □ Lamp Post
 - GAS □ Gas Valve
 - Tree (green circle) Tree
 - T/S (green circle with cross) Tree Stump
 - WT □ Water Stop Valve
 - RS □ Road Sign
 - RL □ Ridge Level
 - EL < □ Eaves Level
 - BH (red dot) Borehole
 - TP □ Trial Pit

Survey Stations

Station	Easting	Northing	Level
S1	346581.979	674176.271	89.286
S2	346538.248	674291.298	88.119



PLANNING

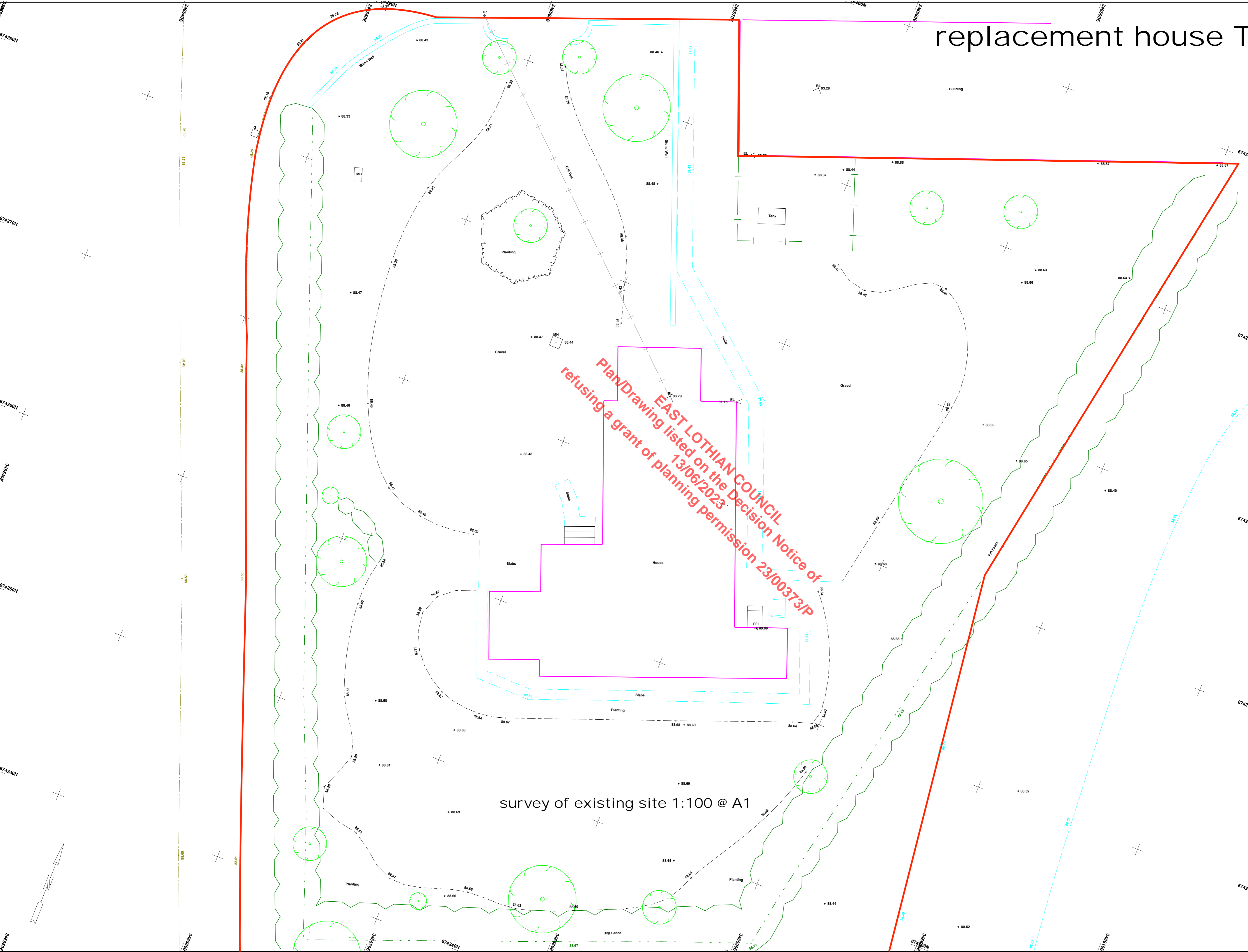
DG Surveys
Office 25, Evans Business Centre
Whitehouse Road
Stirling
FK7 7SP
Tel. 01786 470019 enquiries@dgsurveys.co.uk

Trabroun Farm
Topographical Survey

R532 PL01

Scale 1:250 FEB 22

replacement house TRABROUN



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refusing a grant of planning permission 23/00373/P
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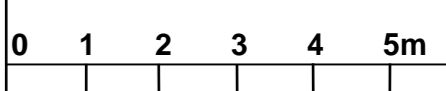
survey of existing site 1:100 @ A1

Legend

- MH Standard Manhole Square
- MH Standard Manhole Triangular
- MH Standard Manhole Round
- G Gully
- RE Rodding Eye
- SV Scour Valve
- FH Fire Hydrant
- FFL Finished Floor
- SP Sign Post
- LP Lamp Post
- GAS Gas Valve
- T Tree
- TS Tree Stump
- WT Water Stop Valve
- RS Road Sign
- RL Ridge Level
- EL Eaves Level
- BH Borehole
- TP Trial Pit

Survey Stations

Station	Easting	Northing	Level
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PLANNING

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Stirling
FK7 7SP
Tel. 01786 470019 enquiries@dgsurveys.co.uk

Trabroun, Haddington
Topographical Survey

R532 PL02

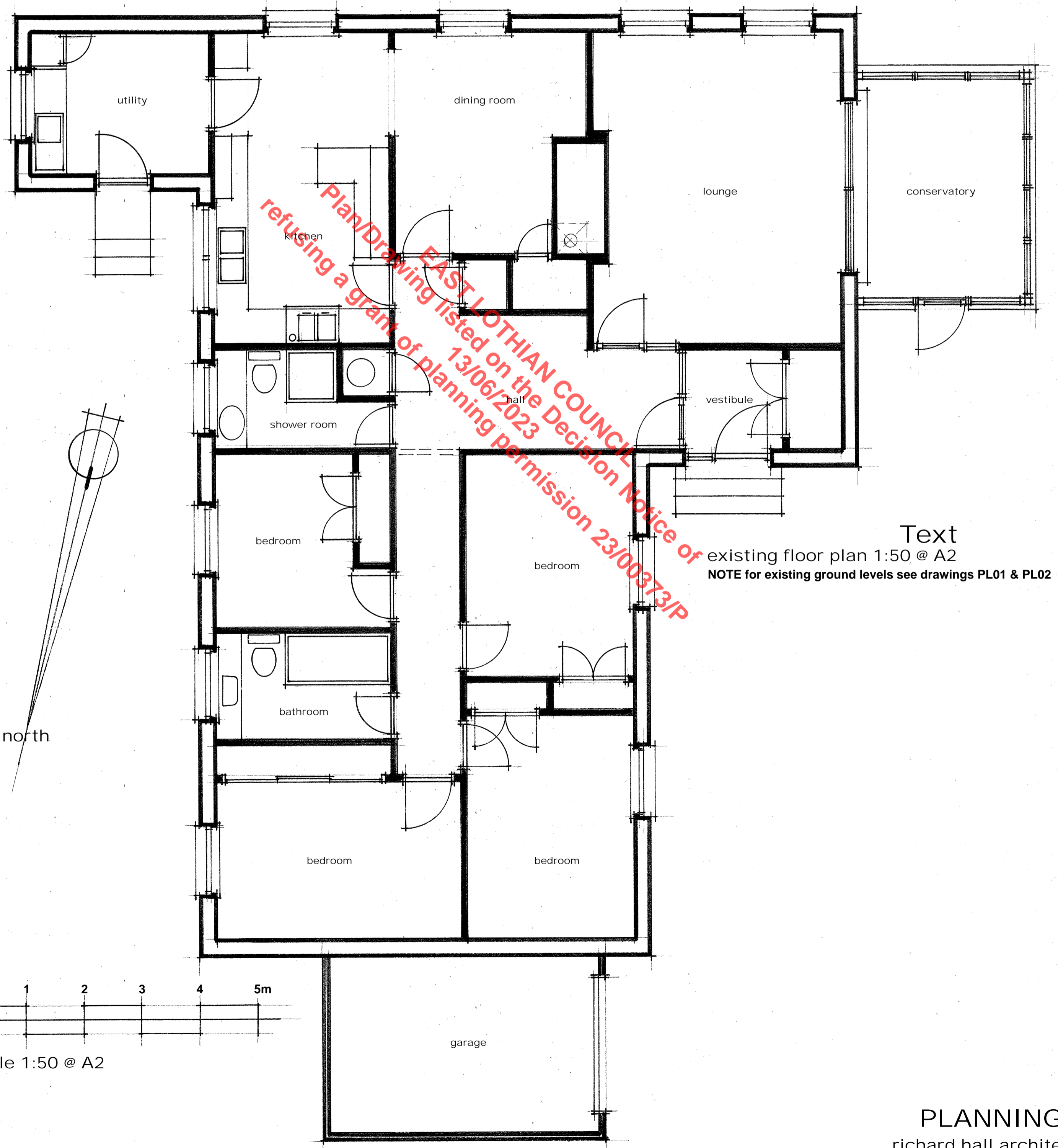
Scale 1:100

MAR 22

TRABROUN

FFL 89.09

existing north elevation 1:50 @ A2



Plan/Drawing listed on the Decision Notice of refusing a grant of planning permission 23/00373/P
EAST LOTHIAN COUNCIL
13/06/2023

Text
existing floor plan 1:50 @ A2
NOTE for existing ground levels see drawings PL01 & PL02

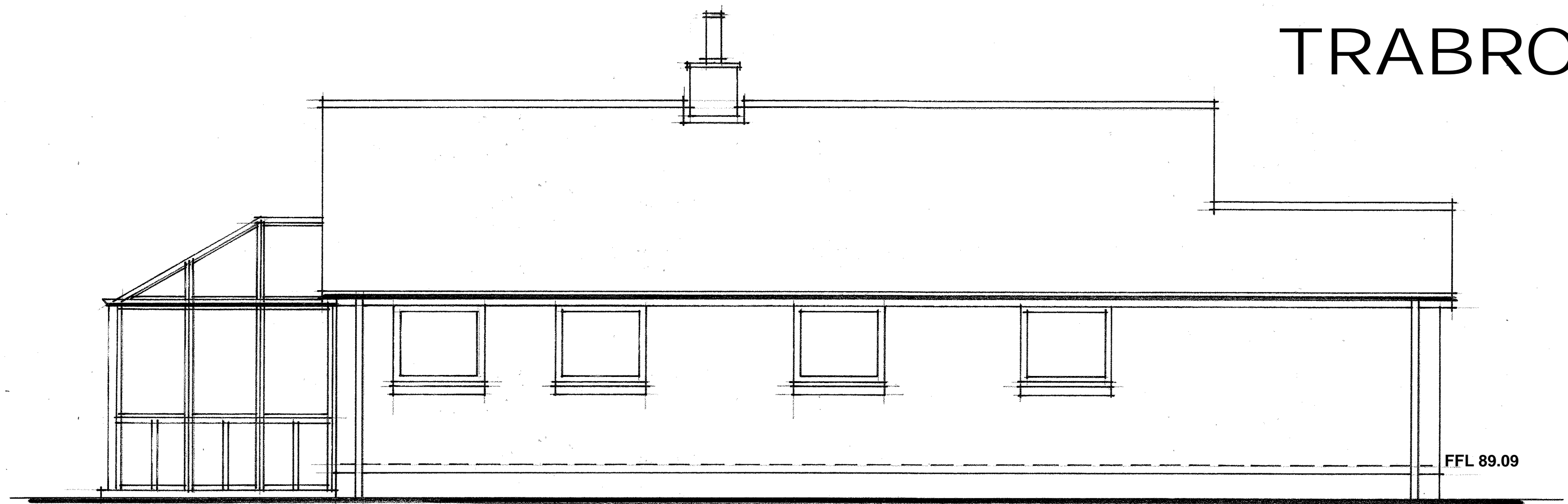
scale 1:50 @ A2

mr & mrs bain
replacement dwellinghouse
TRABROUN, elvingston
existing plan & elevation
R532 PL03

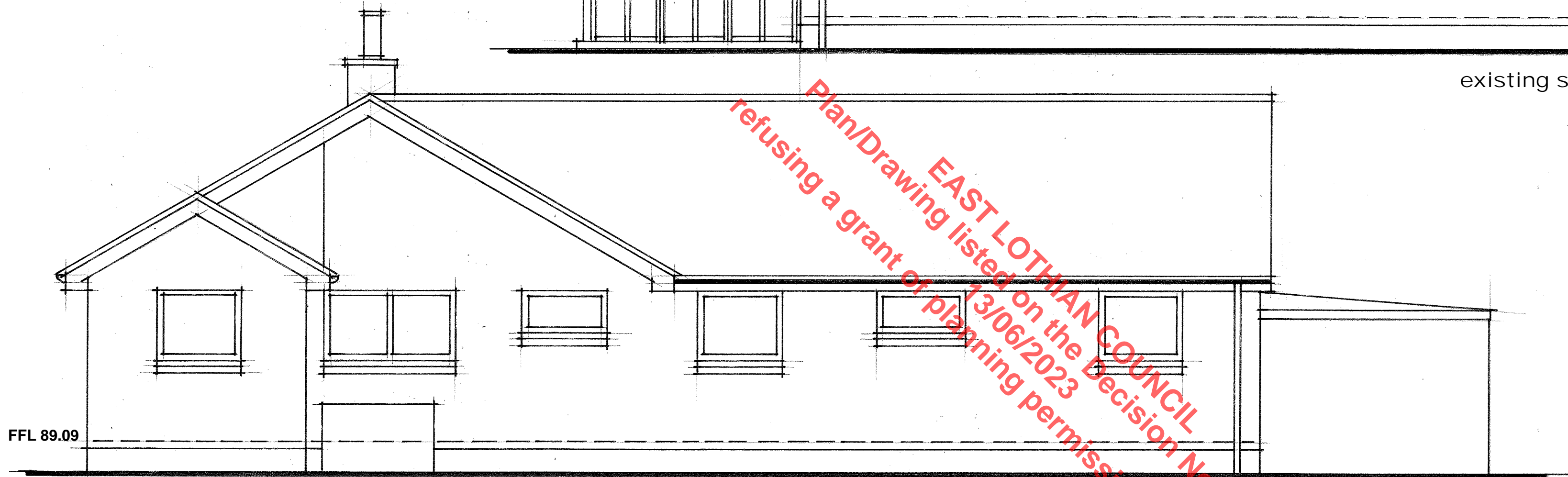
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TRABROUN



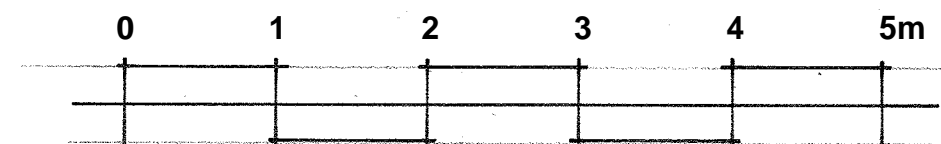
existing south elevation 1:50 @ A2



existing east elevation 1:50 @ A2

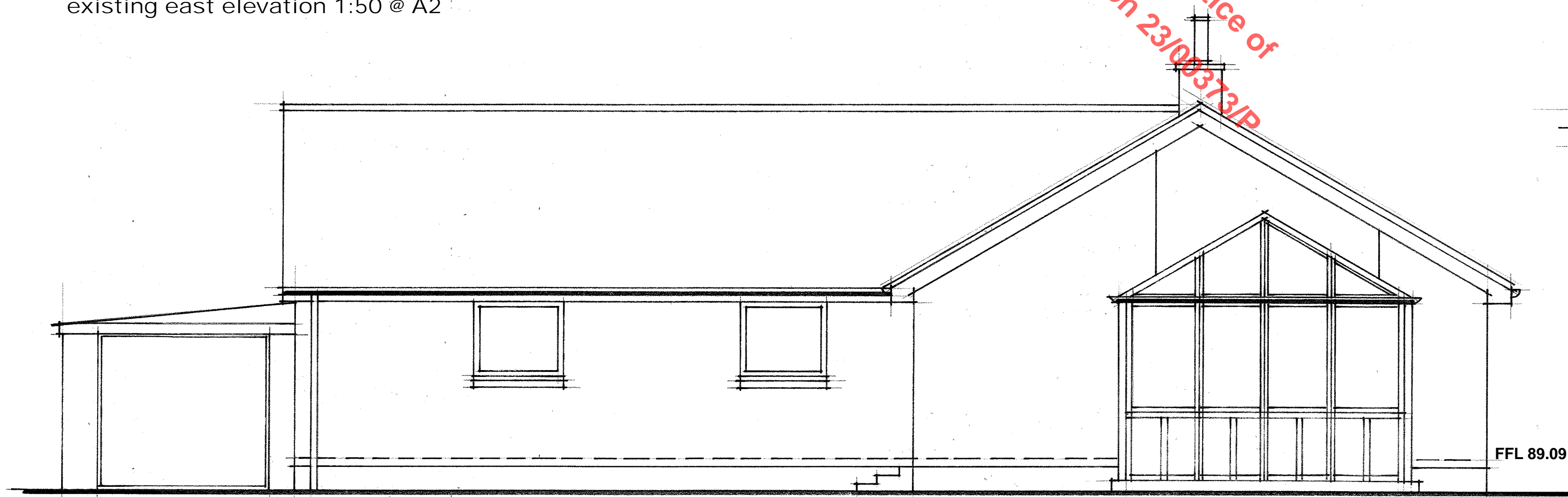
materials schedule

walls	painted render painted timber reconstituted stone base
roof	natural slate
windows	painted timber
conservatory	uPVC
rainwater goods	uPVC



scale 1:50 @ A2

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existing west elevation 1:50 @ A2

FFL 89.09

PLANNING

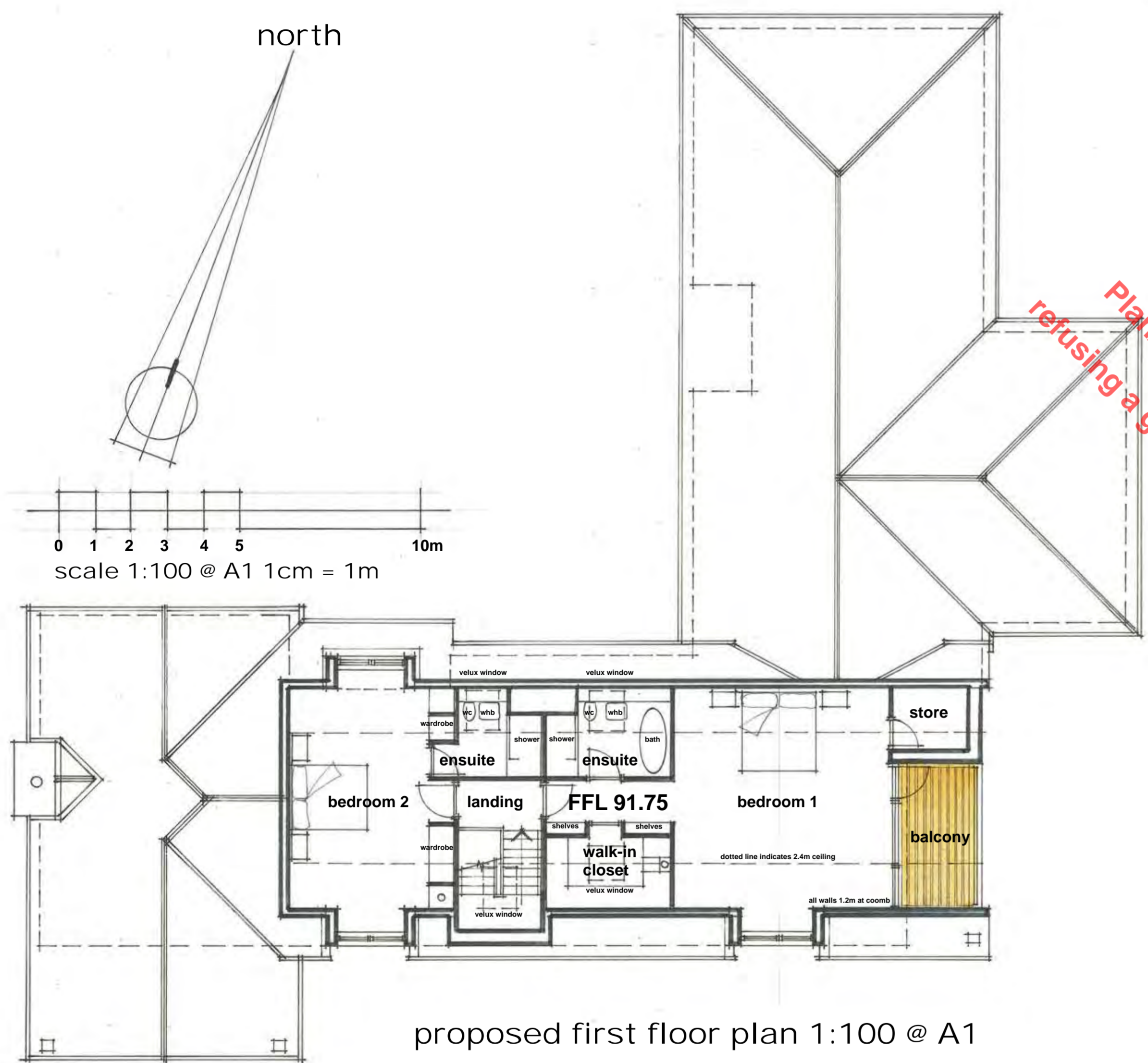
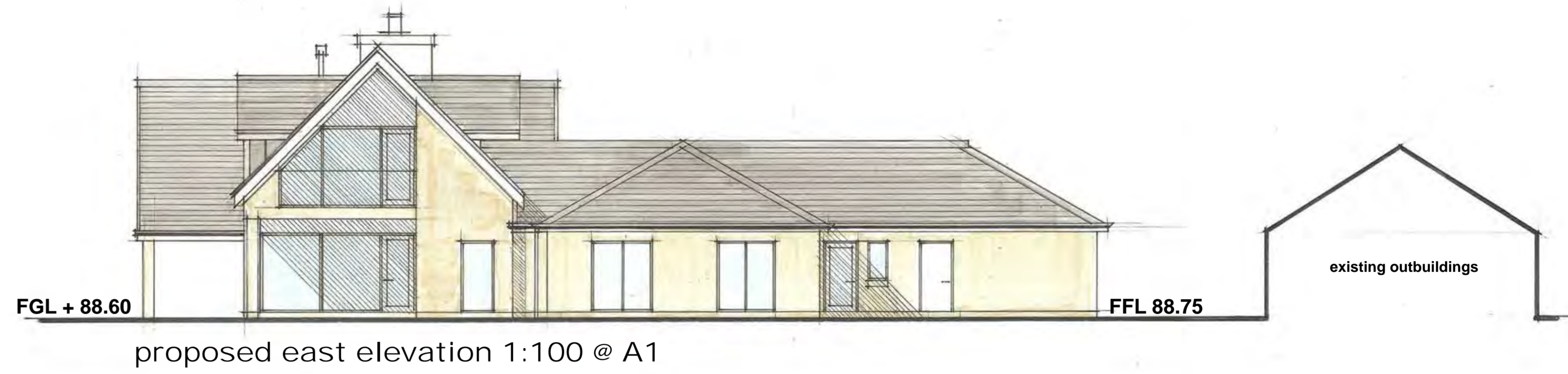
mr & mrs bain
 replacement dwellinghouse
 TRABROUN, elvingston
 existing elevations
R532 PL04

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replacement house TRABROUN

materials schedule

walls	natural stone to match existing render
roof	natural slate
dormer cheeks	lead
windows/doors	aluminium/timber high performance - dark grey
rainwater goods	cast iron - painted dark grey

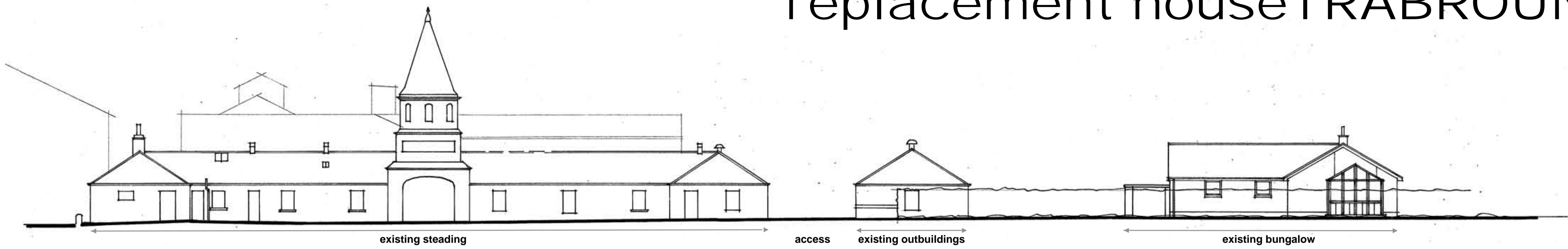


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 13/06/2023
 Plan/Drawing listed on the Decision Notice of

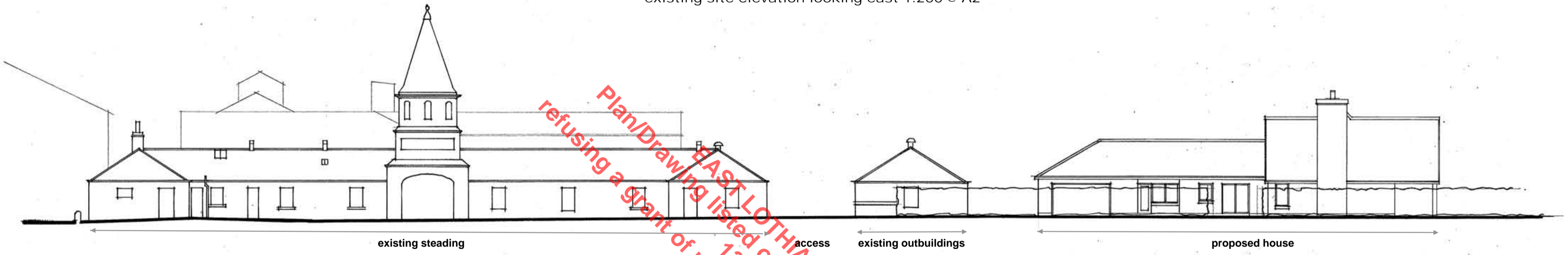
mr & mrs bain
 replacement dwellinghouse
 TRABROUN, elvingston
 proposed first floor plan & elevations
 R532 PL06

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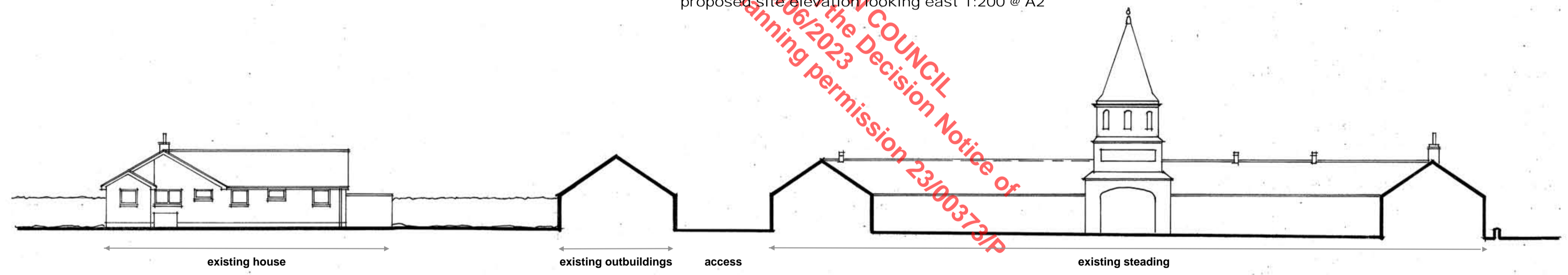
replacement house TRABROUN



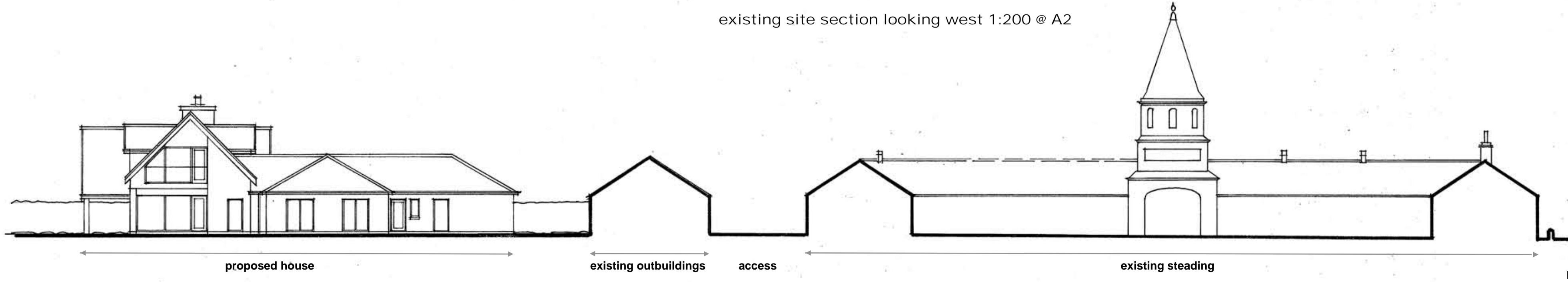
existing site elevation looking east 1:200 @ A2



proposed site elevation looking east 1:200 @ A2



existing site section looking west 1:200 @ A2



proposed site section looking west 1:200 @ A2

EAST LOTHIAN COUNCIL
 refusing a grant of planning permission 23/00373/P
 13/06/2023
 Plan/Drawing listed on the Decision Notice of

external materials schedule
new vehicle access to be tarmac
entrance courtyard to be washed gravel - porous surface
patio and paths to be stone slabs

for details of gates and fences see drawing PL09

site levels unchanged by proposals

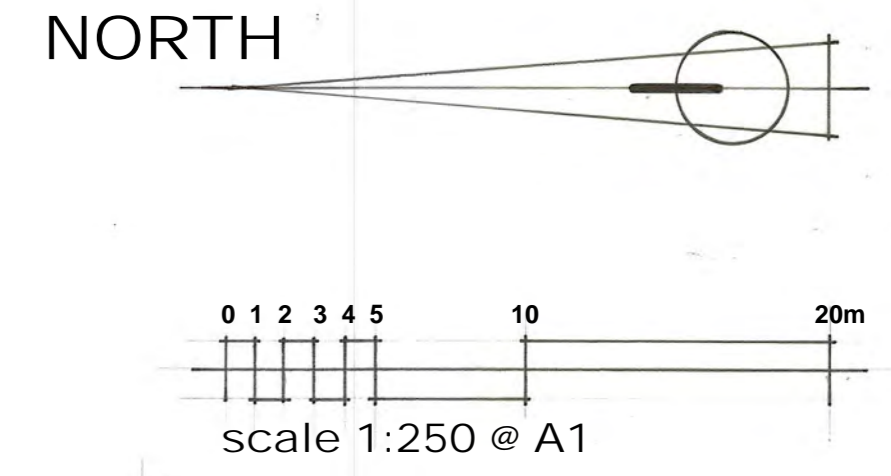
replacement house TRABROUN



for details of new vehicle entrance see drawing PL05A

proposed site plan 1:250 @ A1

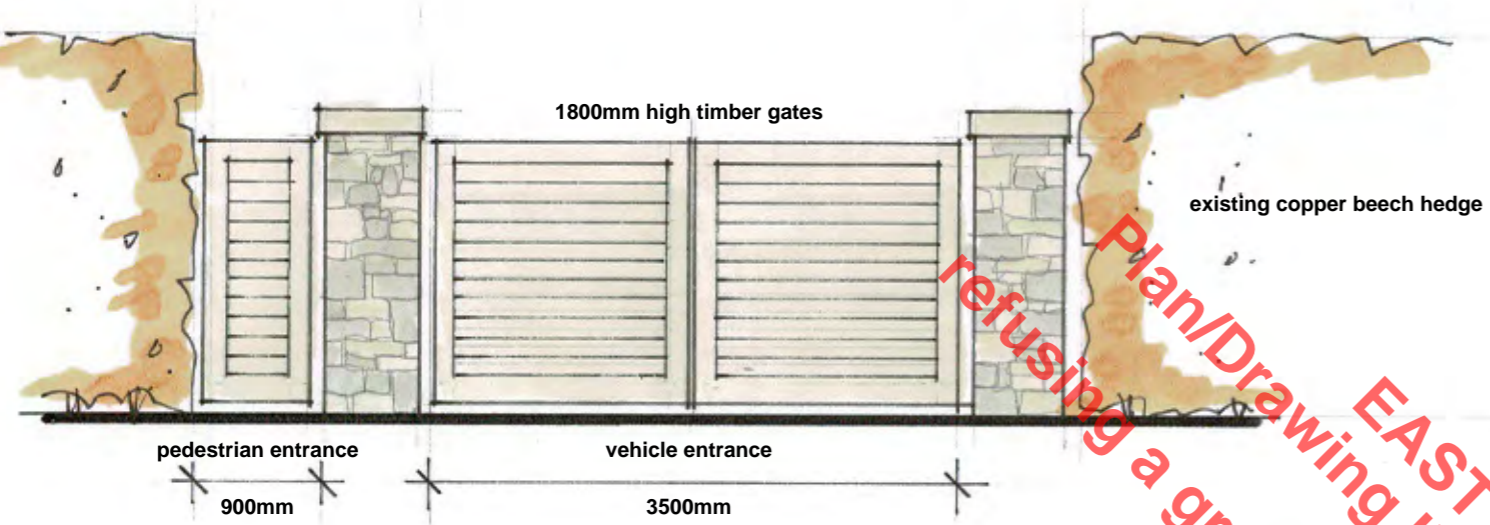
Revision A
entrance gate amended
visibility splays added
parking spaces added
22.12.06



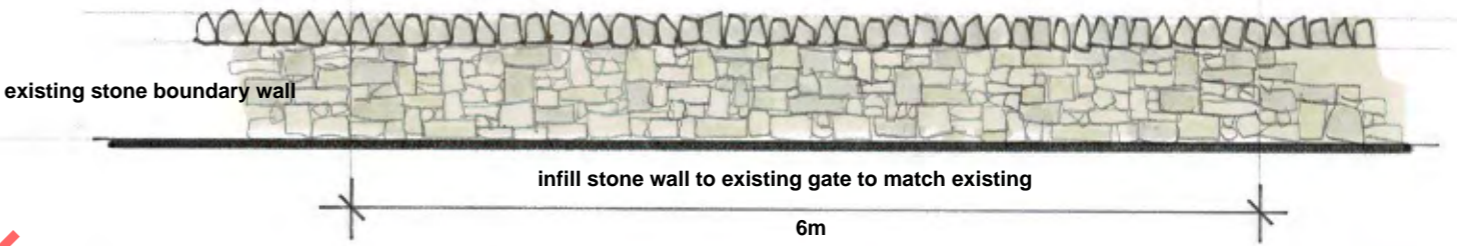
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mr & mrs bain
replacement dwellinghouse
TRABROUN, elvingston
proposed site plan
R532 PL08A

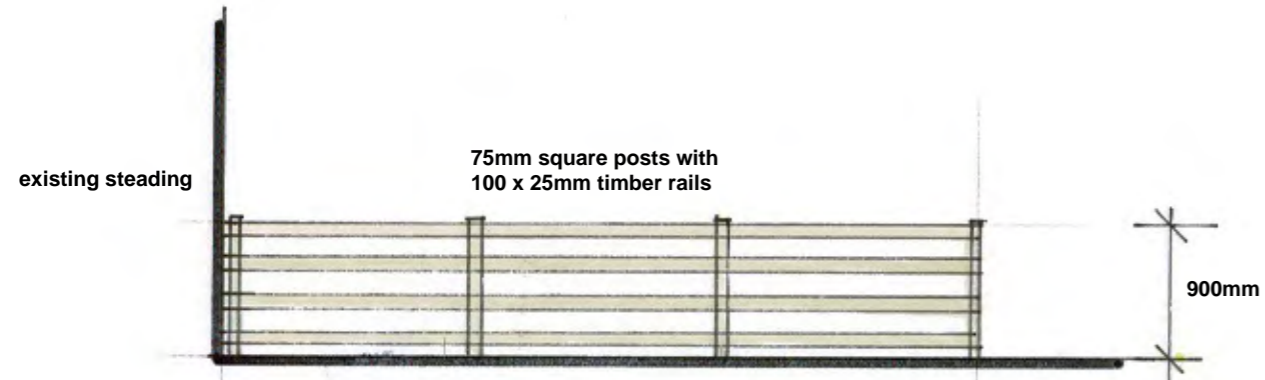
replacement house TRABOUN



new entrance gates 1:5 @ A3

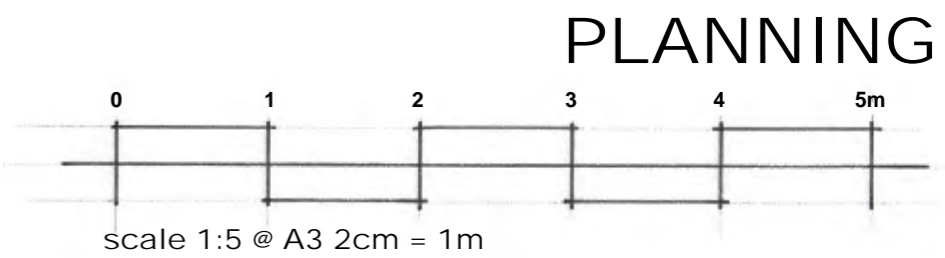


infilled wall on north boundary 1:5 @ A3



fence to parking area 1:5 @ A3

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EAST LoTHIAN COUNCIL
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13/06/2023



mr & mrs bain
replacement dwellinghouse
TRABOUN, elvingston
gates, walls and fences
R532 PL09

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APPLICATION
FOR
**ERECTION OF REPLACEMENT
DWELLING HOUSE**

AT

**TRABROUN
ELVINGSTON, HADDINGTON**

SUPPORTING STATEMENT

richard hall **architects**
Version 2
5 April 2023

CONTENTS

- 1.0 INTRODUCTION
- 2.0 EXISTING BUNGALOW, SITE & SETTING
- 3.0 PROPOSALS
- 4.0 DRAWINGS
- 5.0 SUMMARY POINTS
- 6.0 APPENDIX A – STRUCTURAL ENGINEER’S REPORT

1.0 INTRODUCTION

1.01 This application is for a replacement house at Trabroun, Elvingston, Haddington.

1.02 The existing bungalow was erected in the 1970's and is a timber framed building, typical of that period. It has very poor insulation and has structural defects.

1.03 The existing house sits beside Trabroun Farm and steading. The steading is B Listed. The existing house is not part of the farm and is separately owned. This application is therefore simply for the replacement of a very poor 1970's bungalow of no architectural or heritage value.

1.04 Figure 1. Shows the extent of the site ownership.



Figure 1. aerial shot showing extent of site ownership.

1.05 The brief is to replace the existing bungalow with a modern highly insulated family home appropriate for the site and its setting, incorporating modern methods to minimise energy consumption.

2.0 EXISTING BUNGALOW, SITE & SETTING

2.01 The application site is a well-defined plot bounded on the west side by a 3m high beech hedge, and on the east side by a 3m high conifer hedge. These are important landscape features. There is a stone boundary wall to the north with a gate access to the farm entrance. The land to the south is laid out as an orchard, contained by the beech hedge on the west side. Open countryside lies outwith the boundaries to the east and west. A line of traditional cottages lies to the south and Trabroun Farm lies to the north.

2.02 The existing bungalow is of very poor construction and a Structural Engineer's report follows at Appendix A.

2.03 Trabroun Farm includes the listed stone steading, which is B Listed. The application site therefore sits beside the setting of the listed building.

2.04 Planning Permission 20/01457/P was granted 13th August 2021 for the erection of a new house and garage to the immediate north of Trabroun Farm, and this is now under construction.

2.05 The existing stone steading has hipped roofs all with a similar pitch. The existing bungalow has gabled roofs which appear architecturally at odds.



Figure 2. clash between traditional hipped roof of existing B Listed steading and gables of non-traditional 1970's bungalow

- 2.06 The external materials of the existing bungalow are rendered walls with Fyfestone basecourse, materials of the 1970's without sensitive response to the Listed steading.
- 2.07 The position of the existing bungalow on the plot, does not respond architecturally to the context or pattern of the existing Listed steading.
- 2.08 The Listed steading is symmetrical in plan and elevation, with a central bell tower. The west facing façade is flanked on the north by existing stone cottages which create the foreground for the steading. The existing bungalow does not respond to this important architectural statement. Figure 3. below shows the potential for an architectural response.

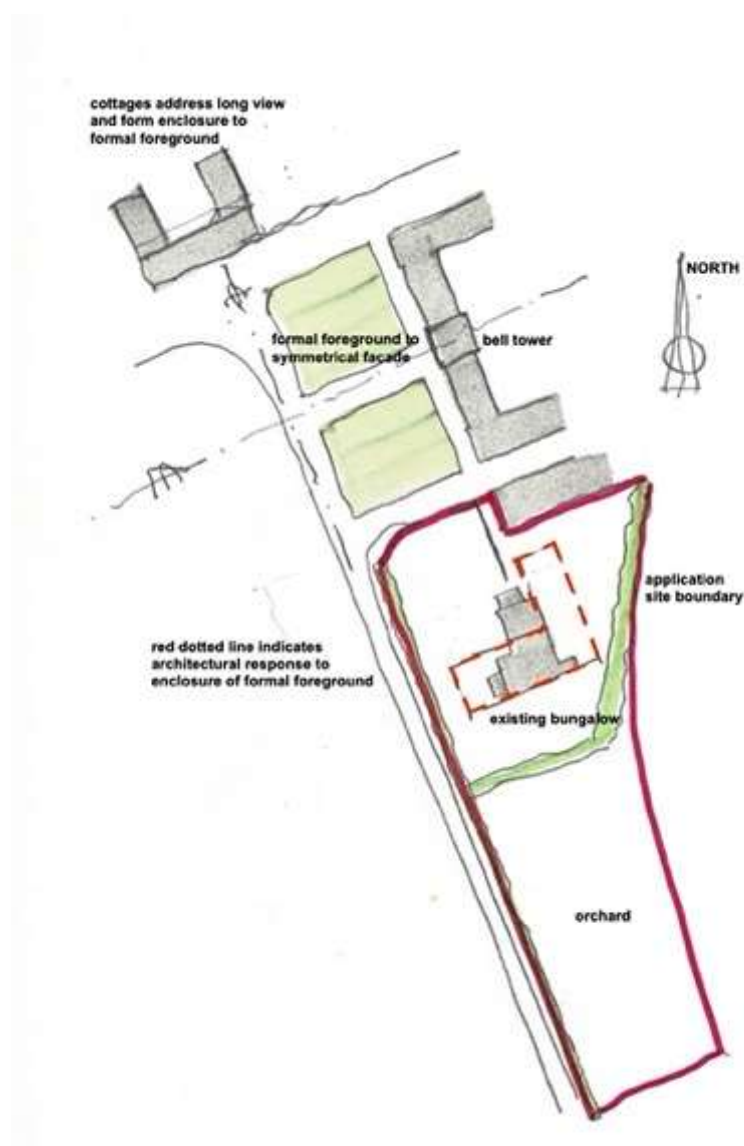


Figure 3. shows a strong architectural response to the formal symmetrical foreground of the Listed steading with central bell tower.

3.0 PROPOSALS

3.01 The proposal is principally to respond to the Client's brief, but also to consider the viability of the existing bungalow, to recognise the importance of place and the architectural opportunities the application site affords. The design has therefore been based on the following criteria:

- The Client Brief
- Consideration of the viability of the existing bungalow
- National Planning Framework 4 (NPF4) Policies 1,2,3,7,14,16 & 17
- East Lothian Council's LDP 2018 and Supplementary Guidance on Countryside and Coast – Policy DC3: Replacement Dwellings in the Countryside
- East Lothian Council's LDP 2018 Policy DP2: Design
- Assessment of the physical characteristics of the application site.

3.02 The Client Brief principally asks for a low-energy home. What does low-energy mean? It means considering all of the energy involved in the manufacture of the proposed building's components and the resultant CO2 emissions, as well as the future energy consumption of the building and its likely CO2 output – its carbon footprint. This means identifying as far as possible, locally sourced material to minimise transport costs (cost means both financial and cost to the planet); specifying as far as possible, natural materials to minimise manufacturing costs; designing a highly insulated envelope to minimise energy consumption; consideration of orientation of the proposed house to maximise solar gain; consideration of the fuel input to minimise CO2 emissions.

3.03 The Client Brief's principal intention therefore brings the ability of the existing bungalow to meet these important criteria, under interrogation. It is clear the building standards in the 1970's, are far removed from the exacting science of current Building Regulations. Catastrophic climate change is upon us, and everyone must take their responsibility seriously. Architects and Planners are directly responsible for the implications of the effects of specification and construction techniques. The existing bungalow leaks energy like a sieve. It is badly constructed, and the Engineers Report at Appendix A, identifies areas where the building is failing, both structurally and from its ability to contain heat. To attempt to bring the existing bungalow up to modern u-value requirements would involve such major changes that it would require to be demolished and re-built. The first principal of the Clients brief is therefore met, by designing a replacement house, to meet low-energy requirements.

3.04 NPF4 Policy 1

Policy Intent:

To encourage, promote and facilitate development that addresses the global climate emergency and nature crisis.

The existing bungalow is of sub-standard construction and incapable of satisfactory or financially viable alteration to meet modern insulation requirements. A replacement house is therefore the best proposal.

3.05 NPF4 Policy 2

Policy Intent:

To encourage, promote and facilitate development that minimises emissions and adapts to the current and future impacts of climate change.

The proposed replacement house has been designed to maximise solar absorption to minimise lifecycle greenhouse gas emissions as far as possible. The proposed replacement house has been sited and designed to adapt to current and future risks from climate change.

3.06 NPF4 Policy 3

Policy Intent:

To protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks.

The proposals site includes a redundant orchard. This area will be integrated with the existing garden and a variety of wild flowers included in the meadow planting to encourage and strengthen biodiversity.

3.07 NPF4 Policy 7

Policy Intent:

To protect and enhance historic environment assets and places, and to enable positive change as a catalyst for the regeneration of places.

The proposed replacement house has been positioned on the plot acknowledging the setting of the Listed steading and makes a strong architectural response in providing further enclosure to its formal foreground layout, as illustrated in Figure 3.

The proposed replacement house sits on the footprint of the existing bungalow but makes several architectural responses to the Listed steading and to its setting. The single storey garage wing is similar in width to the existing steading building and has a similar pitched hipped roof, and it is aligned with the western face of the existing steading, so it looks a deliberate extension of the built form. The proposed house extends further towards the western boundary to help reinforce the enclosure of the formal foreground of the Listed steading.

3.08 NPF4 Policy 14

Policy Intent:

To encourage, promote and facilitate well designed development that makes successful places by taking a design-led approach and applying the Place Principle.

The replacement house has been designed specifically for this site and takes account of the spatial quality of the public realm, created by the symmetrical frontage of the Listed Steading building, and is designed to positively contribute to the setting. The design process takes account, as far as possible, of the six qualities of successful places:

Healthy: the new balance of the architecture between the old and the new and the new enclosed rear garden support a feeling of safety and positive mental health.

Pleasant: the proposed replacement house addresses its setting and contributes to make an attractive and natural space.

Connected: the proposed replacement house is in a rural setting and will benefit from the same connectivity of the original. Rural houses require car usage to some extent, but the bus route to Haddington, Edinburgh and beyond are within walking distance.

Distinctive: The proposed replacement house sits on the footprint of the existing bungalow but makes several architectural responses to the Listed steading and to its setting. The single storey garage wing is similar in width to the existing steading building and has a similar pitched hipped roof, and it is aligned with the western face of the existing steading, so it looks a deliberate extension of the built form. The proposed house extends further towards the western boundary to help reinforce the enclosure of the formal foreground of the Listed steading. This all helps to reinforce the identity of Trabroun.

Sustainable: The design approach described at 3.02 includes interrogation of the carbon footprint of the building's components ensuring climate resilience. The proposed house has home office facilities, to encourage working from home, which in turn reduces pressure on travel to work, and allows people to live, play work and stay in the area.

Adaptable: the proposed replacement house will be timber framed and while this allows for speedy erection, it also allows flexibility, so that it can easily be changed to accommodate different uses as well as maintained over time.

3.09 NPF4 Policy 16

Policy Intent:

To encourage, promote and facilitate the delivery of more high quality, affordable and sustainable homes, in the right locations, providing choice across tenures that meet the diverse housing needs of people and communities across Scotland.

The proposed replacement house complies with the intent of this policy by delivering a high quality, sustainable home in the right location.

3.10 NPF4 Policy 17

Policy Intent:

To encourage, promote and facilitate the delivery of more high quality, affordable and sustainable rural homes in the right locations.

Development proposals for new homes in rural areas, under this policy, will be supported, where the development is suitably scaled, sited, and designed to be in keeping with the character of the area and the development "reinstates a former dwelling house or is a one-for-one replacement of an existing permanent house."

- 3.11 **LDP Policy DC3: *Replacement Dwellings in the Countryside*** of the Supplementary Guidance on Countryside and Coast of the 2018 LDP states, "*this part of the policy is to tackle the sometimes evident issue of sub-standard house construction*" "*which may be incapable of satisfactory alteration to meet modern insulation and other standards due to their construction*". The existing bungalow is of sub-standard construction and incapable of satisfactory or financially viable alteration to meet modern insulation requirements and therefore meets the requirements of Policy DP3 to be replaced.

3.12 LDP Policy DP2: *Design*

This Policy is relevant to the determination of this Application. Policy DP2: *Design* sets out the Council's requirements for the design of new development. The proposal is required to comply with the following criteria:

1. *Be appropriate to its location in terms of its positioning, size, form, massing, proportion and scale and use of a limited palate of materials and colours that complement its surroundings;*
2. *By its siting, density and design create a coherent structure of streets, public spaces and buildings that respect and complement the site's context, and create a sense of identity within the development;*
3. *Position and orientate buildings to articulate, overlook, properly enclose and provide active frontages to public spaces or, where this is not possible, have appropriate high quality architectural or landscape treatment to create a sense of welcome, safety and security;*
4. *Provide a well connected network of paths and roads within the site that are direct and will connect with existing networks, including green networks, in the wider area ensuring access for all in the community, favouring, where appropriate, active travel and public transport then cars as forms of movement;*
5. *Clearly distinguish public space from private space using appropriate boundary treatments;*
6. *Ensure privacy and amenity, with particular regard to levels of sunlight, daylight and overlooking, including for the occupants of neighbouring properties;*
7. *Retain physical or natural features that are important to the amenity of the area or provide adequate replacements where appropriate;*
8. *Be able to be suitably serviced and accessed with no significant traffic or other environmental impacts.*

3.13 The following provides an assessment of the proposal against the criteria of the East Lothian LDP Policy DP2.

1. *Be appropriate to its location in terms of its positioning, size, form, massing, proportion and scale and use of a limited palate of materials and colours that complement its surroundings*

The proposed replacement house has been positioned on the plot acknowledging the setting of the Listed steading and makes a strong architectural response in providing further enclosure to its formal foreground layout, as illustrated in Figure 3.

The proposed replacement house sits on the footprint of the existing bungalow but makes several architectural responses to the Listed steading and to its setting. The single storey garage wing is similar width to the existing steading building and has a similar pitched hipped roof, and it is aligned with the western face of the existing steading, so it looks a deliberate extension of the built form. The proposed house extends further towards the western boundary to help reinforce the enclosure of the formal foreground of the Listed steading.



Figure 4. sketch showing how existing bungalow stops the natural extension of the formal foreground of the Listed steading

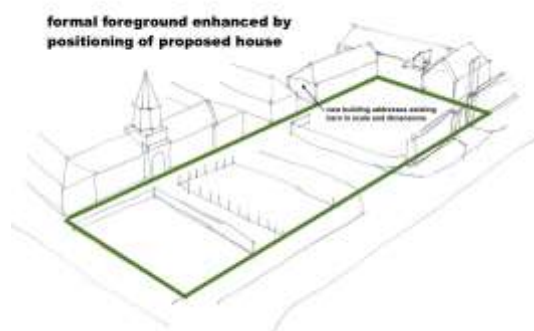


Figure 5. sketch showing how position of proposed house enhances the formal foreground of the Listed steading and how the north wing of the new house respects the existing barn in both dimensions, scale and materials.

The size of the proposed replacement house responds to the Clients Brief and provides open plan living accommodation and guest bedrooms on the ground floor, and 2 further bedrooms in the roof over the core of the house. All of the rooms have been positioned to take advantage of the sun's path, maximising solar gain.

The form, massing, proportion, and scale of the proposed replacement house have been designed to respond to the setting. The north wing extending towards the existing steading, is of the same height width and pitch as the existing; the central core of the proposed house has a developed roof with a steeper pitch to reflect the steeper central bell tower element of the steading; the western wing roof is turned to face north/south so the eaves address the western boundary to minimise impact on the public realm; the main core of the building faces south to maximise solar gain.

The proposed palette of materials includes natural stone to the north and west “public” facades to match the existing Listed steading and boundary walls, with a slate roof with traditionally detailed dormers to the central core. The east and south “private” facades are to be render, to complement the surroundings.

The proposal is in accordance with this criterion of DP2.

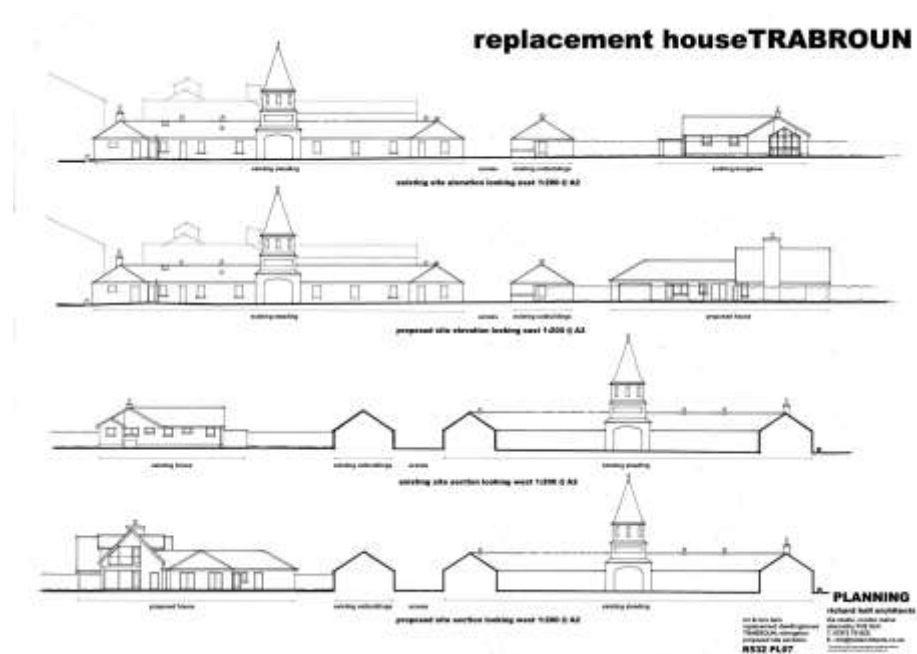


Figure 4. site sections showing relationship of existing bungalow and proposed replacement house, against the Listed steading.

2. *By its siting, density and design create a coherent structure of streets, public spaces and buildings that respect and complement the site’s context, and create a sense of identity within the development;*

This criterion relates to larger scale proposals and is not strictly relevant to the determination of this Application.

3. *Position and orientate buildings to articulate, overlook, properly enclose and provide active frontages to public spaces or, where this is not possible, have appropriate high quality architectural or landscape treatment to create a sense of welcome, safety and security;*

This criterion relates to larger scale proposals and is not strictly relevant to the determination of this Application. However, the design of the proposed replacement house creates active frontages to the public side (the west and north). Both elevations relate directly to the centrelines established by the central roundel responding through the fenestration.

4. *Provide a well-connected network of paths and roads within the site that are direct and will connect with existing networks, including green networks, in the wider area ensuring access for all in the community, favouring, where appropriate, active travel and public transport then cars as forms of movement;*

This criterion relates to larger scale proposals and is not strictly relevant to the determination of this Application.

5. *Clearly distinguish public space from private space using appropriate boundary treatments;*

This criterion relates to larger scale proposals and is not strictly relevant to the determination of this Application. However, the 3m high beech hedge clearly defines the private space from the public and will be retained as a strong landscape feature.

6. *Ensure privacy and amenity, with particular regard to levels of sunlight, daylight and overlooking, including for the occupants of neighbouring properties;*

The proposed home has been sited to ensure there is no overlooking or privacy issues. The design and orientation of the proposed home will ensure that there will be no issues of overlooking or privacy.

7. *Retain physical or natural features that are important to the amenity of the area or provide adequate replacements where appropriate;*

The proposal will not result in the loss of any physical or natural features that are important to the amenity of the area. All hedges and trees will be retained – the conifer hedge on the eastern boundary will be repositioned to follow the site ownership boundary and the conifer hedge separating the orchard area to the south will be removed. The existing boundary hedges are strong landscape features and

provide enclosure for the plot and separation from the public realm. These will be retained. The tree in figure 5. below will be retained.



Figure 5. existing beech hedge providing enclosure and separation from the public realm.

8. *Be able to be suitably serviced and accessed with no significant traffic or other environmental impacts.*

The proposed replacement house will be accessed from the public highway. The existing vehicle access into the application site comes from the farm entrance on the north side of the plot. This implies a conjoining of ownership between the bungalow and the farm, which does not exist. The proposal therefore includes for a new vehicle/pedestrian access from the public road to identify the proposed replacement house as separate from the farm. The new access will be positioned to respond to the architecture of the proposed house and marked by stone entrance pillars to match the existing stone walls. Removing the vehicular access from the farm access road is also a safety factor, separating domestic car movements from heavy Farm traffic. The new entrance will have timber gates to maintain the separation from the public realm afforded by the beech hedge. The existing stone wall to the north boundary of the application site is a fine feature and will be retained and the existing entrance gate infilled with similar stone to match.



Figure 6. existing stone wall to north boundary and existing gate from farm entrance road.

The proposal therefore fully accords with the all the criterion of Policy DP2.

4.0 DRAWINGS

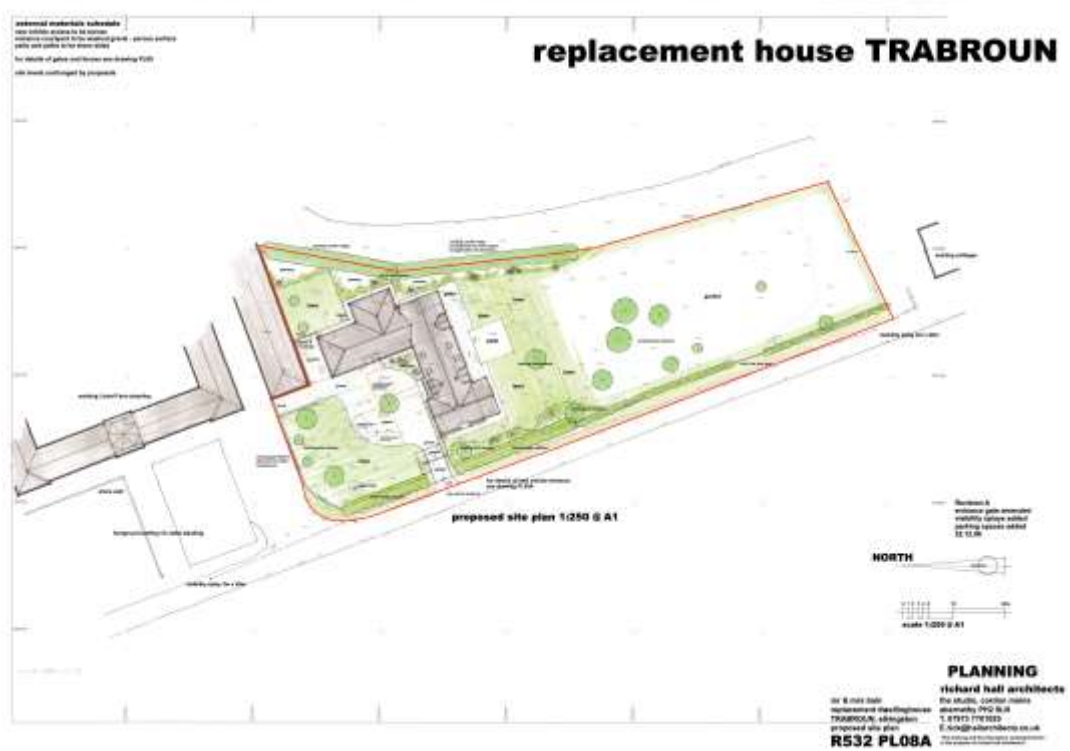


Figure 7. proposed site plan.

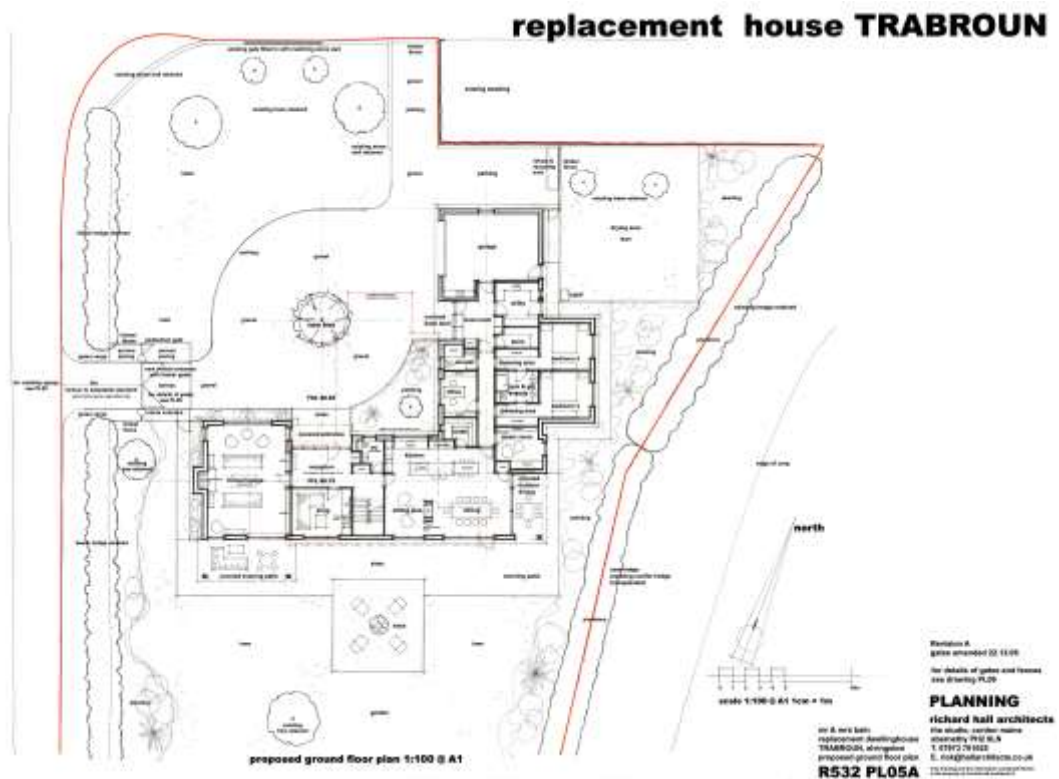


Figure 8. proposed ground floor plan.

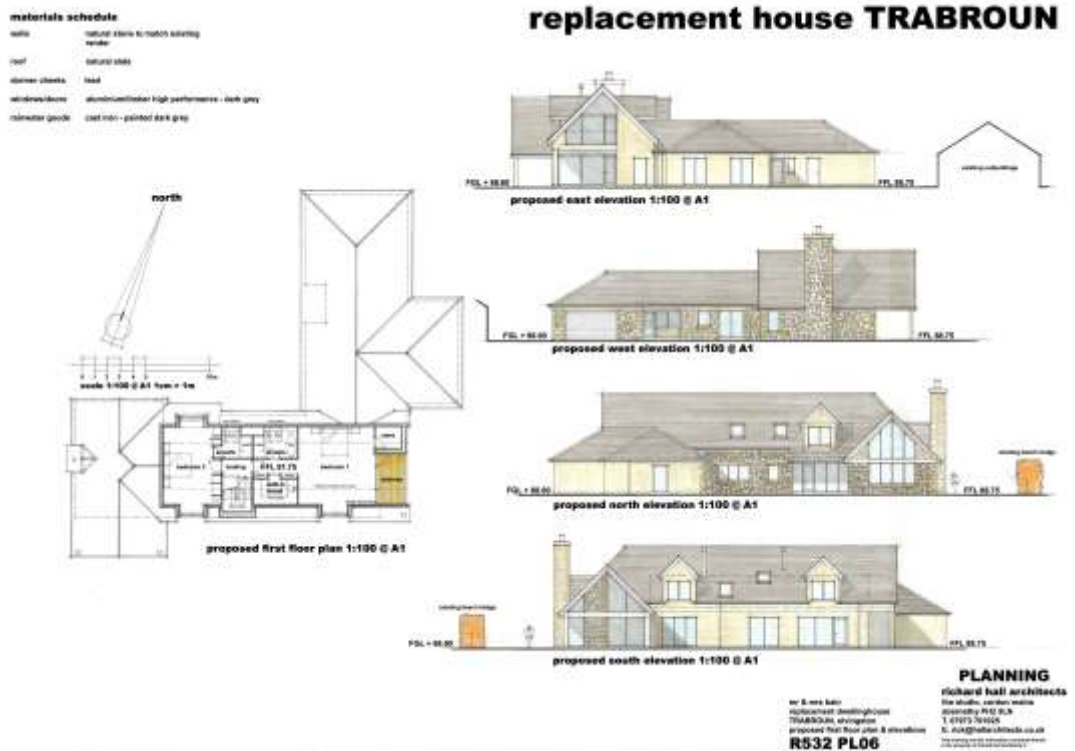


Figure 9. proposed first floor plan and elevations

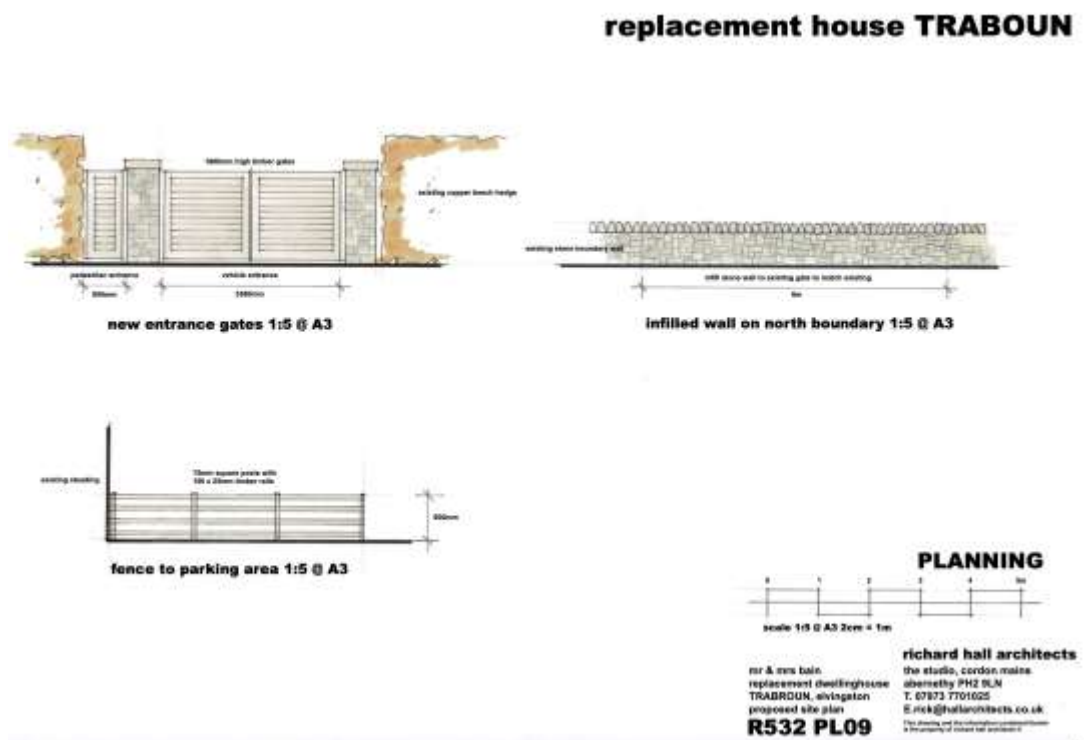


Figure 10. proposed gates, walls and fences

5.0 SUMMARY POINTS

- 5.01 The proposed replacement house meets the required criterion set out in the National Planning Framework 4, specifically with regard to Policy 17 a)viii. It also meets the required criterion set out in the LDP Policy DP2.
- 5.02 The existing bungalow meets the criterion of LDP Policy DP3 to be replaced. It is of no architectural or heritage value, and it could be said that it would not meet the current required criterion to be recommended for Planning permission.
- 5.03 The proposed replacement house, however is very consciously addressing the need for energy conservation, and strives to minimise its carbon footprint, through the specification and material selection, minimising the running costs and output.
- 5.03 This is a secluded plot bounded by high beech hedging, sat to the edge of an established building grouping. It therefore has established landscape framework and an established building group and therefore meets the requirements of PAN 72 *Housing in the Countryside*. Of particular relevance are the concluding remarks of Scottish Ministers advice:

There will continue to be a need for new houses in the countryside and this demand will have to be accommodated. Although we are sensitive about our landscapes, they are evolutionary, not static. Most are able to accommodate some degree of change.

This change can be positive, if it is well planned. The location and appearance of each new house must be determined with care and thought, as short-term thinking can have a long-term impact on the landscape.

Every settlement should have its own distinctive identity. This is determined in part by the local characteristics of the area's architectural style of individual buildings and the relationship of these buildings to each other.

The key messages are to:

- ➤ *set the scale of change that is acceptable;*
- ➤ *establish a clear policy framework which promotes opportunities to create sustainable and affordable new homes, and apply it consistently;*
- ➤ *ensure that developments enhance local character; and make a positive contribution.*

Creating new homes represents an important challenge for all concerned. Together, we must ensure that today's new developments have the quality and integrity to form the Conservation Areas and listed buildings of the future.

6.0 ANNEX A - STRUCTURAL ENGINEER'S REPORT

William Crowe Ltd
CHARTERED ENGINEER
Specialist in the Design of Civil
Structural and Drainage Works

24 Bellhouse Road
ABERDOUR
Fife, KY3 0TL
Phone: 01383 860721
Mob: 07470500717
Email: williamcrowe252@btinternet.com

**STRUCTURAL SURVEY OF BUNGALOW
AT TRABROUN, NEAR HADDINGTON
EAST LOTHIAN, EH41 3SX**

Mr & Mrs A Bain

30 September 2022

William M Crowe
BSc(Hons), MSc, CEng, MIStructE

Company Number 501225

INTRODUCTION

I was instructed by Mr. Andrew Bain to carry out a structural survey of a domestic bungalow on Trabroun, near Elvingston.

The survey was carried out on 30th September 2022.

FINDINGS

The house is a 1970s bungalow and has four bedrooms, kitchen, dining room and lounge. A conservatory has been extended to the west elevation and a utility room forms part of the rear entrance to the house. There is also a precast concrete garage adjoining the house on the north side of the property.



General view of the property

The general construction of the bungalow is timber kit and trussed rafter roof with rendered block external skin. The timber kit industry in Scotland was at an early stage of development in the 1970s and common defects are well known today. In the following sections I look at specific structural elements of this building.

ROOF STRUCTURE

The roof is slate fixed to plywood and supported on gang nailed trussed rafters. The general view of the structure is shown in the picture below.



The sarking is the wrong type of material to fix a slate roof to. It should be traditional 22mm thick timber sarking planks of sawn timber. The plywood is very thin and of poor quality and is splitting and failing structurally as shown in the photograph below.



Failing and wrong type of sarking to support a traditional slate roof

The failing sarking is a major structural problem for this building and is causing, and will continue to cause, ingress of water and deterioration of this house.

The plywood sarking and the low pitch of the roof can be observed from outside the building as a very uneven finish to the slates on the roof of the building. The photograph below shows the condition of the roof.



Uneven slate finish due to failing plywood sarking

TIMBER KIT

As mentioned earlier the timber kit of this building was built at a time when timber kits were not fully understood, and major structural defects were common.

A major defect found during the survey was out of tolerance with the kit's original construction, poor fit up and lack of adequate fixings. The gable is not positively fixed to the roof structure to achieve support to the wall head, as shown in the photograph below.



Gap and packers show poor tolerance between roof and wall head

There are tolerance issues and no positive connection of gable to roof to restrain head of gable walls. Poor tolerance is clearly shown, in the photograph below. Packers have been installed to try to overcome poor fit up of the kit. The gaps between the roof and the walls results in structural weakness of the frame and can lead to structural instability.



Packers used to overcome tolerance issues

ENERGY INEFFICIENCIES

Insulation, to control heat loss and reduce the production of carbon passed to the atmosphere, is very low compared to current standards. The 'u' value of the walls is 0.4w/m^2 degree K. When compared to the current requirement from the Technical Standards of 0.15w/m^2 degree K the property is discharging 250% more carbon to atmosphere than a new build property.

Introduction of new wall insulation to the building would require the removal of all existing external wall linings and the introduction of a minimum of 100mm of additional insulation, new plaster boarding, and new reveals at doors and windows.

New windows and doors are also required to reduce carbon discharge from the property.

CONCLUSIONS

The major structural defects in the roof and walls of this property are a significant concern to the owners.

The energy inefficiency and the excessive production of carbon to the atmosphere is not beneficial to the environment.

Taking the above into account I consider that the best solution in terms of safety and energy efficiency is replacement of this property with a safe and energy efficient new domestic house on the same site.

App No. 23/00373/P

**EAST LoTHIAN COUNCIL
DECISION NOTICE**

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
TOWN AND COUNTRY PLANNING
(DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATIONS 2013**

**Mr & Mrs Andrew Bain
c/o Richard Hall Architects
Per Richard Hall
The Studio
Broomybank
Heughfield Road
Bridge Of Earn
PH2 9BH**

APPLICANT: Mr & Mrs Andrew Bain

With reference to your application registered on 11th April 2023 for planning permission under the above mentioned Acts and Regulations for the following development, viz:-

**Erection of 1 replacement house and associated works
at
Trabroun Farmhouse
Huntington
Macmerry
Haddington**

East Lothian Council as the Planning Authority in exercise of their powers under the above-mentioned Acts and Regulations hereby **REFUSE PLANNING PERMISSION** for the said development.

The reasons for the Council's refusal of planning permission are:-

- 1 The erection of a house on the application site would be new build housing development in the countryside of East Lothian on land which is not allocated for housing development, is not brownfield land where a return to a natural state will not happen without intervention, does not reuse a redundant or unused building, and for which a need to meet the requirements of the operation of an agricultural, horticultural, forestry, countryside

recreation, or other business, leisure or tourism use has not been demonstrated, and which is not proposed as affordable housing development of an existing rural settlement. The proposal is therefore contrary to Policy 17 of NPF4 and Policies DC1 and DC4 of the adopted East Lothian Local Development Plan 2018 and Government policy guidance regarding the control of new housing development in the countryside expounded in Scottish Planning Policy: June 2014.

- 2 The proposed house would not: i) be a like for like replacement of a dwelling recently rendered uninhabitable by unforeseen circumstances; ii) replace an existing dwelling with lawful use rights as such (not the plot of a previous, now demolished house) that the Council accepts that due to the construction of the building it is incapable of retention for habitation and that all reasonable efforts have been made to maintain the building; or iii) be similar in size, scale and massing to the original.
Therefore, the proposal does not comply with either criteria (i) or (ii) of Policy DC3 of the adopted East Lothian Local Development Plan 2018.
- 3 The erection of a house on the application site would be new build housing development in the countryside of East Lothian for which a desirable primary use supported in principle by criterion b of Policy DC1 and with benefits that outweigh the normal presumption against new build housing in the countryside has not been demonstrated; and which is not an appropriate use of a historic environment asset or promoted to fund the restoration of a listed building, building of recognised heritage value or significant designated feature of the built or natural environment, the retention of which is desirable. The proposal is therefore contrary to Policy DC5 of the adopted East Lothian Local Development Plan 2018.
- 4 The proposed replacement house would of a form, size and scale that would compete with and draw focus from the category B-listed Trabroun Steading and be harmful to its setting contrary to Policy 7 of NPF4 and Policy CH1 of the adopted East Lothian Local Development Plan 2018.
- 5 The proposed house would be seen as a harmfully dominant, discordant and incongruous feature within its rural landscape setting and adjacent to the Elvingston Local Garden and Designed Landscape. Therefore the proposed house would not be suitably sited, scaled or designed to be in keeping with the character of the area contrary to Policies 7, 17 and 29 of NPF4 and Policies CH6, DP1 and DP2 of the adopted East Lothian Local Development Plan 2018.

The report on this application is attached to this Decision Notice and its terms shall be deemed to be incorporated in full in this Decision Notice.

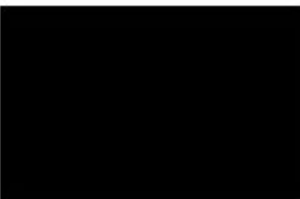
Details of the following are given in the application report:

- the terms on which the Planning Authority based this decision;
- details of any variations made to the application in terms of Section 32A of the Town and Country Planning (Scotland) Act 1997.

The plans to which this decision relate are as follows:

<u>Drawing No.</u>	<u>Revision No.</u>	<u>Date Received</u>
DWG 01	-	11.04.2023
DWG 02	-	11.04.2023
R532 PL01	-	11.04.2023
R532 PL02	-	11.04.2023
R532 PL03	-	11.04.2023
R532 PL04	-	11.04.2023
R532 PL05	A	11.04.2023
R532 PL06	-	11.04.2023
R532 PL07	-	11.04.2023
R532 PL08	A	11.04.2023
R532 PL09	-	11.04.2023

13th June 2023



Keith Dingwall
Service Manager - Planning

NOTES

If the applicant is aggrieved by the decision to refuse permission for the proposed development, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. The notice of review should be addressed to the Clerk to the Local Review Body, Committee Team, Communications and Democratic Services, John Muir House, Haddington, East Lothian EH41 3HA.

If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the Planning Authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

OFFICER REPORT

12th June 2023

App No. **23/00373/P**

Application registered on **11th April 2023**
Target Date **10th June 2023**

Proposal	Erection of 1 replacement house and associated works	SDELL	N
		CDEL	N
Location	Trabroun Farmhouse Huntington Macmerry Haddington EH41 3SX	Bad Neighbour Development	N

APPLICANT: **Mr & Mrs Andrew Bain**

Is this application to be approved as a departure from structure/local plan? N

**c/o Richard Hall Architects
Per Richard Hall
The Studio
Broomybank
Heughfield Road
Bridge Of Earn
PH2 9BH**

DECISION TYPE: **Application Refused**

PLANNING ASSESSMENT

This application relates to the detached single storey house and garden ground of Trabroun Farmhouse that is located some 1.6 miles to the northwest of Haddington and some 1.0 mile to the northeast of the village of Gladsmuir. It is within the countryside as defined by Policy DC1 of the adopted East Lothian Local Development Plan 2018.

The application site is some 0.48 hectares in size. The existing house occupies a roughly central position in its curtilage and is of a simple architectural style featuring a pitched roof clad in tiles and external walls finished in render. An integral garage is attached to its north elevation.

The application site is enclosed by high hedge planting on its east, west and south boundaries and to the north by a low stone wall featuring a driveway that provides vehicle access from a farm access track. The site is bounded to the east by agricultural land and to the west by an unclassified public road. The land to the south of the site has previously been planted as an orchard and is within the ownership of the applicant, beyond which is a terraced row of four cottages.

Trabroun Steading with Doocot, which is located some 7.5 metres to the north of the application site on the opposite side of the intervening farm access track, is listed as being of special architectural or historic interest, Category B. The Steading dates from circa 1830, and comprises the west range of a formerly quadrangular steading with a central pend with tower above incorporating a dovecot. The Steading buildings, which are predominantly single storey in height with the exception of the tower, are of rubble and ashlar stone construction with piended slate roofs.

Immediately to the rear of the listed steading buildings, and further to the east of those buildings, and to the northeast of the application site are further modern agricultural buildings, including grain storage and drying buildings.

Some 14 metres to the west of the application site on the opposite side of the public road is the eastern extent of the Elvingston Local Garden and Designed Landscape.

The application site is identified by The Coal Authority as being within an area at low risk from past mining related activities, and where The Coal Authority's Low Risk Standing Advice applies.

In November 2022 planning permission (ref: 21/00438/P) was sought for the erection of a house and garage on the current application site. That application was withdrawn prior to determination.

In August 2021 planning permission (ref: 20/01457/P) was granted for the erection of 1 house, garage and associated works on Land North Of Trabroun Farm some 60 meters to the north of the site of this application.

Through this application planning permission is sought for the erection of a new house with 2 floors of accommodation and associated works on the application site. To facilitate the erection of the new house it is proposed to demolish the existing house.

The proposed new house would extend over the footprint of the demolished house. It would be of an irregular shape and north facing. It would be composed of: i) a large pitched roof structure oriented east to west with living accommodation in its roofspace; ii) a smaller gabled pitch roof element to the west oriented north to south; and iii) a gabled pitched roof element to the east running north to south with a shallow pitched roof single storey outshot attached to its east elevation. An integral garage would attach to its north elevation.

The proposed new house would have a ground floor footprint of some 360 square meters and a first floor footprint of some 115 square meters. The main entrance to the house would be located within its north elevation and would be composed of an entrance doorway and a pitched roof porch finished in materials to match that of the main house. That entrance would provide access to a reception area, lounge, kitchen/dining area, shower room, office, music room utility/storage areas and two bedrooms at ground floor level. An internal stairway would lead to first floor landing providing access to two ensuite bedrooms and storage areas.

The proposed new house would have a ridge height of some 8 meters at its highest point. Its pitched roofs would be finished in natural slate. Its west (side) elevation walls would be constructed in natural stone, its north (front) and south (rear) walls would be finished in a mix

of stone and render and its east (side) external walls would be finished in render. Two pitched roof dormer windows and two rooflights would be installed within the south elevation roofslope and a pitched roof dormer and two rooflights within the north roofslope. It is further proposed that two extract flues are installed within the south elevation roofslope. All elevations would have glazed openings at ground floor levels composed of aluminium framed windows and glazed doors. The north and south pitched roof gable ends would feature large glazed panels at first floor levels. The east gable end would feature glazing and a glazed door providing access to a balcony at first floor level.

An external stone chimney would attach to the west elevation of the proposed house that would extend to a point some 1.2 meters above its proposed ridge height.

All rainwater goods would be finished in dark grey cast iron.

Proposals also involve the formation hardstanding patio areas and the erection of fencing. Garden areas would be provided to the side, front and rear of the proposed house.

Vehicular access to the house would be by way of a new access and driveway taken from the public road to the west of the site through the removal of a section of the existing hedge and the erection of stone pillars and 1.8 meters high timber gates. The proposed driveway would be finished in tarmac and serve a gravelled entrance courtyard. The existing access to the north would be infilled with stone to match the existing wall.

Demolition of the dwellinghouse is categorised as permitted development under The Town and Country Planning (General Permitted Development) (Scotland) Amendment Order 1992 and therefore does not form part of the development the subject of this application.

Supporting information in the form of detailed drawings and a Supporting Statement and appended Structural Engineers Report (William Crowe Ltd, dated 30th September 2022) have been submitted in support of the application.

The Supporting Statement sets out a contextual analysis explaining that the existing dwellinghouse is of no architectural or historic value and has poor insulation and structural defects. Proposals are for its replacement with a modern highly insulated house appropriate for the site and to its setting and incorporating modern methods to minimise energy consumption. It informs that the proposals consider all of the energy involved in the manufacture of the proposed building's components and the resultant emissions as well as the future energy consumption of the building and its likely carbon footprint. It purports that the existing house would require to be demolished and rebuilt in order to achieve current Building Regulation U-value requirements. It further purports that the form, massing, proportion scale and siting of the proposed house provides a positive response to the listed steading to the north and its setting. It explains that the single storey northern wing of the proposed house would be similar in width to the existing steading building and would feature a similar pitched hipped roof. It further explains that the proposed house would extend further towards the western boundary of the application site reinforcing the enclosure of the formal foreground of the listed steading.

The appended Structural Engineers Report explains that the general construction of the existing house is timber kit and trussed rafter roof with rendered block external skin. It informs of structural defects in the roof sarking and in the timber kit construction of the house and identifies energy inefficiencies. It purports that the introduction of required wall insulation

would involve the removal of all existing external wall linings. It concludes that identified structural defects and energy inefficiencies would be resolved through the replacement of the existing house with a new house.

No cost analysis has been submitted with the application in terms of repair of defects to the existing house relative to the construction costs of the proposed new house.

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 National Planning Framework 4 (NPF4) and the adopted East Lothian Local Development Plan 2018 (ELLDP).

Policies 7 (Historic assets and places), 17 (Rural homes) and 29 (Rural development) of NPF4 and policies DC1 (Rural Diversification), DC3 (Replacement Dwelling in the Countryside), DC4 (New Build Housing in the Countryside), DC5 (Housing as Enabling Development), CH1 (Listed Buildings), CH6 (Gardens and Designed Landscapes), (DP1 (Landscape Character), DP2 (Design), T1 (Development Location and Accessibility), and T2 (General Transport Impact) of the ELLDP are relevant to the determination of the application.

No public objection has been received against the application. One representation in support of the application has been received.

The Councils Roads Services raise no objection to the proposals being satisfied that the proposed house could be safely accessed and provide an acceptable amount of on-site parking.

The Councils Senior Environmental Health Officer has been consulted and has no comment to make on the proposed development.

Scottish Water raise no objection to the proposals. They do however advise that whilst there is sufficient capacity in the Castle Moffat Water Treatment Works to service the proposed development there is no public waste water infrastructure within the vicinity of this proposed development and therefore advise investigation of private treatment options. A copy of Scottish Waters consultation response has been forwarded to agents for the applicant accordingly.

The proposed new house, by virtue of its position orientation, and distance from the nearest neighbouring residential properties would not give rise to a harmful loss of sunlight or daylight to any neighbouring residential properties, nor would it result in any harmful overlooking of any neighbouring residential property.

Given its layout and positioning the proposed house would provide future occupants with a satisfactory level of privacy and residential amenity.

Information submitted as part of the application advises that should planning permission be granted the redundant orchard to the south will be integrated with the garden ground of the proposed house and additional meadow planting will be implemented to encourage and strengthen the biodiversity of the site.

The Council's Biodiversity Officer has been consulted on the application and has offered no response.

The Council's Landscape Officer has been consulted and has raised no objections to the proposals.

In relation to considerations of contaminated land issues the Council's Contaminated Land Officer advises that, due to the nature of the proposed development, a condition should be attached should planning permission be granted requiring that a suitable Geo-Environmental Assessment is carried out prior to any development of the site, with the Report(s) being made available to the Planning Authority for approval. Should any risks be identified a Remediation Statement will be required to be submitted for planning authority approval providing details of how the site is to be brought to a condition suitable for the intended use. Following completion of the measures identified in the approved Remediation Statement, a Validation Report should be submitted to the planning authority for approval that demonstrates the effectiveness of the remediation carried out. In the event that unexpected ground contamination is encountered at any time when carrying out any development, work on site shall cease and the issue shall be reported to the Planning Authority immediately. At this stage a Site Investigation and subsequent Risk Assessment may have to be carried out, if requested by the Planning Authority.

These requirements could reasonably be secured through a condition attached to a grant of planning permission for the proposed development.

Notwithstanding all of the above the application site is located in a countryside location within East Lothian that is characterised by a low density dispersed built form within an agricultural landscape. While there are both residential and commercial buildings within the vicinity of the application site it is not identified in the adopted East Lothian Local Plan 2018 as being within a settlement and the Local Plan does not allocate the land of the site for housing development.

Consequently, the principle and detail of the erection of one house on the application site must be assessed against national, strategic and local planning policy relating to the control of new housing development in the countryside. Thereafter it must be established whether the proposed house would be of an architectural form, size, scale and positioning appropriate for its setting.

Although the application site is adjacent to existing residential properties, these houses are not defined as a settlement in the ELLDP. Rather they are defined as being located within the countryside.

It is stated in paragraphs 5.1 and 5.2 of the adopted East Lothian Local Development Plan 2018 that while the LDP's spatial strategy guides the majority of new development to existing settlements in the interests of promoting sustainable travel patterns, it also seeks to support the diversification of the rural economy and the ongoing sustainability of the countryside and coast through support in principle for agriculture, horticulture, forestry and countryside recreation, as well as other forms of appropriate business, leisure and tourism developments. New rural development should be introduced sensitively to avoid harming the characteristics that attract people to live, work and visit East Lothian's countryside and coast.

Paragraph 5.10 of the adopted East Lothian Local Development Plan 2018 states that the LDP has a general presumption against new housing in the countryside but exceptionally a new house may be justified on the basis of an operational requirement of a rural business. In such circumstances, appropriate evidence clearly demonstrating the need for a new dwelling on the particular site in association with the business will be required. Such evidence should include that no suitable existing dwelling has been recently made unavailable for that purpose and that there is no existing building that could be converted to a house.

Policy DC1 of the ELLDP sets out specific criteria for new development in the countryside, stating that there will be support in principle for new development where it is for agriculture, horticulture, forestry or countryside recreation; or other businesses that have an operational requirement for a countryside location, including tourism and leisure uses. The proposed house is not being promoted to support an existing business or leisure use the principle of which would be supported by Policy DC1, therefore the proposal is contrary to Policy DC1 of the adopted East Lothian Local Development Plan 2018.

Policy DC3 (Replacement Dwellings in the Countryside) of the adopted East Lothian Local Development Plan 2018, states that the principle of providing replacement dwellings in the countryside is considered acceptable when two criteria are met. Those criteria require that a proposed new house would:

- (i) be a like for like replacement of a dwelling recently rendered uninhabitable by unforeseen circumstances, such as a demonstrable and accidental fire, provided there is compelling evidence that the loss of the original habitable dwelling was recent and that it benefited from lawful use as a dwelling immediately prior to the loss; or
- ii) replace an existing dwelling with lawful use rights as such (not the plot of a previous, now demolished house) that the Council accepts that due to the construction of the building it is incapable of retention for habitation and that all reasonable efforts have been made to maintain the building. Applicants must submit credible evidence at the time of the planning application to demonstrate compliance with this policy as relevant.

Any replacement dwelling must be similar in size, scale and massing to the original and would be of an appropriate character for its location.

The existing house is a single-storey detached bungalow with a footprint of some 195 square meters and is some 5.3 meters in height at its highest point. It is comprised of four bedrooms, a shower room, kitchen, dining room, lounge, utility room, vestibule/hall with a conservatory and integral garage.

The proposed new house would be a larger house over two stories with a ground floor footprint of some 360 square meters and a first floor footprint of some 115 square meters of residential accommodation within its roofspace. Main entrance would provide access to a ground floor reception area, lounge, kitchen/dining area, shower room, office, music room, utility/storage areas and two bedrooms. An internal stairway would lead to first floor landing providing access to two further bedrooms and storage areas.

The proposed house is not therefore a like for like replacement of a dwelling recently rendered uninhabitable. As the proposed house would be considerably larger than the house that currently exists the proposal fails to meet that aspect of criteria (i) of Policy DC3.

The submitted Structural Engineers Report identifies structural defects and energy inefficiencies. However no evidence has been submitted to confirm that the house cannot either be retained for habitation or refurbished as required. Notwithstanding information submitted, the proposal for a replacement house on the site does not meet the criteria (ii) of and is therefore contrary to Policy DC3 of the ELLDP.

Policy DC4 sets out specific criteria for the erection of new build housing in the countryside, and allows for new build housing development in the countryside where the Council is satisfied that a new house is a direct operational requirement of an agricultural, horticultural, forestry or other employment use.

Policy DC4 also allows for other small scale housing proposals that form a logical addition to an existing small scale rural settlement where they are promoted for affordable housing and evidence of need is provided and the registered affordable housing provider will ensure that the dwelling(s) will remain affordable for the longer term.

In this instance the proposed house is not a direct operational requirement of an existing agricultural, horticultural, forestry or other employment use. Neither is the proposed house being promoted as affordable housing to be operated by a registered affordable housing provider. Therefore the proposal does not meet any of the criteria of and therefore is contrary to Policy DC4 of the adopted East Lothian Local Development Plan 2018.

Policy DC5 sets out specific criteria for the exceptional circumstances where the erection of housing as enabling development in the countryside may be supported. Any such new housing development in the countryside should: (a) enable a desirable primary use supported in principle by criterion by Policy DC1 and the benefits of the primary use outweighs the normal presumption against new build housing in the countryside; or (b) fund the restoration of a listed building or other buildings of recognised heritage value, or other significant designated feature of the built or natural environment, the retention of which is desirable, and should satisfy the terms of Policies CH1 and where relevant CH6, and can be clearly demonstrated to be the only means of preventing the loss of the asset and secure its long-term future; and (c) the proposal satisfies the terms of Policy NH1. In all cases, the benefits of the proposed development must outweigh the normal presumption against new build housing development in the countryside.

In this instance the proposal is not being promoted to enable a desirable primary use supported by Policy DC1 nor is it being promoted as enabling development promoted to fund the restoration of a listed building or any building with recognised heritage value. Therefore the erection of a house on the site would not meet the criteria of and would be contrary to Policy DC5 of the adopted East Lothian Local Development Plan 2018.

With regard to Section 24(3) of the Town and Country Planning (Scotland) Act 1997, in the event of any policy incompatibility between NPF4 and the adopted East Lothian Local Development Plan 2018, whichever of them is the later in date is to prevail. In this case, the policies of NPF4 would prevail.

It is stated in Policy 17 of NPF4 that:

(a) development proposals for new homes in rural areas will be supported where the development is suitably scaled, sited and designed to be in keeping with the character of the area and the development: (i) is on a site allocated for housing within the Local Development Plan (LDP);

- (ii) reuses brownfield land where a return to a natural state has not or will not happen without intervention;
 - (iii) reuses a redundant or unused building;
 - (iv) is an appropriate use of a historic environment asset or is appropriate enabling development to secure the future of historic environment assets;
 - (v) is demonstrated to be necessary to support the sustainable management of a viable rural business or croft, and there is an essential need for a worker (including those taking majority control of a farm business) to live permanently at or near their place of work;
 - (vi) is for a single home for the retirement succession of a viable farm holding;
 - (vii) is for the subdivision of an existing residential dwelling; the scale of which is in keeping with the character and infrastructure provision in the area; or
 - (viii) reinstates a former dwelling house or is a one-for-one replacement of an existing permanent house;
- (b) Development proposals for new homes in rural areas will consider how the development will contribute towards local living and take into account identified local housing needs (including affordable housing), economic considerations and the transport needs of the development as appropriate for the rural location;

In this instance this is a replacement house and therefore the principle of it is not inconsistent with Policy 17. However Policy 17 (a) also requires that development proposals for new homes in rural areas will be supported where the development is suitably scaled, sited and designed to be in keeping with the character of the area and the development. Policy 29 of NPF4 reiterates this requirement and requires that development proposals in rural areas will be supported where the development is suitably scaled, sited and designed to be in keeping with the character of the area.

The ELLDP states that designs for new development must evolve from and respond to an analysis of the proposed development site and its wider context. Furthermore it states that the designs, materials and finishes proposed must complement those of existing buildings in the local area. The neighbouring residential properties to the south are a row of single storey traditional terraced cottages featuring pitched roofs clad in slates and original walls of natural stone with small modern extensions. The buildings comprising Trabroun Steading to the north that are predominantly single storey in height with the exception of the Central Tower. They are typical of rural residential properties and historical buildings which are well established features within the East Lothian countryside.

The existing house is a fairly modern, single storey bungalow with a footprint of some 195 square meters that sits between a terrace of cottages to the south and the Trabroun farm steading to the north.

The proposed house, whilst largely single storey in height, would increase the development footprint of the existing house by some 165 square meters. Consequently it would occupy a much larger proportion of the plot than the existing house. It would be of a modern contemporary design providing living accommodation on two floors with a ridge height at its highest point some 2.7 metres higher than that of the existing house. Furthermore the proposed house would be some 2.5 meters higher than the neighbouring row of terraced cottages located to the south and have a significantly larger footprint than those cottages. Consequently the proposed house would not reflect nor be in keeping with the size, scale or architectural form of

those existing cottages. It would not be suitably scaled, sited and designed to be in keeping with the character of the houses in the area.

Furthermore, the Category B listed Trabroun Steading is a stone built steading complex with a traditional architectural form and character. Whilst the existing house is not of the same traditional form and character as that steading, due to its size and scale it does not impose itself on or draw focus from that listed building. Consequently it is not seen to harm the setting of that listed building.

In contrast the proposed house would be a much larger house designed without reference to either its landscape setting or the neighbouring traditional buildings within the locality. In its position to the south of the Category B listed buildings of Trabroun Steading the proposed house would, by virtue of its height, size, scale, architectural form, and external finishes, draw focus away from the principal west elevation of the Category B listed buildings of Trabroun Steading. Consequently the proposed house would be harmful to the setting of the Category B listed buildings of Trabroun Steading.

Therefore, whilst Policy 17 of NPF4 lends support to a one-for-one replacement of an existing dwellinghouse in a rural location, the replacement house as proposed would not be suitably scaled, sited and designed to be in keeping with the character of the area. It would be inappropriate to its setting and would be out of keeping with its surroundings. It would be harmful to the special architectural or historic interest of the Category B listed Trabroun Steading.

In all of this the proposed replacement house is contrary to Policies 7, 17 and 29 of NPF4 and Policies CH1, DP1 and DP2 of the ELLDP.

Moreover, the application site is some 20 metres (minimum) to the east of the Elvingston Local Garden and Designed Landscape. The proposed house by its presence within the landscape would impact on the setting of the local garden and designed landscape, including the relationship of it with the nearby B-listed Trabroun Steading. In views northwards and southwards from the public road to the west of the application site the proposed new house, by its form, height and scale would be dominantly imposing on the landscape of the Elvingston Local Garden and Designed Landscape. It would be seen as a harmfully dominant, discordant and incongruous feature within its landscape setting adjacent to the Elvingston Local Garden and Designed Landscape therefore contrary to Policy 7 of NPF4 and Policy DP6 of the ELLDP.

Furthermore the site is not allocated for housing development in the ELLDP, nor is it a brownfield, vacant or derelict site as it is in use as a habitable dwellinghouse. The proposed replacement house does not reuse a redundant or unused building. The proposed house is not an appropriate use of a historic environment asset. There is no agricultural or other employment use presently in operation to justify the need for a new house on the application site. Neither has the applicant advanced any such case of justification of need for the principle of the proposed new house. No case has been put forward that the proposed house has an operational requirement for its countryside location or that it would be required to support a use which in principle requires a countryside location. In the absence of any such direct operational requirement or justified supporting case for the erection of a new house on the application site, the principle of such proposed development on the site is inconsistent with national, strategic

and local planning policy and guidance concerning the control of development of new build houses in the countryside.

Therefore the proposed scheme of development for a replacement house on this rural site located within the East Lothian countryside does not meet the circumstances specified in Policies 7, 17 and 29 of NPF4 and Policies CH1, DC1, DC3, Dc4, DC5, DP1 and DP2 of the adopted ELLDP 2018.

In conclusion the proposed scheme of development is not in accordance with the Development Plan and there are no material planning considerations that outweigh the fact that the proposed scheme of development is not in accordance with the Development Plan.

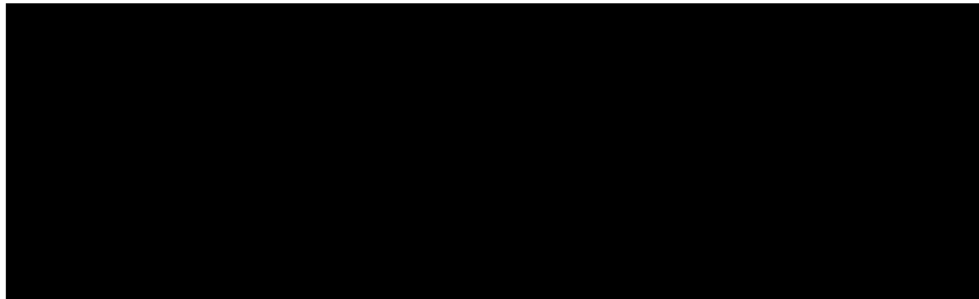
REASONS FOR REFUSAL:

- 1 The erection of a house on the application site would be new build housing development in the countryside of East Lothian on land which is not allocated for housing development, is not brownfield land where a return to a natural state will not happen without intervention, does not reuse a redundant or unused building, and for which a need to meet the requirements of the operation of an agricultural, horticultural, forestry, countryside recreation, or other business, leisure or tourism use has not been demonstrated, and which is not proposed as affordable housing development of an existing rural settlement. The proposal is therefore contrary to Policy 17 of NPF4 and Policies DC1 and DC4 of the adopted East Lothian Local Development Plan 2018 and Government policy guidance regarding the control of new housing development in the countryside expounded in Scottish Planning Policy: June 2014.
- 2 The proposed house would not: i) be a like for like replacement of a dwelling recently rendered uninhabitable by unforeseen circumstances; ii) replace an existing dwelling with lawful use rights as such (not the plot of a previous, now demolished house) that the Council accepts that due to the construction of the building it is incapable of retention for habitation and that all reasonable efforts have been made to maintain the building; or iii) be similar in size, scale and massing to the original. Therefore, the proposal does not comply with either criteria (i) or (ii) of Policy DC3 of the adopted East Lothian Local Development Plan 2018.
- 3 The erection of a house on the application site would be new build housing development in the countryside of East Lothian for which a desirable primary use supported in principle by criterion b of Policy DC1 and with benefits that outweigh the normal presumption against new build housing in the countryside has not been demonstrated; and which is not an appropriate use of a historic environment asset or promoted to fund the restoration of a listed building, building of recognised heritage value or significant designated feature of the built or natural environment, the retention of which is desirable. The proposal is therefore contrary to Policy DC5 of the adopted East Lothian Local Development Plan 2018.

- 4 The proposed replacement house would of a form, size and scale that would compete with and draw focus from the category B-listed Trabroun Steading and be harmful to its setting contrary to Policy 7 of NPF4 and Policy CH1 of the adopted East Lothian Local Development Plan 2018.

- 5 The proposed house would be seen as a harmfully dominant, discordant and incongruous feature within its rural landscape setting and adjacent to the Elvingston Local Garden and Designed Landscape. Therefore the proposed house would not be suitably sited, scaled or designed to be in keeping with the character of the area contrary to Policies 7, 17 and 29 of NPF4 and Policies CH6, DP1 and DP2 of the adopted East Lothian Local Development Plan 2018.

LETTERS FROM



12th June 2023



T: 0131-244 7547
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8 February 2023

Dear Colleague

Transitional Arrangements for National Planning Framework 4

Following the approval by the Scottish Parliament of National Planning Framework 4 (NPF4) on 11 January 2023, the following provides advice on NPF4 becoming part of the statutory 'development plan' alongside local development plans (LDPs). We intend for this advice to support consistency in decision making ahead of new style LDPs being in place.

The Development Plan

In Scotland, the planning system is plan-led. From 13 February, on adoption and publication by Scottish Ministers, NPF4 will form part of the statutory development plan, along with the LDP applicable to the area at that time and its supplementary guidance. NPF4 will supersede National Planning Framework 3 and Scottish Planning Policy (SPP) (2014). NPF3 and SPP will no longer represent Scottish Ministers' planning policy and should not therefore form the basis for, or be a consideration to be taken into account, when determining planning applications on or after 13 February.

On 13 February, Strategic Development Plans (SDP) and associated supplementary guidance will cease to have effect and as such no longer be part of the development plan.

LDPs already adopted will continue to be part of the development plan. For avoidance of doubt, existing LDP land allocations will be maintained.

LDPs within SDP areas will no longer be required to be consistent with the SDP. For proposed LDPs prepared prior to the adoption and publication of NPF4, it may be that there are opportunities to reconcile identified inconsistencies with NPF4 through the examination process. However there are clear limitations to this. The scope of an examination is limited to issues raised in representations and the process must remain proportionate and fair.

Whether an LDP has been adopted prior to or after the adoption and publication of NPF4, legislation states that in the event of any incompatibility between a provision of NPF and a



provision of an LDP, whichever of them is the later in date is to prevail (Town and Country Planning (Scotland) Act 1997 ("the 1997 Act"); section 24(3)).

Across Scotland there is a substantial amount of supplementary guidance associated with SDPs and LDPs. Supplementary guidance associated with SDPs will no longer have effect following adoption and publication of NPF4 on 13 February. Supplementary guidance associated with LDPs which was in force before 12 February (the date on which section 13 of the 2019 Act comes into force) will continue to be in force and be part of the development plan (1997 Act; paragraph 2 of schedule 1).

As the development plan system transitions to one without statutory supplementary guidance, the Planning (Scotland) Act 2019 (Commencement No.11 and Saving and Transitional Provisions) Regulations 2023 provide for local authorities to continue to prepare and adopt supplementary guidance associated with LDPs until 31 March 2025. Supplementary guidance adopted under those provisions is to be treated as forming part of the development plan for the area to which the LDP relates.

The provisions of section 16(1)(a) of the 1997 Act require planning authorities to prepare a new LDP for their area at intervals of no more than 10 years or whenever required to do so by the Scottish Ministers. It will be important for the first round of 'new style' LDPs to be prepared in a timely fashion. We expect that every planning authority in Scotland will have a new style plan in place within around 5 years of the new development plan regulations coming into force, which we anticipate happening this spring.

Legislation provides for planning authorities to prepare LDPs that include policies and proposals for development and use of land in their area. There is no legal requirement for LDPs to be directly 'compatible' with NPF4, although in preparing LDPs, there will be a statutory requirement under section 16(2)(a)(i) of the 1997 Act that planning authorities take the NPF into account.

Applying NPF4 Policy

Section 25 of the 1997 Act requires that decisions are made in accordance with the development plan unless material considerations indicate otherwise. Application of planning judgement to the circumstances of an individual situation remains essential to all decision making, informed by principles of proportionality and reasonableness.

It is important to bear in mind NPF4 must be read and applied as a whole. The intent of each of the 33 policies is set out in NPF4 and can be used to guide decision-making. Conflicts between policies are to be expected. Factors for and against development will be weighed up in the balance of planning judgement.

It is recognised that it may take some time for planning authorities and stakeholders to get to grips with the NPF4 policies, and in particular the interface with individual LDP policies. As outlined above, in the event of any incompatibility between a provision of NPF and a provision of an LDP, whichever of them is the later in date is to prevail. Provisions that are contradictory or in conflict would be likely to be considered incompatible.

We expect that monitoring of the policies will particularly focus on new and developing policy areas, so that their application in practice can inform future guidance.

Below we have set out some more specific advice on individual policies.

Policy 1 – Tackling the climate and nature crises

This policy prioritises the climate and nature crises in all decisions. It should be applied together with the other policies in NPF4. It will be for the decision maker to determine whether the significant weight to be applied tips the balance in favour for, or against a proposal on the basis of its positive or negative contribution to the climate and nature crises.

Policy 2 - Climate mitigation and adaptation

There is currently no single accepted methodology for calculating and / or minimising emissions. The emphasis is on reducing emissions as far as possible, rather than eliminating all emissions.

At this stage, quantitative assessments are not expected for all applications and there are no defined thresholds that require different levels of information at this stage. Planning authorities will be aware that this is unlikely to be a key consideration for many applications, for example for smaller scale developments, householder applications or many changes of use. However, for other types of development proposals that may generate significant emissions, such as some national or major developments, we consider it to be reasonable to expect quantitative information to be provided. For developments that require an Environmental Impact Assessment (EIA), the impact of the project on climate (e.g. the nature and magnitude of greenhouse gas emissions) and the vulnerability of the project to climate change will have been considered as appropriate in the EIA Report. See [Circular 1/2017](#) for further information.

Last year the Scottish Government published [carbon management guidance for projects and programmes](#). Whilst this is aimed at larger scale projects within city region and growth deals and a fully quantified approach is only likely to be proportionately applicable to larger scale proposals, at least whilst practice and methodologies develop over the coming years, the guidance includes useful information and highlights established methodologies which may be of assistance to applicants and planning authorities. Published research on the Lifecycle Greenhouse Gas Emissions of NPF4 Proposed National Developments¹, also offers an example of a high-level approach to identifying direct and indirect effects of proposals on GHG emissions which can be embedded into statutory Environmental Assessment obligations.

Policy 3 - Biodiversity

To support this policy in practice, NatureScot previously consulted on new 'Developing with Nature guidance' to accompany NPF4 Biodiversity policy 3c), which is to be applied to certain local development. A final version of the guidance will be available shortly. We are committed to developing guidance to accompany wider NPF4 policy 3, and – recognising that currently there is no single accepted methodology for calculating and / or measuring biodiversity 'enhancement' – we have commissioned research to explore options for developing a biodiversity metric or other tool, specifically for use in Scotland. There will be some proposals which will not give rise to opportunities to contribute to the enhancement of biodiversity, and it will be for the decision maker to take into account the policies in NPF4 as a whole, together with material considerations in each case.

¹ [National Planning Framework 4 - lifecycle greenhouse gas emissions: assessment findings - gov.scot \(www.gov.scot\)](#)

Policy 16 - Quality homes

NPF4 sets out a distinct, new approach to planning for new homes across Scotland that aims to deliver more quality homes that meet diverse needs. Policy 16, Quality Homes, promotes a plan-led approach.

New style LDPs must include targets for meeting the housing needs of people living in the area, this is referred to in NPF4 as the "Local Housing Land Requirement" (LHLR)². The LHLR will be informed by the Evidence Report and Gate Check process. It is expected that the LHLR will exceed the Minimum All-Tenure Housing Land Requirements (MATHLR) set out in NPF4.

Proposed Plans will allocate sites to meet the LHLR and, in doing so, we expect there to be greater emphasis on delivery. Policy 16 looks to incentivise delivery of allocated sites, as they will have been considered and agreed through the comprehensive and participative LDP preparation process. If an LDP reaches Examination without sufficient sites identified to meet the LHLR, a planning authority can be required to prepare another Proposed LDP under new legislative provisions in section 19ZA of the 1997 Act.

Once adopted, the delivery of new style LDPs will be monitored and supported through the Housing Land Audit and the LDP Delivery Programme. New guidance on Housing Land Audits will be prepared this year, in collaboration with key stakeholders. The new guidance will seek to ensure a consistent approach is adopted in the preparation of new Housing Land Audits. If needed, collaboration on the LDP Delivery Programme can assist in early consideration of bringing forward longer term sites.

Policy 16 is applicable to decision making when NPF4 becomes part of the statutory development plan. As outlined above, SPP(2014) will be superseded and not form part of Scottish Government planning policies, including: the requirement to maintain at least a 5 year supply of effective housing land at all times, shortfalls in supply indicating LDP policies are not up-to-date, the 'presumption in favour of development that contributes to sustainable development' and the concept commonly known as the 'tilted balance'. Consideration must be given as to whether provisions in LDPs are incompatible with provisions of NPF4. Where there is an incompatibility, such as between a housing exceptions policy in an LDP and Policy 16(f) of NPF4, the latter will prevail.

Policy 23 - Health and safety

We understand that there were some concerns about references within NPF4 to suicide risk, including recognition that LDPs should be informed by awareness of locations of concern for suicide. We would draw your attention to [Creating Hope Together \(Scotland's Suicide Prevention Action Plan 2022-2025\)](#) which was published last year by the Scottish Government together with COSLA. This recognises the importance of the National Planning Framework in reflecting the role of planning in suicide prevention. Further resources are referenced in the action plan and have been produced by Public Health Scotland.

²NPF4: Annex F provides the Local Housing Land Requirement means "The amount of land required for housing, as identified by the local development plan. The Local Housing Land Requirement (LHLR) is expected to exceed the 10 year Minimum All-Tenure Housing Land Requirement (MATHLR) set out in the National Planning Framework"

It may also be useful to see [guidance](#) produced by the Welsh Government, which emphasises a pragmatic approach, suggests that suicide prevention should ideally be built into the design of projects and should be compatible with creation of good places. It also references further available practical advice on this.

Policy 27(d) - Drive through developments

During the Parliamentary scrutiny of the draft NPF4, there was some debate about the meaning and application of Policy 27(d), which states that “drive-through developments will only be supported where they are specifically supported in the LDP”. The intention of this policy was to ensure that this type of development is considered as an integral part of the wider development plan, and is not (as has been erroneously reported) a moratorium or ban on such developments.

In applying policy 27(d) and whether such developments are supported, planning authorities may regard wider uses that are compatible with the drive through function to be included, as there is no single class of development that this relates to and may sometimes be considered as *sui generis*. Suitable locations may include for example those allocated for Class 1 shops or Class 3 Food and drink, depending on the nature of the proposal involved in each case. In looking at the potential impact of the development as a whole, as always, decisions will depend on the facts and circumstances of each individual case and regard should be given to wider policies within NPF4, including those relating to reducing emissions that contribute to climate change and to wider policies that aim to improve town centres and support local living.

Looking forward, we will include guidance on drive throughs and the relationship to Policy 27(d) within the forthcoming local development plan guidance, which will be published this spring to support implementation of the new arrangements for LDPs.

Further Planning Guidance and Advice

In the NPF4 Delivery Programme, we have given our commitment to progress work on a new suite of guidance and advice that will support activity to deliver the policy intent of NPF4. We will do this alongside careful monitoring of the implementation of policies. With some substantial changes being made through the reform of our planning system, both through legislation and in NPF4, there will now be some discrepancies in existing planning guidance and advice as a result. Nevertheless, there will remain aspects which will still be useful for reference through the new planning system and policy approach. Over time, we will review that historic advice as appropriate.

Yours faithfully



Dr Fiona Simpson
Chief Planner



Tom Arthur
Minister for Public Finance, Planning
and Community Wealth

COUNTRYSIDE FACTSHEET

Background Context:

The Local Development Plan 2018 guides the majority of new development to existing towns and villages to support sustainable travel patterns. National Planning Framework 4 has now become part of the Development Plan against which planning decisions are taken.

LDP1 supports the diversification of the rural economy allowing the countryside to be used for agriculture, forestry, countryside recreation and other development that has a need for a countryside location including business and leisure and tourism development.



Figure 1: Leisure development near Dunbar

It supports new houses in the countryside only if these are affordable houses or if these are houses that are converted from the many redundant rural buildings such as old farm steadings that not only contain embodied energy but add to the architectural character of the countryside.



Figure 2: Farm steading converted to housing near Dunbar

Many new houses in the countryside continue to be delivered through the sensitive conversion of appropriate rural buildings to most commonly residential and occasionally non-residential uses such as workshops or farm shops. No affordable houses have yet come forward in the countryside since the new policy became effective in 2018.

Local Designations: In addition to the national and regional designations that are shown in the natural heritage factsheet the countryside also has the following local designations that are made by East Lothian Council and are each the subject of a specific planning policy:

- **Special Landscape Areas** – these replaced the old Areas of Great Landscape Value and cover large areas of East Lothian which have been identified as having special landscape qualities that should be protected from harmful development. New development proposed in these

areas should comply with guidelines for each area and may not be permitted if it harms the landscape character of such an area.

- **Green Belt** applies to a specific part of the East Lothian countryside close to Edinburgh. The reason for its justification was to protect the landscape setting of Edinburgh from inappropriate development. It covers countryside around Musselburgh, Oldcraighall and Wallyford and up to the edges of Tranent and Prestonpans surrounding towns and villages extending to Prestonpans and Tranent.
- **Countryside around Towns** areas are similar to Green Belt and apply only to the most important parts of the landscape setting of towns and villages or to land that prevents two settlements joining together.
- **Gardens and Designed Landscapes** that are locally important to protect have been identified by the Council to complement those that are protected in the national interest. Many of East Lothian's historic gardens around old buildings are protected in this way to ensure that new development does not harm the elements that justify their designation.

Plan policies in respect of these designations have ensured that the objectives of the designations have been met and have not been overturned at appeal.

National Policy Context

National Planning Framework 4 provides policy for all of Scotland's countryside from the remote



Figure 3: Carfrae farm shop

highlands to pressured areas such as those close to main populations in the central belt. It requires the Local Development Plan to identify the characteristics of its rural area including its existing patterns of development, pressures, environmental assets, community priorities and economic needs. Its spatial strategy should set out an appropriate approach to development in rural areas which reflects the identified characteristics for example by directing new housing towards existing towns and villages.

The National Planning Framework applies to all countryside areas within Scotland. Its themes encourage more people to live closer together, be more connected with the goods and services we need and for us to move around by more active transport to address climate change. Generally in the countryside it aims to revitalise rural areas encouraging sustainable development. Specifically, it requires the new Local Development Plan to identify the characteristics of its rural areas and set out an appropriate approach to development in rural areas which reflects the identified characteristics.

Although the NPF applies as a whole the new national policies specifically for countryside development in NPF4 include policy 10 Coastal Development, policy 17 Rural Homes, and policy 29 Rural Development.

Policy 10 applies to the coast and requires the LDP to consider how to adapt coastlines to the impacts of climate change. A precautionary approach is required to flood risk from rising sea levels. Development is permitted on the developed coast if it does not require further coastal protection measures but is more restricted in the undeveloped coast. Policy 17 supports proposals for new homes in the countryside in specific circumstances including that previously inhabited areas that are suitable for resettlement should be identified in the LDP. Policy 29 supports rural development that contributes to viability, sustainability and diversity of rural communities and the local rural economy.

Issues for consideration in next LDP

The next East Lothian LDP needs to consider whether maintaining the current approach to the countryside and coast when considering any new developments is still the right thing for the East Lothian countryside.

East Lothian's countryside is classed as accessible with only very small fringe areas outwith 30 minutes' drive time of a settlement with a population of 10,000 or more. The Council does not therefore consider that countryside requires regeneration, renewal or action to address population decline and planning policies have been developed to address pressures in the countryside.

The rural housing policy in NPF4 does have a more relaxed approach to housing in the countryside. It is important that this more permissive policy does not lead to housing in the wrong location or deflect away from the reuse of existing properties such as farm steadings, which have been so often been successfully converted within the context of the 2018 LDP policy. LDP2 will need to consider how to react to this new national policy.

East Lothian's countryside and coast is attractive and is a major reason for the attraction of visitors. Protecting the countryside through the four local designations above is an important part of planning policy designed to retain the appearance and attractiveness of the countryside.

There is an intention to keep the designations in the current plan but a review will be undertaken of the detailed boundaries of the CATS to check whether there are any changes required and also to check whether there are any new ones required.

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**STRUCTURAL SURVEY OF BUNGALOW
AT TRABROUN, NEAR HADDINGTON
EAST LOTHIAN, EH41 3SX**

Mr & Mrs A Bain

30 September 2022

William M Crowe
BSc(Hons), MSc, CEng, MIStructE

Company Number 501225

INTRODUCTION

I was instructed by Mr. Andrew Bain to carry out a structural survey of a domestic bungalow on Trabroun, near Elvingston.

The survey was carried out on 30th September 2022.

FINDINGS

The house is a 1970s bungalow and has four bedrooms, kitchen, dining room and lounge. A conservatory has been extended to the west elevation and a utility room forms part of the rear entrance to the house. There is also a precast concrete garage adjoining the house on the north side of the property.



General view of the property

The general construction of the bungalow is timber kit and trussed rafter roof with rendered block external skin. The timber kit industry in Scotland was at an early stage of development in the 1970s and common defects are well known today. In the following sections I look at specific structural elements of this building.

ROOF STRUCTURE

The roof is slate fixed to plywood and supported on gang nailed trussed rafters. The general view of the structure is shown in the picture below.



The sarking is the wrong type of material to fix a slate roof to. It should be traditional 22mm thick timber sarking planks of sawn timber. The plywood is very thin and of poor quality and is splitting and failing structurally as shown in the photograph below.



Failing and wrong type of sarking to support a traditional slate roof

The failing sarking is a major structural problem for this building and is causing, and will continue to cause, ingress of water and deterioration of this house.

The plywood sarking and the low pitch of the roof can be observed from outside the building as a very uneven finish to the slates on the roof of the building. The photograph below shows the condition of the roof.



Uneven slate finish due to failing plywood sarking

TIMBER KIT

As mentioned earlier the timber kit of this building was built at a time when timber kits were not fully understood, and major structural defects were common.

A major defect found during the survey was out of tolerance with the kit's original construction, poor fit up and lack of adequate fixings. The gable is not positively fixed to the roof structure to achieve support to the wall head, as shown in the photograph below.



Gap and packers show poor tolerance between roof and wall head

There are tolerance issues and no positive connection of gable to roof to restrain head of gable walls. Poor tolerance is clearly shown, in the photograph below. Packers have been installed to try to overcome poor fit up of the kit. The gaps between the roof and the walls results in structural weakness of the frame and can lead to structural instability.



Packers used to overcome tolerance issues

ENERGY INEFFICIENCIES

Insulation, to control heat loss and reduce the production of carbon passed to the atmosphere, is very low compared to current standards. The 'u' value of the walls is 0.4w/m^2 degree K. When compared to the current requirement from the Technical Standards of 0.15w/m^2 degree K the property is discharging 250% more carbon to atmosphere than a new build property.

Introduction of new wall insulation to the building would require the removal of all existing external wall linings and the introduction of a minimum of 100mm of additional insulation, new plaster boarding, and new reveals at doors and windows.

New windows and doors are also required to reduce carbon discharge from the property.

CONCLUSIONS

The major structural defects in the roof and walls of this property are a significant concern to the owners.

The energy inefficiency and the excessive production of carbon to the atmosphere is not beneficial to the environment.

Taking the above into account I consider that the best solution in terms of safety and energy efficiency is replacement of this property with a safe and energy efficient new domestic house on the same site.

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**ADDENDUM TO STRUCTURAL SURVEY REPORT
30 SEPTEMBER 2023**

FARMHOUSE AT TRABROUN, NEAR HADDINGTON, EH41 3SX

**William M Crowe
BSc (Hons), MSc, CEng, MIStructE**

COSTING SCHEDULE FOR MAKING GOOD DEFECTS

Following on from my survey on 30th September 2022, where significant defects were identified in the above property, this addendum details approximate costs of making good the defects and bringing the property up to current standards:

1. Defective Roof Sarking

Works require:

- Stripping existing slate roof
- Protection of the house
- Replacing sarking with traditional 18mm thick softwood sarking
- Installing below slate membrane
- Replacing the slates

Area of roof 235m²

All up rate for above work £165/m²

Cost 235 x 165 £38,775

2. Tolerance problems with kit at roof level

Requires packing and fixings at all gables.

Length of gable slopes 29.4m

All up rate for above £45/m £1,323

3. Bringing insulation thickness up to current standards in:

- Walls
- Roof
- Floor
- Windows and doors

3.1 External walls require stripping all plaster board and skirtings etc.

Framing out in timber

Installing 150mm Kingspan insulation

Installing vapour barrier

Installing new plasterboard

Making good skirtings etc.

Area of external walls 148.8m²

All up rate for above work £125/m²

Cost = 148.8 x 125 £18,600

3.2 Roof (attic insulation)

250 thick Rockwool insulation

All up rate £10/m²

Cost 148.8 x 10 £1,488

3.3 Floor

Lift floor

Install netting and 250 thick Rockwool insulation

Relay and make good flooring All up rate £75/m ² Cost 148.8 x 75	£11,160
3.4 Replace 13 windows, 2 doors and a double door	£40,000
4. Replace existing leaking conservatory with better insulated structure	£24,000
Total Costing	£135,346
20% VAT	£ 27,069
Total	£162,415

The above cost estimate should be read in conjunction with my report into the above property's defects. This cost is required to make good defects found during my survey and a significant contingency must be added to this to cover other defects which may be found during the extensive opening up.



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ELVINGSTON

GDL00172

Status: **Removed**

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Documents

There are no additional online documents for this record.

Summary

Date Added 01/07/1987	Local Authority East Lothian	NGR NT 46262 73993
Date Removed: 01/09/2016	Parish Gladsmuir	Coordinates 346262, 673993

The parkland and woodland make an important to the surrounding scenery around Elvingston and the gardens are notable for the development of daffodil varieties.

Removal Reason

Based on current knowledge, this site no longer meets the criteria for inclusion on the inventory of gardens and designed landscapes.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]

Local Review Body
East Lothian Council
John Muir House
Brewery Park
Haddington
East Lothian
EH41 3HA

Re: 23/00373/P | Erection of 1 replacement house and associated works | Trabroun Farmhouse
Huntington Macmerry Haddington EH41 3SX

Dear Sir/Madam

With reference to the above planning application which has recently been refused.

My wife and I have been following the planning application and were very surprised when the refusal decision was made.

The present bungalow is within sight of our property, although not immediately affected by it. We have on occasion visited the property referred to in the application and have some knowledge of its condition.

We are of the belief that the application should have been approved for a number of reasons.

The present building is, to put it bluntly, an eyesore and does not lend itself to the surroundings in which it is located. It has no architectural merit whatsoever and its replacement by a well-designed, building that benefits from modern technology so as to make it

environmentally and climate friendly would be a vast improvement and should be encouraged.

The present property is of such poor design, construction and condition as to be obvious even to the untrained eyes of ourselves.

We have undertaken improvements to various properties over the last 45 years and are well aware how much even small improvements cost. Even without a full cost investigation we are of the opinion that not only would refurbishment and improvement of the present building be uneconomical it would also be a waste of time and money in being undertaken.

The proposed replacement has clearly taken into consideration its surroundings and proximity to the listed building close by it. The materials proposed and finish to the external of the property would, in our opinion, complement the nearby buildings and also enhance the area.

Under the reasons for refusal note was made of the affect it would have on the Elvingston Local Garden and Designed Landscape, GDL00172

The aforementioned designation was removed, decision dated 01/09/2016, as it was considered to “no longer meet the criteria for inclusion” and to be of “little value”. Therefore, its proximity to the former designated area is of no consequence.

We appreciate that the local council have a duty to protect the environment and ensure that development outside the local plan should not be allowed. But provision is made in the plan for sensible development outside the plan to be permitted where it is shown to be advantageous, on a one-off basis, to the local area. This application we believe meets the requirement to be advantageous, enhancing and of benefit to the environment and area.

Should Mr and Mrs Bain appeal against the decision I trust you will, after giving the application the full and considered hearing it deserves, recommend that it should be passed.

Yours faithfully

[Redacted signature]



Local Review Body
East Lothian Council

To whom it may concern
Application number 23/00373/P

I am writing in favour of the above application for the following

The new house will be in keeping with the stone fronts of the other houses in the area, and so will be much more in character of the area.

It will remove a yellow, out of character building.

In line with the council's green policy the new house will be more efficient, and allowing the Bains to stay nearer their farm base will cut their emissions travelling to the site.

Farming is a key activity in East Lothian and it's essential that the housing stock reflects the needs of the community. Allowing the demolition of an out of keeping, inefficient house and replacing it with one that fits in, meets modern green credentials, and recognises the need to ensure appropriate individual one off buildings ensures the future of small hamlets like Trabroun.

The proposal is a welcome addition.

Yours faithfully



Local Review Body
East Lothian Council
John Muir House
Brewery Park
Haddington
East Lothian
EH41 3HA

28 August 2023

Dear Sir/Madam

Planning application 23/00373/P

As an immediate neighbour of the proposed planning application 23/00373/P, I wish to make the following comments regarding the reasons given for its refusal:

1. This proposed 'development' is not a new build, in that there is a substantial dwelling on the site. This distinctive proposed replacement house sits on the footprint of the existing bungalow and is far more in keeping with the listed steading and its setting than the building it replaces, thus helping to reinforce the identity of Trabroun.
2. It is not dissimilar in size, scale or massing to the original house which is structurally unstable and energy inefficient. The design approach acknowledges the carbon footprint of the building's components thus ensuring climate resilience.
3. The proposed dwelling promotes the recognised heritage value of the Trabroun site unlike the existing structure.
4. The proposed dwelling does not draw focus from the existing B-listed Trabroun steading any more than the new house and garage currently under construction for which planning permission was granted on 13th August 2021 (20/01457/P).
5. I do not consider this dwelling to be harmfully dominant, discordant or incongruous. The proposed replacement house addresses its rural landscape setting and contributes to make an attractive and natural space.

I am in support of this application and seen no reason why it should be refused.

Yours faithfully

██████████