

LOCAL REVIEW BODY

30th November 2023

Application No: 23/00124/P

Elcho Place Hall, 124 High Street, Cockenzie

Appointed Officer's Submission

23/00124/P – REVIEW AGAINST DECISION – PLANNING OFFICER’S SUBMISISON

Planning application review against decision (refusal): Replacement windows at Elcho Place Hall, Cockenzie.

INDEX OF CONTENTS

1. Statement of Case: Officer’s report for planning application 23/00124/P.
2. Copy of stamped refused drawings relating to planning application 21/00124/P.
3. Copy of Decision Notice (including reason for refusal) relating to planning application 23/00124/P.
4. Copy of objection received in relation to planning application 23/00124/P.
5. Copy of Policy 7 (Historic assets and places) of National Planning Framework 4 and Policies CH2 (Development Affecting Conservation Areas) and DP5 (Extensions and Alterations to Existing Buildings) of the adopted East Lothian Local Development Plan 2018.

Please note there are no consultation responses or schedule of conditions submitted.

OFFICER REPORT

12th April 2023

App No. **23/00124/P**

Application registered on **22nd February 2023**

Target Date **21st April 2023**

Proposal	Replacement windows	SDELL	Y
		CDEL	N
Location	Elcho Place Hall 124 High Street Cockenzie East Lothian EH32 0DN	Bad Neighbour Development	N

APPLICANT: **Mr P Thomson**

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

**c/o CR Smith Glaziers (Dunfermline) Ltd.
Per Catriona Michie
Gardeners Street
Dunfermline
KY12 0RN**

DECISION TYPE:

Application Refused

REPORT OF HANDLING

PROPOSAL

The property to which this application relates is a single storey detached building used as a community hall which is located on the north side of Elcho Place, Cockenzie, to the north of its junction with Manse Lane. It is within a predominantly residential area as defined by Policy RCA1 of the adopted East Lothian Local Development Plan 2018. The property is within the Cockenzie and Port Seton Conservation Area.

In November 2018 planning application reference 18/01190/P was registered which sought planning permission for the replacement of the window and doors to the building. The application initially sought for the replacement of seventeen windows of the hall across all elevations of the building and the replacement of a door on the front (south) elevation of the building. The proposed replacement windows were to have uPVC frames.

However, subsequent to the registration of the application, the application was amended (i) to remove the replacement of the large windows on the south and west elevations of the building

from the application and (ii) to change the framing material of the remaining windows to be replaced in the front and east of the building from uPVC to timber.

Therefore in August 2019 planning permission was granted for the following:

- (i) Replacement of a pair of timber doors to the front of the property with a new pair of timber doors;
- (ii) Replacement of one casement window to the front (south) elevation of the building;
- (iii) Replacement of two casement windows to the side (east) elevation of the building;
- (iv) Replacement of one casement window to the rear (north) elevation of the building;
- (v) Replacement of three large picture windows to the rear (north) elevation of the building; and
- (vi) Replacement of one small picture window to the rear (north) elevation of the building.

Planning permission 18/01190/P has been partially implemented and therefore remains extant.

Planning permission is now sought for the replacement of the four windows in the front (south) elevation of the building and the replacement of two windows to the side (east) and side (west) elevations of the building respectively.

The existing windows, the subject of this application are single glazed windows with through astragals and have white painted timber frames. Three of the windows in the front (south) elevation are arched windows and the other window is a large rectangular shaped window.

The proposed replacement windows would be of white uPVC framed construction and feature double glazed units with plant-on astragals.

DEVELOPMENT PLAN

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

The development plan is National Planning Framework 4 (NPF4) and the adopted East Lothian Local Development Plan 2018.

Policy 7 (Historic Assets and Places) of NPF4 and Policies CH2 (Development Affecting Conservation Areas) and DP5 (Extensions and Alterations to Existing Buildings) of the adopted East Lothian Local Development Plan 2018 are relevant to the determination of the application.

Material to the determination of the application are Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and National Planning Framework 4.

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

Also material to the determination of the application is supplementary Planning Guidance (SPG) on 'Cultural Heritage and the Built Environment' adopted by the Council on 30th October 2018. The SPG expands on policies that are set out in the East Lothian Local Development Plan 2018 and provides policy guidance on replacement windows in buildings which are in a conservation area.

The policy guidance set out in the SPG states that the replacement of a window in a building in a conservation area must preserve or enhance the area's special architectural or historic character. This will normally mean that the proportions of the window opening, the opening method, colour, construction material of frames and glazing pattern should be retained. The only exceptions to this will be:

- i) Multiple glazing where there is no visible difference between that proposed and the original style of window;
- ii) If the building itself does not contribute positively to the character or the Conservation Area and where a change in window design would have no impact on the character of the Conservation Area; and
- iii) If the window cannot be seen from a public place.

REPRESENTATION

One public letter of objection has been received in relation to the application. The main grounds of objection are:

- i) The uPVC replacement windows is an intrusive modern material which will damage the appearance of the building and thus contravene Policy CH2 of the ELLDP;
- ii) It would also contravene the Council's long-standing and by and large successful practice of refusing permission for uPVC windows which can be viewed from a public place;
- iii) The application is not supported by a window condition report or statement;
- iv) The proposed windows would likely have wide frames than traditional windows and would lack traditional features; and
- v) The drawings do not show how the gentle curve at the top of the main windows is to be executed.

A window condition survey/report is only required were replacement windows are proposed to a listed building. The building the subject of this application is not a listed building.

PLANNING ASSESSMENT

The proposed replacement windows would not harm the residential amenity of any neighbouring residential properties.

The windows that are to be replaced within the side (west) elevation of the building are due to their location, not readily visible from public views. Therefore, the installation of UPVC framed replacement windows with double glazed units and plant-on astragals would not be readily visible. Therefore, the proposed replacement windows to be installed in the side (west) elevation of the building would not be harmful to the character or appearance of the building, the surrounding area or to this part of the Cockenzie and Port Seton Conservation Area.

The windows in the front (south) and side (east) elevations of the building are readily visible in public views. All of the windows to be replaced are of timber frame construction, painted white and feature traditional through astragals.

The existing windows in the front (south) and side (east) elevations of the building due to their location, form and appearance make a significantly positive contribution to the character and appearance of the building and to the character and appearance of this part of the Cockenzie and Port Seton Conservation Area. The proposed replacement UPVC framed windows with their thicker frames and non traditional astragals would be visibly different in appearance to the windows they would replace. Therefore the loss of the existing windows and their replacement with the UPVC framed windows with plain astragals would be harmful to the character and appearance of the building and to the character and appearance of this part of the Cockenzie and Port Seton Conservation Area. The proposed replacement windows to the front (south) and side (east) elevations of the building are therefore contrary to Policy 7 of NPF4, Policies CH2 and DP5 of the adopted East Lothian Local Development Plan 2018, the Council's supplementary Planning Guidance on 'Cultural Heritage and the Built Environment'. Therefore and notwithstanding that the 2 windows on the west elevation of the building are not unacceptable the whole application should be refused planning permission.

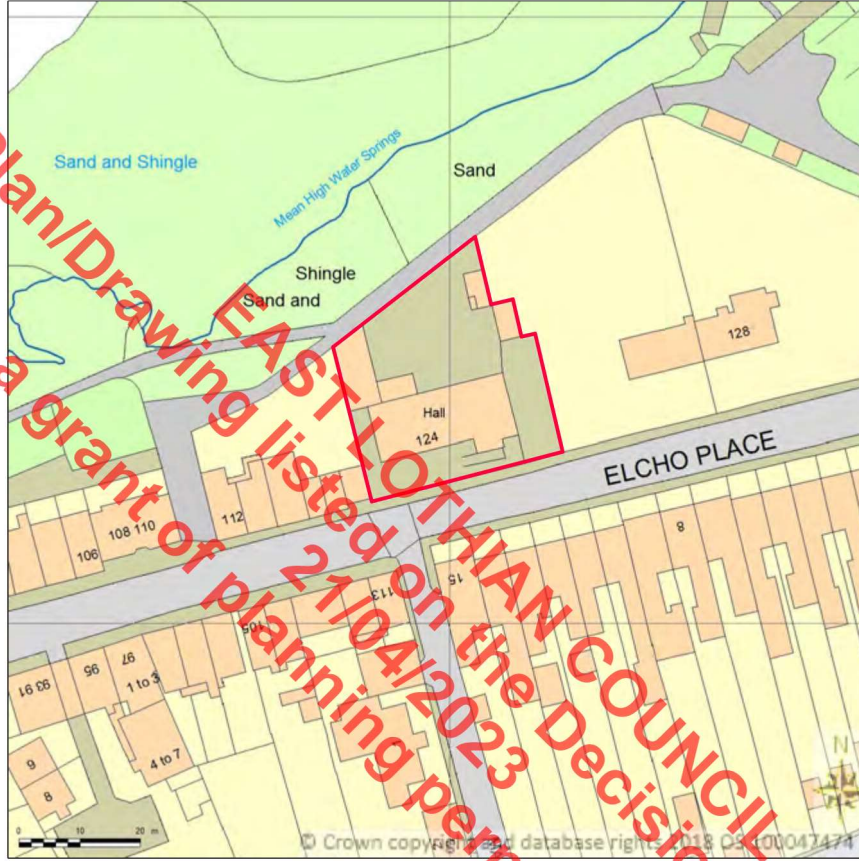
In addition, if approved, the proposed replacement windows to the front (south) and side (east) elevations would set an undesirable precedent for the installation of similarly designed UPVC framed windows within the public elevations of other buildings and properties within this part of the streetscape. Over time such change would be collectively out of keeping with, and detrimental to, the character and appearance of this part of the Cockenzie and Port Seton Conservation Area.

In conclusion, the proposals are considered not to be in accordance with the provisions of the stated relevant Development Plan policies and there are no material considerations which outweigh the fact that the proposals do not accord with the Development Plan.

REASONS FOR REFUSAL:

- 1 The proposed replacement UPVC framed windows to be installed in the south and east elevations of the building with their thicker frames and non traditional astragals would be visibly different in appearance to the windows they would replace. Therefore the loss of the existing windows and their replacement with the UPVC framed windows with plain astragals would be harmful to the character and appearance of the building and to the character and appearance of this part of the Cockenzie and Port Seton Conservation Area contrary to Policy 7 of NPF4, Policies CH2 and DP5 of the adopted East Lothian Local Development Plan 2018 and contrary to the Council's supplementary Planning Guidance on 'Cultural Heritage and the Built Environment'.

LETTERS FROM



Location Plan
Scale 1:1250

Plan/Drawing listed on the Decision Notice of refusing a grant of planning permission 23/00124/P EASTLOTHIAN COUNCIL 21/04/2023



THIS DRAWING IS FOR ILLUSTRATION PURPOSES ONLY
THEREFORE NOTHING CONTAINED HEREIN SHALL
CONSTITUTE OR FORM ANY PART OF ANY CONTRACT
This drawing remains the property of CR Smith Glaziers (Dunfermline) Ltd ©
*Necessary Consents - See clause 1.4 on the rear of the living spaces contract.

ISSUE	AMENDMENT	DATE
A		

CLIENT: C/O P THOMSON
LOCATION: ELCHO HALL, HIGH STREET, PORT SETON, EH32 0DL
CONTACT: 07850477241

Project Title
REPLACE EXISTING WINDOWS WITH UPVC

Date Drawn: Drawn By:
Scale - 1:100 @ A4
Date of Plot: 8 February 2023



Drawing No.
SP1

NOTES

Window Specification

New windows to be fully glazed (4/20/4) toughened glass to BS6202 part 4: 2016 and BS6206. Glazing to be low E with argon filled cavity. Windows to be draught stripped and weathersealed. Windows fitted with trickle vents to 1 reads and provide a u-value of 1.4 W/m²K.

Fixing of window to be in accordance with section 8 of BS 8213-4: 2007. Design of windows to be in accordance with BS 7412: 2007.

REVISIONS
DATE



home sweeter home
THE DRAWING SHALL BE USED ONLY FOR THE PROJECT SPECIFICALLY IDENTIFIED AND SHALL NOT BE REPRODUCED OR USED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN PERMISSION OF CR SMITH GLAZING LTD.
This drawing remains the property of CR Smith Glazing Ltd.

C/O Thomson
Elcho Hall
High Street
Port Seton
EH32 0DL
07850477241

CONTRACT NUMBER: 91502002

Project Title: Replace Existing Windows with uPVC

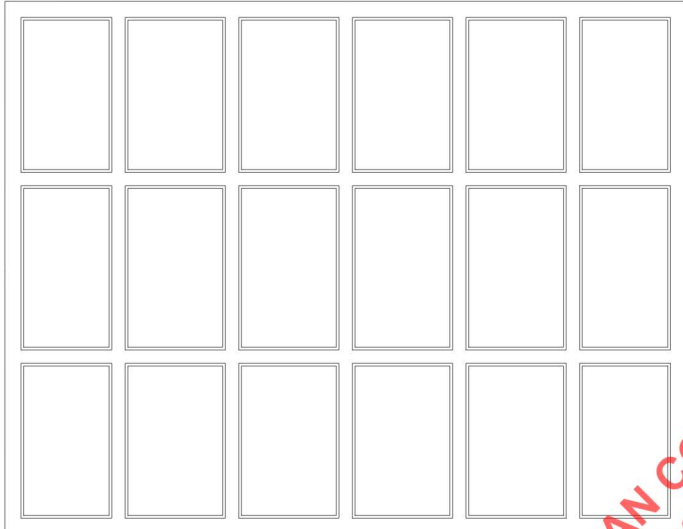
Drawing Title

Details of Proposed Windows

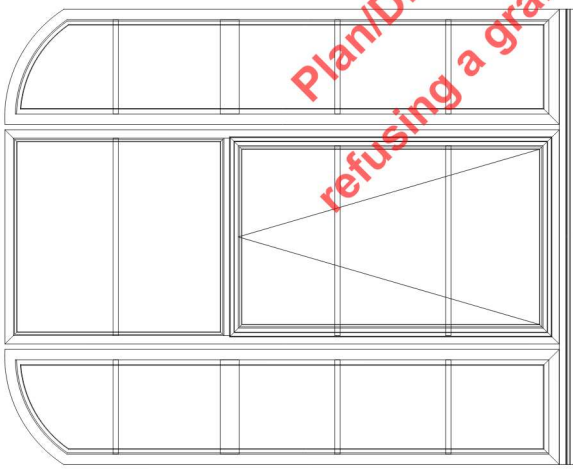
Date Drawn: 08/02/2023
Scale: 1:20, 1:2 @ A3

Drawn By: CMI

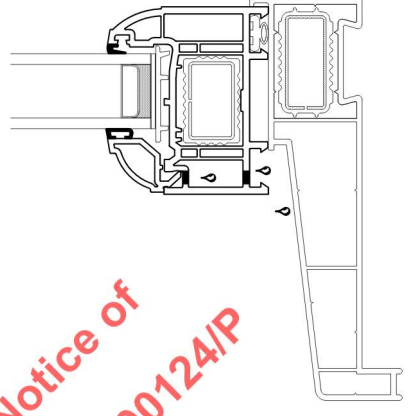
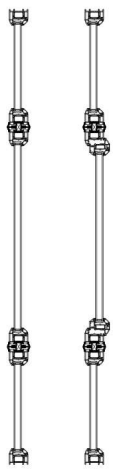
Drawing No. 002



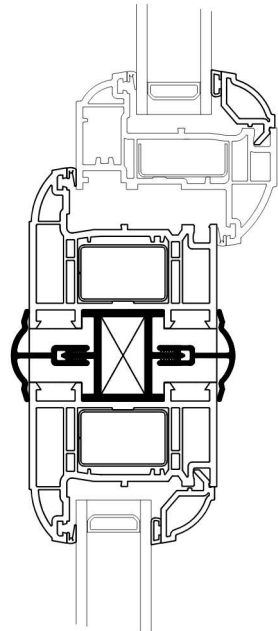
W1 - BOILER ROOM
SCALE 1:20



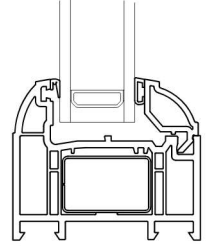
W2, W3, W4 - MAIN HALL
SCALE 1:20



CILL DETAIL
SCALE 1:2



COUPLER DETAIL
SCALE 1:2



JAMB FRAME
SCALE 1:2

EAST LOTHIAN COUNCIL
21/04/2023
refusing a grant of planning permission 23/00124/P



□ - WINDOW ONLY TO BE REMOVED

EXISTING WHITE TIMBER WINDOWS TO BE REPLACED WITH NEW WHITE uPVC WINDOWS



<p>home sweeter home</p> <p>THIS DRAWING IS THE PROPERTY OF CR SMITH. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED THEREIN. IT IS NOT TO BE REPRODUCED, COPIED, EITHER WHOLLY OR IN PART, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, WITHOUT THE WRITTEN PERMISSION OF CR SMITH. THIS DRAWING IS THE PROPERTY OF CR SMITH. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED THEREIN. IT IS NOT TO BE REPRODUCED, COPIED, EITHER WHOLLY OR IN PART, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, WITHOUT THE WRITTEN PERMISSION OF CR SMITH.</p>	<p>DATE</p> <p>ASSESSMENT</p>
<p>C/O Thomson Elcho Hall High Street Port Seton EH32 0DL 07850477241</p>	<p>CONTRACT NUMBER: 91502002</p> <p>PROJECT TITLE: Replace Existing Windows with uPVC</p>
<p>DATE DRAWN: 08/02/2023 SCALE: 1:100, 1:50 @ A3</p>	<p>DRAWN BY: CMI</p> <p>EXISTING ELEVATION</p>
<p>DRAWING NO. 001-A</p>	

EAST LOTHIAN COUNCIL
 Plan/Drawing listed in the Decision Notice of 23/04/2023
 refusing a grant of planning permission 23/00124/P



03 EAST ELEVATION
03 EAST ELEVATION

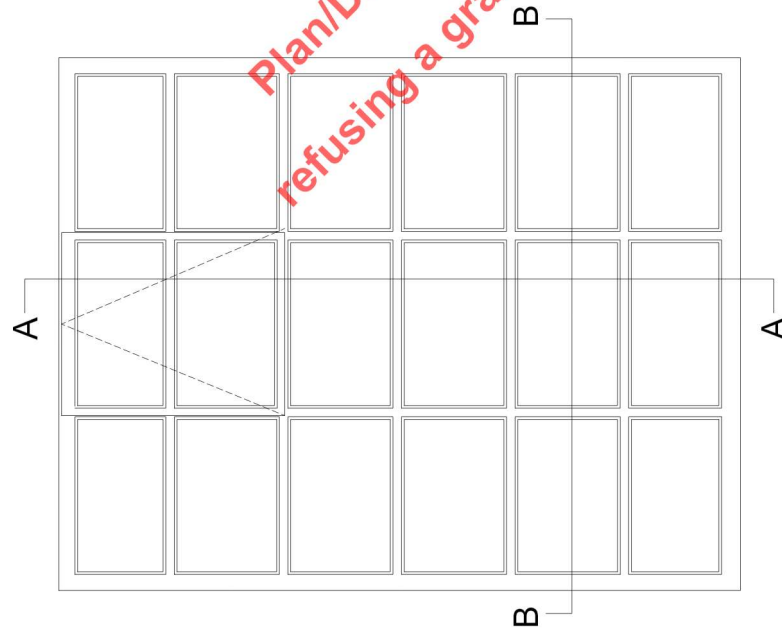
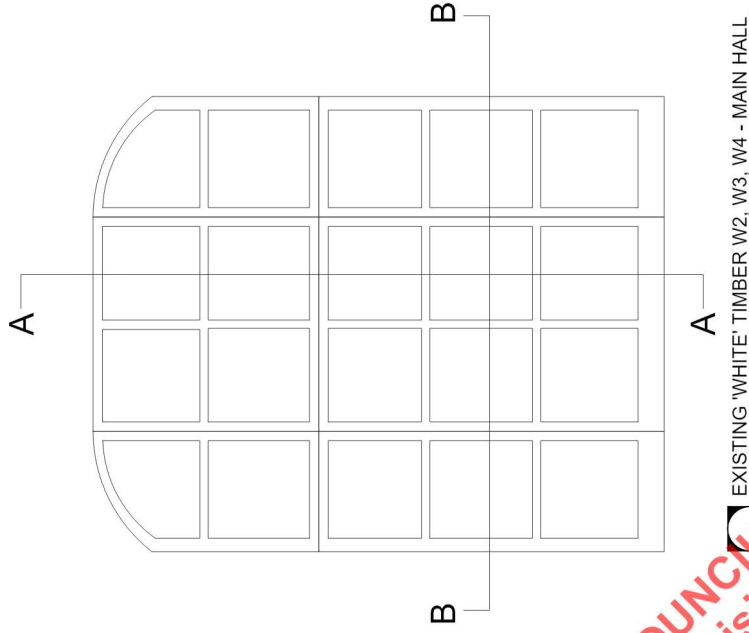
EXISTING WHITE TIMBER
WINDOWS TO BE REPLACED
WITH NEW WHITE UPVC
WINDOWS



04 WEST ELEVATION
04 WEST ELEVATION

- WINDOW ONLY TO BE REMOVED

<p>CR SMITH home sweeter home</p> <p><small>CR SMITH GROUP LIMITED IS AN EQUAL OPPORTUNITY EMPLOYER. ALL TENDERS MUST BE OPENED AND AWARDS MADE ONLY IN THE PRESENCE OF TWO CR SMITH GROUP LIMITED CONSTITUTE OR FORM ANY PART OF ANY CONTRACT. This drawing remains the property of CR Smith Glasgow © CR SMITH GROUP LIMITED 2023</small></p>	<p>DATE: _____ ASSESSMENT: _____ REUSE: _____</p>
<p>C/O Thomson Elcho Hall High Street Port Seton EH32 0DL 07855047241</p>	<p>CONTRACT NUMBER: 91502002</p>
<p>PROJECT TITLE: Replace Existing Windows with uPVC</p>	<p>DATE DRAWN: 08/02/2023 Drawn By: CMI</p>
<p>DRAWING TITLE: Existing Elevation.</p>	<p>Scale: 1:100, 1:50 @ A3</p>
<p>Drawing No. 002-A</p>	<p>DATE: _____</p>



EAST LOTHIAN COUNCIL
 Plan/Drawing listed on the Decision Notice of
 21/04/2023
 refusing a grant of planning permission 23/00124/P

CR SMITH home sweeter home	DATE	CONTRACT NUMBER 91502002	PROJECT TITLE Replace Existing Windows with uPVC	DATE DRAWN 08/02/2023	DRAWN BY CMI
<small>THIS DRAWING IS THE PROPERTY OF CR SMITH GROUP. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. IT SHALL NOT BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF CR SMITH GROUP.</small>	CLIENT C/O Thomson	CONTRACT NUMBER 07850477241	PROJECT TITLE Replace Existing Windows with uPVC	DATE DRAWN 08/02/2023	DRAWN BY CMI
LOCATION Eicho Hall High Street Port Seton EH32 0DL	DATE	CONTRACT NUMBER 07850477241	PROJECT TITLE Replace Existing Windows with uPVC	DATE DRAWN 08/02/2023	DRAWN BY CMI
SCALE 1:20 @ A3	DATE	CONTRACT NUMBER 07850477241	PROJECT TITLE Replace Existing Windows with uPVC	DATE DRAWN 08/02/2023	DRAWN BY CMI
SCALE 1:20 @ A3	DATE	CONTRACT NUMBER 07850477241	PROJECT TITLE Replace Existing Windows with uPVC	DATE DRAWN 08/02/2023	DRAWN BY CMI

BLUE ASSESSMENT DATE

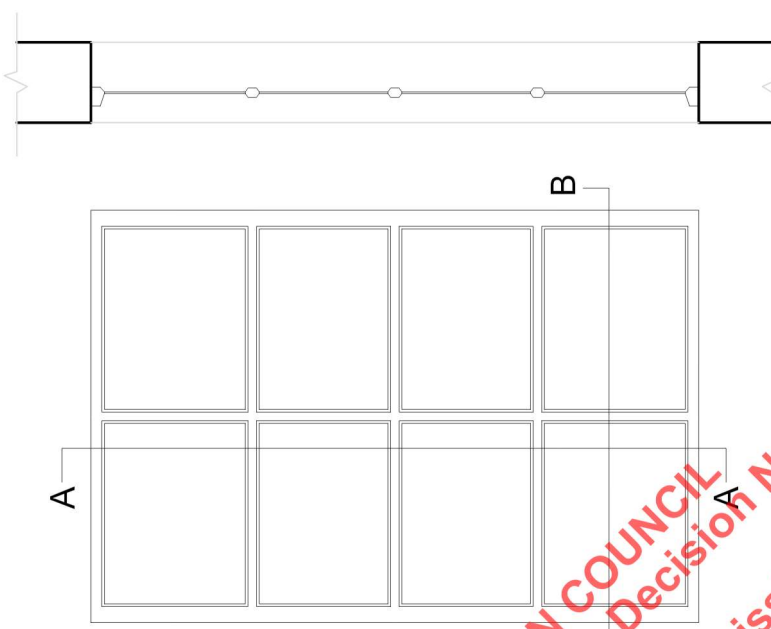


home sweeter home
We warrant each person who has personally
inspected and approved these drawings shall
constitute or form any part of any contract
This drawing is the property of CR Smith Glasgow
100, 100, 100, 100

C/O Thomson
Elocho Hall
High Street
Port Seton
EH32 0DL
07850477241
CONTRACT NUMBER: 91502002

PROJECT TITLE
Replace Existing Windows with uPVC
Drawing Title
Existing Windows

Date Drawn: 08/02/2023
Scale: 1:20, 1:2 @ A3
Drawing No. CMI
004

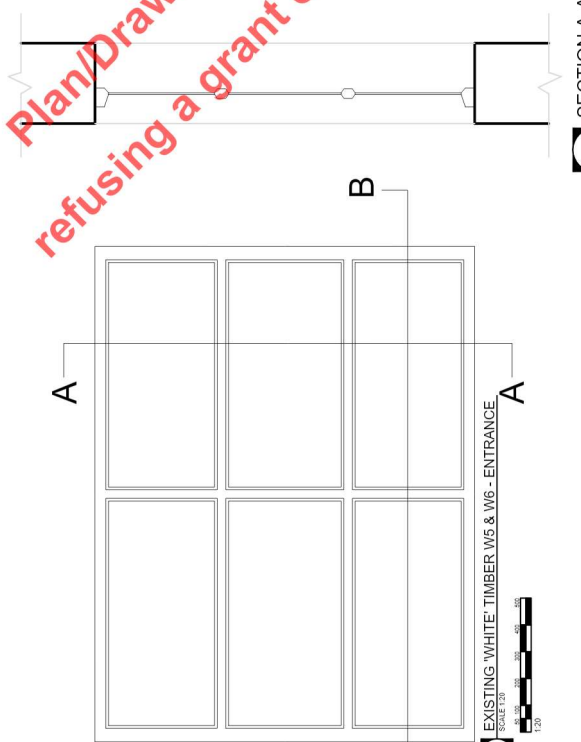


EXISTING 'WHITE' TIMBER W7 & W8 - KITCHEN
SCALE 1:20

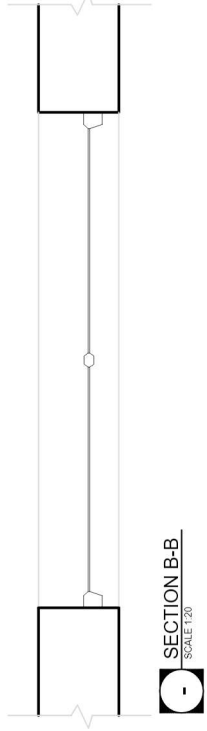


SECTION A-A
SCALE 1:20

Plan/Drawing listed on the Decision Notice of refusing a grant of planning permission 21/04/2023
23/00124/P



EXISTING 'WHITE' TIMBER W5 & W6 - ENTRANCE
SCALE 1:20



SECTION B-B
SCALE 1:20

NOTES

Window Specification

New windows to be fully glazed (4/20/4) toughened glass to BS6262 part 4: 2016 and BS6206, glazing to be low E with argon filled cavity. Windows to be draught stripped and weathersealed. Windows fitted with trickle vents to heads and provide a u-value of 1.4 W/m²K.

Fixing of window to be in accordance with section 8 of BS 8213-4:2007. Design of windows to be in accordance with BS 7412: 2007.

DATE

REVISION

CR SMITH

home sweeter home
1000 WINDING WALK, LUTON, MK17 9JN
TELEPHONE: 01525 852000 FAX: 01525 852001
E-MAIL: SALES@CRSMITH.CO.UK
THIS DRAWING IS NOT TO BE TAKEN IN ISOLATION BUT SHALL CONSTITUTE OR FORM ANY PART OF ANY CONTRACT
The drawing remains the property of CR Smith Glaziers
© CR SMITH LTD 2019

C/O Thomson

Elcho Hall
High Street
Port Seton
EH32 0DL

07850477241

CONTRACT NUMBER: 91502002

PROJECT TITLE

Replace Existing Windows with uPVC

Drawing Title

Details of Proposed Windows 1,2,3,4

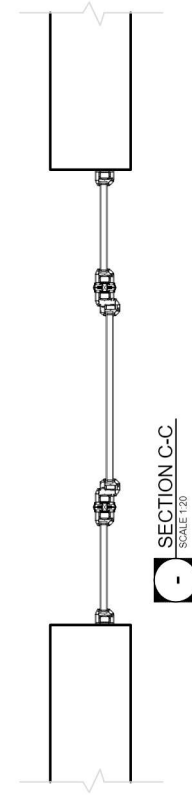
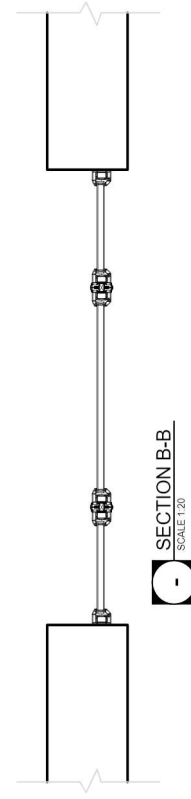
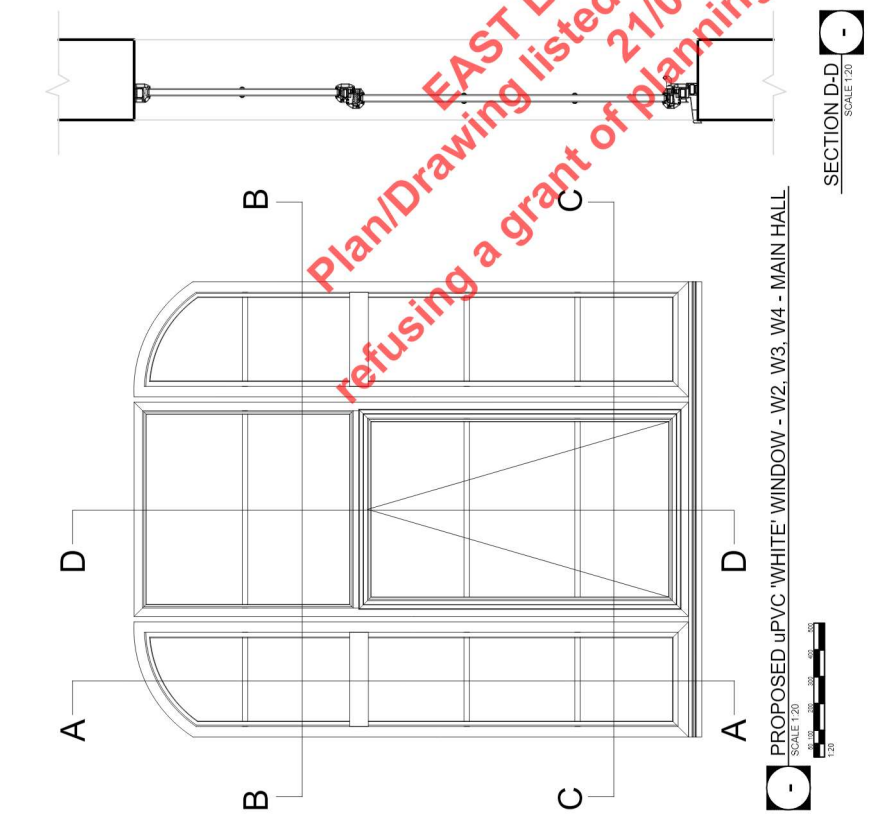
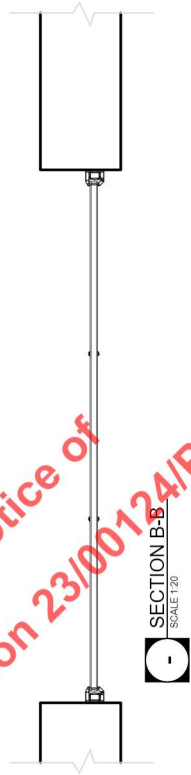
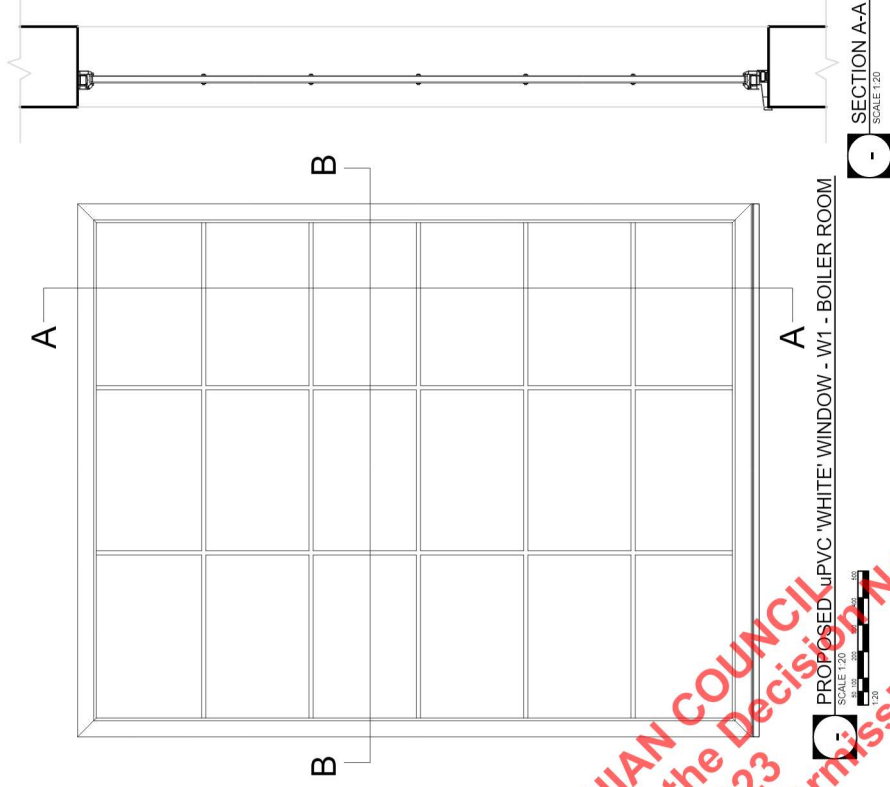
Date Drawn: 08/02/2023

Scale: - 1:20, 1:2 @ A3

Drawn By: CMI

Drawing No.

005



EAST LOTHIAN COUNCIL
Plan/Drawing listed on the Decision Notice of
21/04/2023
Refusing a grant of Planning permission 23/00124/P

NOTES

Window Specification

New windows to be fully glazed (4/20/4) toughened glass to BS6262 part 4: 2016 and BS6206. Glazing to be low E with argon filled cavity. Windows to be draught stripped and weathersealed. Windows fitted with trickle vents to 1 heads and provide a U-value of 1.4 W/m²K.

Fixing of window to be in accordance with section 8 of BS 8213-4: 2007. Design of windows to be in accordance with BS 7412: 2007.

DATE
ASSESSMENT
REUSE



home sweeter home
100% FINANCIAL GUARANTEE
THESE WINDOWS CONTAINED PERSONALLY
CONSTITUTE OR FORM ANY PART OF ANY CONTRACT
This drawing remains the property of CR Smith Glasgow
100% FINANCIAL GUARANTEE

C/O Thomson

Eloho Hall
High Street
Port Seton
EH32 0DL

07855047241

PROJECT NUMBER: 91502002

CONTRACT TITLE

Replace Existing Windows with uPVC

Drawing Title

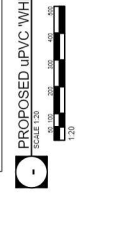
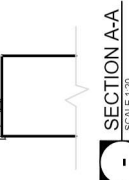
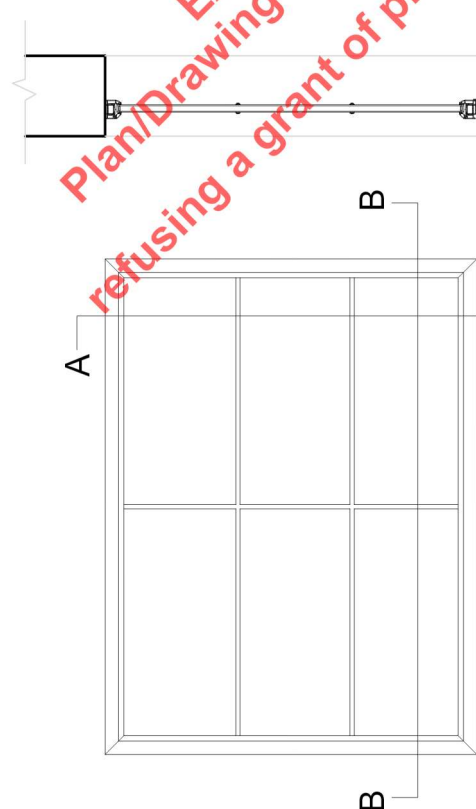
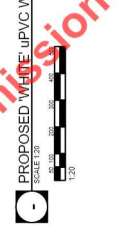
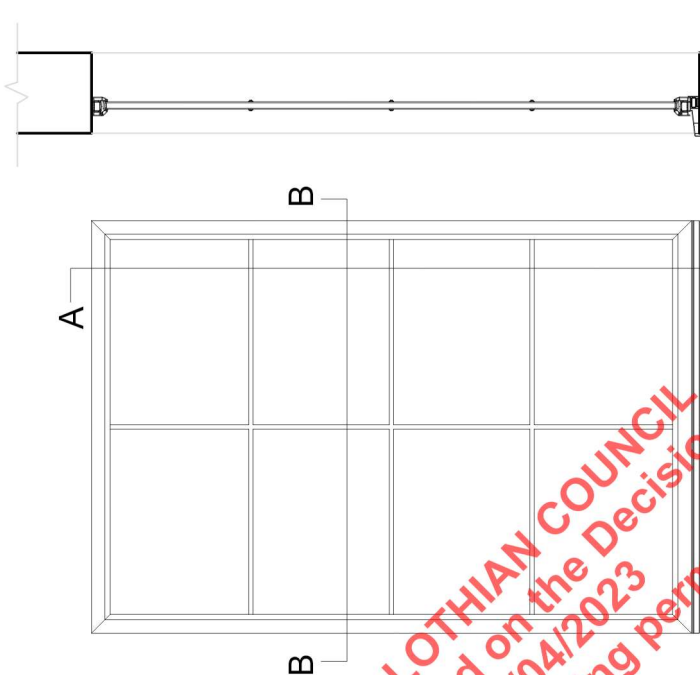
Details of Proposed Window 5,6,7,8

Date Drawn: 08/02/2023

Scale: 1:20, 1:2 @ A3

Drawn By: CMI

Drawing No. 006



EAST LOTHIAN COUNCIL
Plan/Drawing listed on the Decision Notice of
21/04/2023
refusing a grant of planning permission 23/00124/P

App No. 23/00124/P

**EAST LoTHIAN COUNCIL
DECISION NOTICE**

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

**Mr P Thomson
c/o CR Smith Glaziers (Dunfermline) Ltd.
Per Catriona Michie
Gardeners Street
Dunfermline
KY12 0RN**

APPLICANT: Mr P Thomson

With reference to your application registered on 22nd February 2023 for planning permission under the above mentioned Acts and Regulations for the following development, viz:-

**Replacement windows
at
Elcho Place Hall
124 High Street
Cockenzie
East Lothian**

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 proposed replacement UPVC framed windows to be installed in the south and east elevations of the building with their thicker frames and non traditional astragals would be visibly different in appearance to the windows they would replace. Therefore the loss of the existing windows and their replacement with the UPVC framed windows with plain astragals would be harmful to the character and appearance of the building and to the character and appearance of this part of the Cockenzie and Port Seton Conservation Area contrary to Policy 7 of NPF4, Policies CH2 and DP5 of the adopted East Lothian Local

Development Plan 2018 and contrary to the Council's supplementary Planning Guidance on 'Cultural Heritage and the Built Environment'.

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.

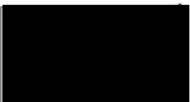
Details of the following are given in the application report:

- 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>
002	-	09.02.2023
SP1	-	09.02.2023
001-A	-	22.02.2023
002-A	-	22.02.2023
003	-	22.02.2023
004	-	22.02.2023
005	-	22.02.2023
006	-	22.02.2023

21st April 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.

Speaking for
Scotland's Buildings
AHSS East Lothian Cases Panel,



Planning and Environment
East Lothian Council
John Muir House
Brewery Park
Haddington
East Lothian EH41 3HA
f.a.o. James Allan

Our ref. 23.EH32 0DN

by email: environment@eastlothian.gov.uk

16 March 2023

Dear Mr Allan

Elcho Place Hall 124 High Street Cockenzie East Lothian EH32 0DN: Replacement windows

Planning Application: 23/00124/P

The Society wishes to submit an **OBJECTION** to this application.

Elcho Hall stands at the west end of the High Street, in an area containing some of its finest buildings. Plain and simple, it contributes to the Conservation Area by virtue of its sensitive design, the huge windows on the main elevation being its outstanding feature.

The Society **OBJECTS** to the proposed replacement of the Hall's wooden windows on the grounds that upvc is an intrusive modern material which will damage the appearance of the building and thus contravene **Policy CH2** that "*All development proposals within or affecting a Conservation Area or its setting must be located and designed to preserve or enhance the special architectural or historic character or appearance of the Conservation Area.*" It would also contravene the Council's long-standing and by and large successful practice of refusing permission to upvc windows which can be viewed from a public place.

This application is not supported by a condition report or a statement which might throw light on the need for change. If new windows are required they should be of wood and copy exactly the design of the originals. The drawings submitted with the application suggest that the new upvc windows would in effect be facsimiles of the old. This however is inherently improbable, as upvc windows almost always have wider frames than traditional windows. The drawings are not helpful, containing no indication of how the gentle curve at the top of the main windows is to be executed. There is, moreover, a clear indication that the joint of the lower bar of the new windows will be non-traditional, as is invariably the case with upvc. The proposed trickle bars will be unsightly and anachronistic, and the use of low e glazing intrusive. It will, quite simply, be impossible to protect the appearance of this large, important building if upvc windows are allowed.

Yours faithfully,

The AHSS East Lothian Cases Panel

c.c. Historic Environment Scotland 
AHSS National Office nationaloffice@ahss.org.uk

Chairman: Martin Robertson

National Planning Framework 4

Policy 7 (Historic Assets and Places)

- a) Development proposals with a potentially significant impact on historic assets or places will be accompanied by an assessment which is based on an understanding of the cultural significance of the historic asset and/or place. The assessment should identify the likely visual or physical impact of any proposals for change, including cumulative effects and provide a sound basis for managing the impacts of change.

Proposals should also be informed by national policy and guidance on managing change in the historic environment, and information held within Historic Environment Records

- b) Development proposals for the demolition of listed buildings will not be supported unless it has been demonstrated that there are exceptional circumstances and that all reasonable efforts have been made to retain, reuse and/or adapt the listed building. Considerations include whether the: i. building is no longer of special interest; ii. building is incapable of physical repair and re-use as verified through a detailed structural condition survey report; iii. repair of the building is not economically viable and there has been adequate marketing for existing and/or new uses at a price reflecting its location and condition for a reasonable period to attract interest from potential restoring purchasers; or iv. demolition of the building is essential to delivering significant benefits to economic growth or the wider community.
- c) Development proposals for the reuse, alteration or extension of a listed building will only be supported where they will preserve its character, special architectural or historic interest and setting. Development proposals affecting the setting of a listed building should preserve its character, and its special architectural or historic interest.
- d) Development proposals in or affecting conservation areas will only be supported where the character and appearance of the conservation area and its setting is preserved or enhanced. Relevant considerations include the:
- i. architectural and historic character of the area;
 - ii. existing density, built form and layout; and
 - iii. context and siting, quality of design and suitable materials.
- e) Development proposals in conservation areas will ensure that existing natural and built features which contribute to the character of the conservation area and its setting, including structures, boundary walls, railings, trees and hedges, are retained.
- f) Demolition of buildings in a conservation area which make a positive contribution to its character will only be supported where it has been demonstrated that:
- i. reasonable efforts have been made to retain, repair and reuse the building;
 - ii. the building is of little townscape value;

- iii. the structural condition of the building prevents its retention at a reasonable cost;
or
 - iv. the form or location of the building makes its reuse extremely difficult.
- g) Where demolition within a conservation area is to be followed by redevelopment, consent to demolish will only be supported when an acceptable design, layout and materials are being used for the replacement development.
- h) Development proposals affecting scheduled monuments will only be supported where:
- i. direct impacts on the scheduled monument are avoided;
 - ii. significant adverse impacts on the integrity of the setting of a scheduled monument are avoided; or
 - iii. exceptional circumstances have been demonstrated to justify the impact on a scheduled monument and its setting and impacts on the monument or its setting have been minimised.
- i) Development proposals affecting nationally important Gardens and Designed Landscapes will be supported where they protect, preserve or enhance their cultural significance, character and integrity and where proposals will not significantly impact on important views to, from and within the site, or its setting.
- j) Development proposals affecting nationally important Historic Battlefields will only be supported where they protect and, where appropriate, enhance their cultural significance, key landscape characteristics, physical remains and special qualities.
- k) Development proposals at the coast edge or that extend offshore will only be supported where proposals do not significantly hinder the preservation objectives of Historic Marine Protected Areas.
- l) Development proposals affecting a World Heritage Site or its setting will only be supported where their Outstanding Universal Value is protected and preserved.
- m) Development proposals which sensitively repair, enhance and bring historic buildings, as identified as being at risk locally or on the national Buildings at Risk Register, back into beneficial use will be supported.
- n) Enabling development for historic environment assets or places that would otherwise be unacceptable in planning terms, will only be supported when it has been demonstrated that the enabling development proposed is:
- i. essential to secure the future of an historic environment asset or place which is at risk of serious deterioration or loss; and
 - ii. the minimum necessary to secure the restoration, adaptation and long-term future of the historic environment asset or place.

The beneficial outcomes for the historic environment asset or place should be secured early in the phasing of the development, and will be ensured through the use of conditions and/or legal agreements.

- o) Non-designated historic environment assets, places and their setting should be protected and preserved in situ wherever feasible. Where there is potential for non-designated buried archaeological remains to exist below a site, developers will provide an evaluation of the archaeological resource at an early stage so that planning authorities can assess impacts. Historic buildings may also have archaeological significance which is not understood and may require assessment.

East Lothian Local Development Plan 2018

Policy CH2 (Development Affecting Conservation Areas)

All development proposals within or affecting a Conservation Area or its setting must be located and designed to preserve or enhance the special architectural or historic character or appearance of the Conservation Area. Proposals for new development should accord with the size, proportions, orientation, alignment, density, materials, and boundary treatment of nearby buildings and public and private spaces. Parking requirements of new developments must accord with the Council's adopted parking standards unless it can be demonstrated that a reduced level of parking (which in exceptional circumstances could be no parking provision) will achieve positive townscape benefits without compromising road safety.

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

DP5 (Extensions and Alterations to Existing Buildings)

All alterations and extensions to existing buildings must be well integrated into their surroundings, and must be in keeping with the original building or complementary to its character and appearance. Accordingly such development must satisfy all of the following criteria:

1. It must not result in a loss of amenity with neighbouring uses or be harmful to existing residential amenity through loss of privacy from overlooking, or from loss of sunlight or daylight;
2. For an extension or alteration to a house, it must be of a size, form, proportion and scale appropriate to the existing house, and must be subservient to and either in keeping with or complementary to the existing house;
3. For an extension or alteration to all other buildings, it must be of a size, form, proportion and scale appropriate to its surroundings and, where the existing building has architectural merit be in keeping with or complement that existing building;

Development that does not comply with any of the above criteria will only be permitted where other positive planning and design benefits can be demonstrated.