

Topic Paper - Historic Environment

Issue No 017

Context: NPF Spatial Strategy, Policy 14 Design, Quality and Place, Policy 15 Local Living and 20 minute neighbourhoods and Policy 27 City, Town, Local and Commercial Centres

- 17.1 This Topic Paper deals with all matters relating to the historic environment. Site specific discussions related to the historic environment are covered under the Area Partnership sections in the Story Map section of the Evidence Report.

LINKS TO EVIDENCE

ELC 416	OUR PAST OUR FUTURE: THE STRATEGY FOR SCOTLAND'S HISTORIC ENVIRONMENT
ELC 417	Managing Change in the Environment Series
ELC 418	Interim guidance on the designation of Conservation Areas and Conservation Area Consent
ELC 419	Historic Environment Policy for Scotland (HEPS)
ELC 249	Buildings at Risk Register
ELC 421	Supporting documents - Creating Places: A policy statement on architecture and place for Scotland - gov.scot (www.gov.scot)
ELC 422	PAN 71 Conservation Area Management: Planning Advice
ELC 423	PAN 52 Planning in Small Towns
ELC 424	PAN 68 Design Statements
ELC 425	PAN65 Planning and Open Space.
ELC 426	Planning Advice Note 2/2011: Planning and Archaeology

ELC 100a	Local Development Plan 2018 East Lothian Council
ELC 104*	Cultural Heritage and the Built Environment SPG East Lothian Council
ELC 105	East Lothian Conservation Areas
ELC 402	East Lothian Visitor Survey 2021 East Lothian Visitor Survey 2024 Findings
ELC 183	East Lothian Historic Environment Record

SUMMARY OF EVIDENCE

- 17.2 A primary source of evidence on East Lothian's historic environment is the Historic Environment Record. Other primary sources include the statutory list of The HER is a record of all known archaeological and historic sites in East Lothian and is managed and maintained by the East Lothian Council Archaeology Service, embedded within the Planning Service. The HER includes sites of all periods, from the earliest human activity more than 10,000 years ago, up to the present day. This covers a range of types of sites: buried archaeological remains, monuments, historic buildings, landscapes and finds, from prehistoric standing stones to World War II airfields. The HER also holds details of recent archaeological fieldwork.
- 17.3 The HER is comprised of a database with over 25,000 records, linked to digital mapping. This is supplemented with a wide range of reference material, including fieldwork reports, photographs, plans, aerial photographs, and historic maps. The database is updated regularly with new finds and discoveries.
- 17.4 The HER is a key resource used to inform planning decisions regarding the historic environment. It functions as a basis for historic environment conservation and management advice, such as for planning proposals and environmental schemes. The HER is available online and through PastMap and is managed in line with UK-wide data standards such as MIDAS and INSPIRE. For more information see the UK HER Manual.
- 17.5 Further sources of evidence include the statutory list of buildings of architectural or historic importance in East Lothian maintained by Historic Environment Scotland and all 30 designated conservation areas in East Lothian.
- 17.6 The Historic Environment Policy for Scotland provides requirements for Planning Authorities and national policy contained in National Planning Framework 4 Policy 7 provides nationally applied planning policy for the historic environment. National and local guidance guides aspects of historic environment practice. Evidence of the state of the historic environment in East Lothian is provided through the Buildings at Risk register, the Conservation Area Character Statements and Town Centre Strategies which also contain a Regeneration Strategy.
- 17.7 National Planning Framework 4 requires the Local Development Plan to support the sustainable management of the historic environment through its spatial strategy and to identify, protect and enhance valued historic assets and places. NPF4 Policy 7 Historic Assets and Places protects the historic environment of the whole of Scotland and outlines where development proposals that affect it might be supported.
- 17.8 Some parts of the new policy reflect updated thinking on, for example, situations where demolition of a listed building is proposed and will clearly take precedence over existing LDP1 policy. Policy 7 also provides general policy parameters for proposals dealing with the historic environment including proposals for development in conservation areas that apply to listed buildings, demolition of an unlisted building in a conservation area, proposals affecting scheduled monuments, gardens and designed landscapes, battlefields and non-designated historic environment assets such as archaeological sites. These policy

- parameters include taking the setting of historic environment assets and areas into account as part of the decision-making process. Local Development Plan policies add more local policy detail to such policies.
- 17.9 Buildings at risk, those on the national register and those at risk locally, are addressed in Policy 7 which supports their beneficial reuse. East Lothian has circa 60 buildings at risk on the national register many of which have been on the register for a number of years. However, there have also been a number of successful restorations and conversions of buildings at risk in East Lothian in recent years, particularly in the period when local property values have been buoyant and enabled individuals to avoid loss making restoration projects. Many of the more long standing properties will likely require public subsidy of some kind to enable their beneficial reuse.

SUMMARY OF STAKEHOLDER CONSULTATION

- 17.10 The Council carried out consultation with the local community and other stakeholders. Engagement activities ran for 14 weeks, between June and September 2023. The Council designed the activities to give interested stakeholders a range of opportunities to learn about the new Local Development Plan and provide feedback.
- 17.11 Of the Key Agencies only Historic Environment Scotland responded to this stakeholder consultation – Historic Environment Scotland comments and our response are contained in Topic Paper 062 Engagement.
- 17.12 The key responses that came out of the analysis from the engagement consultation for the historic environment were:
- The historic environment is a finite resource, and it is highly susceptible to changes in land use and land management.
 - With a move towards heat pumps the planning department and building warrant team must address the issues facing householders in old stone building and listed buildings – and conservation areas.
 - Historic buildings in town centres can be restrictive for employment use due to size and layout.
 - Incorporate a Heritage Buildings Strategy in the plan
 - The historic environment has a key role to play in tackling the climate emergency and realising a just transition to net zero. The repair, maintenance and retrofit of existing heritage assets delivers good, green jobs.
 - There is a need to encourage higher standards of architecture to maintain the historically beautiful built environment of East Lothian and to encourage the refurbishment and upgrading of existing housing stock in historic centres.
 - The boundary of Musselburgh Conservation Area should be extended to reflect character and identity and have a clear strategy for improvement to Musselburgh High Street

WHAT THIS MEANS FOR THE PROPOSED PLAN?

- 17.13 The Local Development Plan 2018 (LDP1) protects East Lothian's historic environment assets from harm through a series of planning policies in its Cultural Heritage section. Supplementary planning guidance on Cultural Heritage and the Built Environment provides additional explanation and justification for these policies: Supplementary Planning Guidance (SPG) | Local Development Plan | East Lothian Council
- 17.14 Policy CH2: Development Affecting Conservation Areas of the East Lothian Local Development Plan 2018 outlines the requirements that development proposals must satisfy for a location within a designated conservation area. Most, but not currently all, of, East Lothian's conservation areas have an approved Article 4 direction dating from 1978 or 1981 which removes permitted development rights appropriate to that particular conservation area. These directions were put in place to protect the conservation area from potentially adverse effects of cumulative changes that might not otherwise have required planning permission. In 2012 the Town and Country Planning (General Permitted Development) (Scotland)

Amendment Order 2011 came into force that has restricted permitted development rights for householder development in all designated conservation areas thus superseding parts of the Article 4 direction. In May 2024, the Council commenced a review of its Article 4 Directions with a view to introducing an updated replacement Direction that will apply to all of East Lothian's conservation areas, subject to Scottish Ministers approval.

- 17.15 In addition, LDP1 provides policies that ensure that archaeology is properly dealt with when planning applications affect an area of archaeological interest or its setting and that proper recording of any archaeology is undertaken at the appropriate time. Historic battlefields, currently protected in the national interest are the subject of a separate policy that seeks to avoid harm to them from development proposals.
- 17.16 Historic gardens and designed landscapes whether of national regional or local significance are also protected through a separate policy, CH6 Gardens and Designed Landscapes. Further survey and analysis work is currently ongoing in partnership with Scotland's Gardens and Landscape Heritage to survey and record priority gardens and designed landscapes of more local importance to provide additional information to enable better decisions to be made in future in line with this policy. The LDP also contains some site specific policies relating to locally significant heritage. All historic environment planning policies will be reviewed for the Proposed Plan to reaffirm their continuing relevance.
- 17.17 Most of these planning policies are long standing and have withstood scrutiny at planning appeals. How the policies are applied is on a case by case basis through planning and listed building consent applications. Historic environment designations affect many properties in East Lothian, for example approximately 18% of properties are either listed buildings or lie within a conservation area which gives an indication of the importance of the built heritage of East Lothian. Approximately 16% of planning applications and listed building applications made each year affect historic buildings and conservation areas.
- 17.18 The historic environment is the backbone of most of East Lothian's towns, landscapes and coast, and is a key element of placemaking in the county. The historic burghs, harbours, farms and road networks are all still very much in use today and give East Lothian its distinctive character which is enjoyed by residents and visitors alike. Several of the prominent landscape features and landmarks in the county have added significance and protection because of their archaeological remains, examples include Traprain and North Berwick Laws.
- 17.19 The historic environment of East Lothian is beneficial to its economy in terms of the value placed on it by visitors to East Lothian. The county's historic environment and historic sites are promoted by Visit Scotland and 57% of all visitors to East Lothian did general sightseeing/touring including towns and villages with 17% specifically visiting historic buildings in 2021. It also provides the unique environments in which much of daily life in East Lothian is undertaken. Additionally, there is a tangible benefit to many residents as the historic environment has been used to help revitalise town centres and tackle areas of social deprivation. Historic environment grant schemes and environmental improvement schemes have significantly improved town centre conservation areas such as Haddington, Tranent, Cockenzie and Dunbar and a recently completed coordinated heritage project in Prestonpans centred on the war memorial, the 14th C Preston Tower and Prestongrange Heritage Park, as well as ongoing building repair and restoration work by the Ridge in Dunbar are all examples of using heritage as a vehicle to better local communities.

Change

- 17.20 Among the historic environment designations, the Council is responsible for are the designation and management of conservation areas, category C listed buildings and locally or regionally significant gardens and designed landscapes as well as non-scheduled sites of archaeological interest. Conservation Areas are areas of special architectural or historic interest, the character of which is important to conserve or enhance. Currently there are 30 designated conservation areas in East Lothian.
- 17.21 Conservation Area Character Appraisals and Management Plans aim to provide a strong framework for the justification required to protect heritage places. While the Council is generally well-advanced with the identification and protection through careful management of its heritage areas there is scope for further

improvement in the understanding of some conservation areas. Further review work will identify any boundary changes or additional individual places for protection as part of a programme to upgrade summary Conservation Area Character Statements into full Appraisals. These will be linked to settlement statements as part of the Spatial Strategy as well as Supplementary Planning Guidance.

- 17.22 East Lothian has experienced additional development in and around its existing conservation areas, which include many Town and Local Centres. A key challenge is upholding and restoring the distinctive architectural built form and landscape character of East Lothian's settlements and its wider rural area, protecting heritage buildings and structures, key landmarks, important vistas and riverside environs while encouraging only appropriate, high quality new development. Masterplans and design briefs have identified key gateways and landmarks for specific areas and can be identified, if appropriate, in Conservation Area Appraisals.
- 17.23 Currently 29 Conservation Areas in East Lothian have a Conservation Area Character Statement and one has a full Conservation Area Character Appraisal and Management Plan. These will be reviewed to consider if each current designated Conservation Area should remain as a designated Conservation Area and to review its detailed boundary; to turn the current Conservation Area Character Statement for each Conservation Area into a full Conservation Area Character Appraisal; to provide each Conservation Area with a Management Plan; to provide a new Article 4 Direction for each Conservation Area removing appropriate permitted development rights and to consider if any new Conservation Areas should be designated. A separate Management Plan will be prepared for each Conservation Area with input from Development Management Planners and included with the Character Appraisal. When approved, the updated Article 4 Directions will be included in the Management Plans.
- 17.24 Work has already commenced with the intention that all Conservation Area Character Appraisals and Management Plans are prepared for the Proposed Plan stage of Local Development Plan 2 at which time there will be public consultation. All comments received at that time will be considered and may result in modification before the final Proposed LDP 2 is approved by East Lothian Council. The full list of Conservation Areas that are included in the Review is Musselburgh; Inveresk; Prestonpans; Harlaw Hill; Cockenzie and Port Seton; Tranent; Ormiston; New Winton; East Saltoun; Pencaitland; Glenkinchie; Aberlady; Garvald; Haddington; Gifford; Gullane; Dirleton; Athelstaneford; North Berwick; Drem; Whitekirk; East Linton; Tynninghame; Stenton; Innerwick; West Barns; Belhaven; Dunbar ; Spott and Oldhamstocks.
- 17.25 Another key challenge is energy efficiency in old buildings. Energy generation on site and energy efficiency will be important to highlight and we will consider through policy and guidance how these can be accommodated without harm to the architectural and historic character of designated parts of the historic environment including Conservation Areas. The next phase of permitted development rights is in relation to domestic renewables. This will impact on conservation areas and policy and guidance must ensure that the impact is kept to a minimum.
- 17.26 Town Centre Strategies, each of which incorporates a regeneration strategy, have identified actions to improve town centre performance including public realm improvement though it is recognised that strict criteria surrounding developer contributions limits the capacity to collect contributions to fund high quality public realm design and treatment. It will be important to ensure that public realm works incorporate sustainable design and development principles and that safety and disability access are part of new development or retrofitted into existing developments.
- 17.27 Not all of East Lothian's buildings at risk are on the Buildings at Risk Register and in particular there are a large number of vernacular farm and other buildings in the countryside which merit inclusion on the list but have not been surveyed. Several other buildings at risk in East Lothian have been indicated to Historic Environment Scotland, who manage the national register, but await survey by Historic Environment Scotland officers prior to inclusion on the register. Given the new focus on brownfield land and empty buildings in NPF4 the extent to which the LDP can play a role in encouraging the reuse of buildings at risk should be examined with a view to setting out opportunities for such beneficial reuse of these historic environment assets in each settlement and within the countryside of East Lothian.

- 17.28 The ongoing review of Gardens and Designed Landscapes of local/regional significance in partnership with Scotland's Garden and Landscape Heritage is important to correctly identify those local gardens of significance and to ensure this is taken into consideration under future planning policy. The review is extensive and expected to result in some 30-40 additional garden and designed landscape designations in East Lothian. These will be added to appropriate national web sites and to the East Lothian Historic Environment Record as they are confirmed and will also be taken into account in the development of the Proposed Plan.
- 17.29 In addition to the pressures on East Lothian's historic towns and villages there is a need to ensure that the essential character and uniqueness of the historic coast and countryside is taken into account and there is the opportunity to ensure that there is further integration of these with natural environment considerations. This would build on the work of designated Special Landscape Areas and are important elements of seeking solutions to the nature emergency. Examples of this include preserving archaeological sites by using green space in developments and maintaining historic field boundaries which are a distinctive and important part of the wider historic environment and can also be important habitats and highways for insects and animals.
- 17.30 The same is also true in respect of the Climate emergency. The contribution of the historic environment to carbon reduction needs to be fully acknowledged, for example the reuse of historic buildings and structures can be far more beneficial in terms of reuse of embodied carbon than a new building.
- 17.31 There is an opportunity to ensure that sustainable developments, energy generation, and sustainable infrastructure are designed and built not only by taking the historic environment into account but by using it to enhance good place making. The historic environment can be part of the solution for sustainability and energy efficiency and LDP2 should seek to encourage this.
- 17.32 Generally, planning policies for the historic environment are likely to remain quite constant as there will be a continued aim to protect and carefully manage historic assets and particular features of the historic environment that are characteristic of East Lothian. However, policy and guidance will be reviewed to ensure that new pressures, such as from the nature and climate emergencies, can be addressed without harm to the local character of the historic environment. Part of this exercise will include the review of conservation area management plans and guidelines.
- 17.33 Consideration will have to be given to the relevance of current Supplementary Planning Guidance for the historic environment and its relationship to the planning policy in the LDP, potentially giving more weight to planning policy. As East Lothian comes under pressure for significant energy related infrastructure in its countryside the setting of the different aspects of the designated historic environment could be affected and planning policy may require to be reviewed to ensure that setting is fully considered in the development process.
- 17.34 **Key Objectives for the Historic Environment in LDP2**
- To ensure that planning policies retain all designated and locally important heritage places and conserve and re-use heritage places including buildings at risk.
 - To ensure that all new development in a conservation area respects the architectural and historic character of that conservation area and responds sympathetically to its fabric, identity and overall character.
 - To ensure that all nationally designated and locally important heritage assets and places and their settings are adequately protected and that changes to them are managed in an appropriate way.
 - To further integrate the historic environment into the solutions for the Climate and Nature emergencies.
 - To ensure that the historic environment of East Lothian is integrated into future placemaking maximising public benefit.
 - To ensure that archaeological sites and monuments (both designated and non-designated) are considered at an early stage in design and development process and due consideration is given to potential impacts (both direct and indirect).

AREAS WHERE THERE IS AGREEMENT OR DISPUTE ON ISSUES AND POSSIBLE APPROACHES.

17.35 There was agreement through the engagement that East Lothian has a valuable historic heritage, and it is important this is not damaged by inappropriate levels or types of development. There are no identified areas of dispute on issues and possible approaches.