

REPORT TO: Planning Committee
MEETING DATE: Tuesday 9 April 2013
BY: Executive Director (Services for Communities)
SUBJECT: Application for Planning Permission for Consideration

Note: this application was called off the Scheme of Delegation List by Councillor Goodfellow for the following reasons - This development is in a sensitive location in North Berwick Conservation Area and the building and surrounding wall are listed. There have been 7 objections to this development and it therefore deserves a public hearing.

Application No. **12/00905/P**

Proposal Alterations and extension to house, erection of carport with store and associated works

Location **Engine Cottage
Abbotsford Road
North Berwick
East Lothian
EH39 5DA**

Applicant Mr Alan Brown

Per Zone Architects

Ward 5

RECOMMENDATION Consent Granted

PLANNING ASSESSMENT

The property to which this application relates is a 2 storey and attic rectangular plan shaped and gabled detached house set within a wooded area (Carlekemp Plantation) that in part is the garden ground of the house. The house and its garden ground are within a predominantly residential area as defined by Policy ENV1 of the adopted East Lothian Local Plan 2008. They are also within North Berwick Conservation Area. The house is listed as being of special architectural or historic interest (Category B).

Nearby is the Category A listed building of Carlekemp and its boundary walls. Part of those listed boundary walls enclose the south and a short length of the west boundaries of the garden ground of Engine Cottage.

Planning permission is sought for the extension of Engine Cottage comprising: (i) a south wing that in part would be two storey with a pitched roof, part single storey with a flat roof in

the form of a garden terrace and otherwise with a flat roofed, mostly glazed north side component; and (ii) a two storey, rectangular shaped, pitched roofed, north wing. The proposed south wing would attach to the full length of the south gabled elevation of Engine Cottage and would project beyond the building lines of both the front (west) and rear (east) elevations of Engine Cottage. The proposed north wing would not itself attach to Engine Cottage. In its position it would, at its nearest, be some 5.7 metres away from the northeast corner of Engine Cottage. The proposed south and north wings would be linked by a long single storey, flat roofed structure that would have a full length glazed west elevation positioned some 4.5 metres behind the rear (east) elevation of Engine Cottage. Through a proposed raising of ground levels this link structure would be incorporated into the sloping garden ground to the east of Engine Cottage and consequently would not have an exposed east elevation. The flat roof of it would be mostly turfed and otherwise would have on it a row of glazed rooflights and a strip of paving. The link structure would contain a swimming pool.

In addition planning permission is sought for: (i) the replacement of the 2 roof windows on the principal (west) elevation roof slope of Engine Cottage with 2 conservation style roof windows; and (ii) the hardsurfacing of parts of the garden ground of the house, and (iii) the erection of a car port with store in the garden of Engine Cottage, some 20.4 metres to the northeast of the northeast corner of Engine Cottage.

Through separate application 12/00905/LBC listed building consent is sought for the proposed extension and roof windows. In addition listed building consent is sought for the lowering of the highest part of the stepped stone wall that partly encloses the west boundary of the property. A report on application 12/0905/LBC is at this time on the Committee Expedited List.

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

The development plan is the approved Edinburgh and the Lothians Structure Plan 2015 and the adopted East Lothian Local Plan 2008.

Policies ENV1C (International and National Historic or Built Environment Designations,) ENV1D (Regional and Local Natural and Built Environment Interests) and ENV1G (Design of New Development) of the approved Edinburgh and the Lothians Structure Plan 2015 and Policies ENV3 (Listed Buildings), ENV4 (Development within Conservation Areas), ENV7 (Scheduled Monuments and Archaeological Sites), DP2 (Design), DP6 (Extensions and Alterations to Existing Buildings) DP14 (Trees On Or Adjacent To Development Sites), and T2 (General Transport Impact) of the adopted East Lothian Local Plan 2008 are relevant to the determination of the application.

Material to the determination of the application are Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and Scottish Planning Policy: February 2010.

Scottish Planning Policy echoes the statutory requirements of Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 that in considering whether to grant planning permission for development which affects a listed building or its setting a planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Scottish Planning Policy echoes the statutory requirements of Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 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. It is stated in Scottish Planning Policy that proposed development that would have a neutral affect upon the character or appearance of a conservation area (i.e. does no harm) should be treated as one which preserves that character or appearance. The design, materials, scale and siting of new development within a conservations area should be appropriate to the character of the conservation area.

There are 7 objections to the application. The objections are made on the grounds that:

(i) the proposed development would be in a sensitive location in North Berwick Conservation Area and the building is a listed building. The proposed development would not be sensitive to its location and would be totally out of proportion with the existing building;

(ii) the mass and height of the proposed extension would more than treble the footprint of the cottage and thus completely alter the character of the cottage and its immediate environs. It will dwarf and detract from the existing listed building of Engine Cottage;

(iii) the materials, different styles and glazed gable walls of the extension will not be in keeping with the listed building and will not preserve or enhance the historic character of the existing building;

(iv) the proposed development will harm the setting of the listed buildings of Engine Cottage, the former Carlkemp Priory and its listed boundary wall;

(v) the lowering of the A listed west boundary wall will detract from the appearance of Engine Cottage;

(vi) the appearance of the proposed development will look odd with what is already there and be an eyesore;

(viii) the erection of separate buildings should not be permitted;

(ix) the proposed development may involve damage or destruction of trees;

(v) the proposed development will set a precedent for future additional buildings in the Carlkemp area;

(vii) the proposed extension could be struck by a golf ball hit from the 5th tee;

(ix) access to Engine Cottage is via a small entrance from Abbotsford Road which is not suitable for large lorries making deliveries to the site. The golf course will not allow the owner of the house to access the site via the golf course maintenance road;

(x) There would be considerable disruption to the golf Course as a result of access that would be required and the extensive use of glass would cause reflective problems to players;

(xi) In the past other owners of the building have been refused planning permission for developments previously;

(xii) Potential environmental damage;

North Berwick Community Council as a consultee on the application state:

- (i) Engine Cottage is a listed building;
- (ii) the proposed extension is entirely inappropriate both for the historic and architectural structure of the original building and to the character of the Conservation Area;
- (iii) the setting of a listed building must be safeguarded;
- (iv) previous applications for the erection of buildings in the curtilage of Carlekemp Priory were refused planning permission and this is an even more obtrusive application;

The health and safety matter of the proposed extension being hit by golf balls and whether or not the glazing of the extension and would cause reflective problems for golfers are not material planning considerations in the determination of this planning application.

There is nothing in the application drawings that indicates that it is the applicant's intention to use the golf course to access the site during the construction period of the extension. Any such access agreement would be between the applicant and the Golf Course and is not a material consideration in the determination of this application for planning permission.

The lowering of the highest part of the stepped stone wall that encloses the southern end of the west boundary of the property of Engine Cottage does not require planning permission and does not form part of this planning application. Therefore the objection to the lowering of the wall is not a material planning consideration in the determination of this planning application. The lowering of the wall does however require listed building consent and does form part of listed building consent application 12/00905/LBC. The report on application 12/00905/LBC concludes that the lowering of the highest part of the wall in the manner proposed would not harm the special architectural or historic interest of the listed building.

Objectors allude to previous decisions of refusal to grant planning permission for development. The particular cases concern previous applications 98/00667/FUL, 04/00017/OUT and 05/01133/OUT. Application 98/00667/FUL sought planning permission for the erection of a building to contain nine flats on the south-eastern part of the Carlekemp Plantation, some 30 metres to the northeast of the nearest part of the property of Engine Cottage. Consequently the circumstance of that decision has no relevance to a development proposal for an extension to Engine Cottage. Applications 04/00017/OUT and 05/01133/OUT both sought outline planning permission for the erection of a house on the eastern part of the garden ground of Engine Cottage. Again such proposed development is not the same as a development proposal for an extension to Engine Cottage and the circumstance of those two decisions also has no relevance to a development proposal for an extension to Engine Cottage.

What is now proposed in this planning application is householder development in the form of an, albeit large extension to the existing house of Engine Cottage and for associated development and thus is quite different from what was previously proposed in applications 98/00667/FUL, 04/00017/OUT and 05/01133/OUT. Unlike before, the consideration in the determination of this application is whether or not the proposed extension and associated development is appropriate to its place.

The wooded area of garden ground of Engine Cottage slopes moderately steeply downhill from east to west, and to a lesser extent from south to north. It becomes more level towards the western boundary of the property, which boundary abuts the neighbouring golf

course. The house sits in a clearing in the trees on this more level ground and as such is visible in public views from places to the west. The house has a simple rectangular shaped footprint with the ridge of its roof running from north to south. The principal elevation of the house is its west elevation which faces out over the neighbouring golf course. The ground floor of the house is constructed of Rattlebag stone in a squared rubble form. The first floor of the house is of a timber framed Tudor style architectural form. The ground level adjacent to the south side of the house is some 1.5-2m higher than the ground floor level of the house and continues to rise upwards towards the south boundary of the property to a height of some 3m. The south gable elevation of the house has been built into this higher ground and consequently the ground floor component of that south elevation is almost completely obscured by it.

Although the south wing of the proposed extension would in total be some 19.5m in length it would be built into the higher ground levels to the south side of Engine Cottage and the flat top of the single storey component of it would be no higher than the length of stone wall that is to remain on the southern part of the west boundary of the property and which would give concealment to it. Due to the proposed positioning of the south wing only the first floor part and pitched roof of it would be seen in relation to Engine Cottage. Moreover it would be seen in an almost detached form in a position set back from and to the south of Engine Cottage. Consequently and because the west elevation of the two storey part of it would be mostly glazed, the south wing of the proposed extension, notwithstanding its overall size, would not obscure the existing built form of Engine Cottage and would not dominate or draw focus from Engine Cottage. Contributing to this is that the proposed south wing would be mostly glazed

Although it would be large in size and two storeys in height the north wing of the proposed extension, in its set back detachment from Engine Cottage and because the west elevation of it would be mostly glazed would also not obscure the existing built form of Engine Cottage and would not dominate or draw focus from Engine Cottage. Nonetheless it would appear sufficiently integrated with Engine Cottage to meaningfully read as an adjunct to it.

As it would be mostly behind Engine Cottage, set into the rising ground to the east and with only a part of its glazed west elevation visible in public views from the west the flat roofed link structure to be formed between the south and north wings of the proposed extension would not be prominent or dominant in its relationship with Engine Cottage. Neither would it draw focus from Engine Cottage.

These three components of the proposed extension would not, either by their individual or cumulative size, scale, massing or positioning be a harmful overdevelopment of Engine Cottage. They would sit comfortably in the wooded setting of Engine Cottage and they and their relationship with Engine Cottage would be visually contained by the trees that are to be retained. By their contrasting architectural form to that of Engine Cottage they would have a harmonising relationship with the listed building such that they would not compromise its special architectural or historic interest.

Although the proposed extension would substantially increase the footprint of Engine Cottage for all of these reasons it would not be harmful to the character and appearance of the listed building or of the Conservation Area.

Due to its distance away from the building of Carlekemp and with the amount of intervening woodland the proposed extension would not harm the setting of the Category A listed building of Carlekemp.

The front (west) elevation roof slope of Engine Cottage has two roof windows on it. It is proposed to remove these two roof windows and replace them with two conservation type

roof windows. Contrary to what The Architectural Heritage Society of Scotland asserts there is no intention to increase the size of the roof windows. The proposed conservation roof windows owing to their low profile and traditional form would be in keeping with the special architectural or historic interest of the listed building and the character and appearance of the Conservation Area.

On all of the foregoing considerations the proposed extension and roof windows are consistent with Policies ENV1C, ENV1D and ENV1G of the approved Edinburgh and the Lothians Structure Plan 2015, Policies ENV3, ENV4 and DP6 of the adopted East Lothian Local Plan and with Scottish Planning Policy: February 2010.

There are no nearby neighbouring residential properties that would be close enough to Engine Cottage to be affected by overlooking or overshadowing from the proposed extension. Thus on the considerations of privacy and amenity it is consistent with Policy DP6 of the adopted East Lothian Local Plan 2008.

The proposed car port with store would be erected on the lower, western part of the wooded garden of Engine Cottage, in a position some 20.4 metres to the northeast of the northeast corner of Engine Cottage and some 8m to the north side of the proposed north wing of the proposed extension. The building line of its west (side) elevation would be positioned some 2.5m back eastwards from the building line of the west elevation of the north wing of the proposed extension and some 7.5m back from the building line of the principal west elevation of Engine Cottage. It would be some 7m in width, some 7m in length and some 5.3m in height. It would have a mainly pitched roof that would be clad in slate. The store component of it which would have a lower, mono-pitched roofed would be attached to the north side of the car port. The north, east and west elevations of the building would be constructed of timber. Its south elevations would be open sided.

Owing to its lightweight timber form, of its size and scale and of its detached positioning the proposed carport with store would not impose itself on or draw focus from Engine Cottage either as existing or as to be extended. It would not be an overdevelopment of the large garden of the house. As it would be discreetly positioned on the lower, western part of the garden, positioned amongst a number of mature trees, and provided its walls are painted or stained an acceptable colour the proposed carport and store would not be an overly prominent or obtrusive addition to the garden of the Engine Cottage. It would not harm the setting of Engine Cottage or be harmful to the character and appearance of the Conservation Area.

The proposed car port would be accessed via an existing private drive within the grounds of Engine Cottage. It is proposed to lay a gravelled surface on the grass surface of the existing track and also over an area of grass at the bottom of the track to the north side of the proposed north wing. By virtue of it being laid on the existing track and between the proposed car port and proposed north wing extension, and provided the gravel is of an acceptable colour it would not harm the setting of the listed building of Engine Cottage or the character and appearance of the Conservation Area.

It is also proposed to form new paved hardsurfaced areas to the north and west sides of Engine Cottage to replace some existing paving with new stone paving. Provided the new stone paving is of an acceptable colour the proposed hardsurfacing of those areas in the manner proposed would not by virtue of its positioning and extent harm the setting of the listed building of Engine Cottage or the character and appearance of the Conservation Area.

On those considerations the proposed car port with store and hardsurfacing is consistent with Policies ENV1C and ENV1D of the approved Edinburgh and the Lothians Structure

Plan 2015, Policies ENV3, ENV4 and DP2 the adopted East Lothian Local Plan 2008 and Scottish Planning Policy: February 2010.

In a representation to the application that is not an objection the design of the proposed extension is commended. However it is suggested that regard be given to the matter of road safety during the construction period of the development. In particular it is asked that consideration be given to allowing the formation of a temporary access in part of the existing boundary wall enclosing the south side of the property of Engine Cottage to allow construction traffic to park in the grounds of Engine Cottage rather than along the road.

The formation of a temporary access in the roadside boundary wall would require planning permission and the alterations to the wall to form any such access would require listed building consent. No such access has been proposed through this planning application and therefore such matter is not a material planning consideration in the determination of this planning application.

The Head of Transportation raises no objection to the proposed development which is consistent with Policy T2.

The Council's Environmental Protection service raises no objection to the application.

An Arboricultural consultant's tree survey report has been submitted with the application. The findings of it are that only one existing tree - a sycamore tree - which is in a position adjacent to where the proposed carport would be positioned would consequentially have to be removed. A further nine trees have been identified for removal on arboricultural grounds. The remaining trees on the site would be retained and protected during the duration of the carrying out of construction works on the site. The Arboricultural Report also states that all development would be carried out in accordance with the recommendations of British Standard 5837: 2005 'Trees in relation to construction' and all tree work would be carried out in accordance with BS3998:2010 'Recommendations for Tree Work'.

The Council's Policy and Projects Section accepts the findings of the Arboricultural Report and confirms that the loss of the ten trees is acceptable and will not harm the landscape character and appearance of the area. Therefore and provided all works to the trees are carried out in accordance with the Arboricultural Report, which can be made a condition of a grant of planning permission, the proposed extension, car port with store and hardsurfaced areas are consistent with Policy DP14 of the adopted East Lothian Local Plan 2008.

The Council's Archaeology Officer advises that Engine Cottage is within any area of considerable archaeological importance. Because of this the Archaeology Officer recommends that a programme of archaeological works (Archive Assessment and Monitored Strip) be carried out prior to the commencement of development. This can be secured through a condition attached to the grant of planning permission for the proposed development. This approach is consistent with Scottish Planning Policy: February 2010, Planning Advice Note 2/2011: Planning and Archaeology and with Policy ENV7 of the adopted East Lothian Local Plan 2008.

CONDITIONS:

- 1 No development shall be carried out unless and until samples of materials to be used on the extension hereby approved have been submitted to and approved by the Planning Authority. The materials used shall accord with the samples so approved.

Reason:

To safeguard the special architectural or historic interest of the listed building and the character and appearance of the Conservation Area.

- 2 The roof windows hereby approved shall be installed in a manner that ensures their upper surfaces are as near flush as possible with the upper surfaces of the roof slopes into which they will be installed and with minimum flashing.

Reason:

To reduce the visual impact of the roof windows in the interest of safeguarding the special architectural or historic interest of the listed building and the character and appearance of the Conservation Area.

- 3 Samples of the materials to be used to form the hardsurfaces hereby approved shall be submitted to and approved by the Planning Authority prior to their use in the development. The materials used shall accord with the samples so approved.

Reason:

To safeguard the setting of the listed building and the character and appearance of the Conservation Area.

- 4 Within 1 month of the carport with store having been erected its walls shall be painted or stained a colour to be submitted to and approved by the Planning Authority.

Reason:

To safeguard the setting of the listed building and the character and appearance of the Conservation Area.

- 5 Only the trees detailed to be removed in the "Tree Survey, Management Proposals & Arboricultural Impact Assessment": January 2013 docketed to this planning permission shall be felled and removed from site. None of the other trees shall be felled and the works to them shall be carried out in accordance with the details in that docketed report, unless otherwise approved by the Planning Authority.

Reason:

To ensure the retention and maintenance of trees and vegetation in the interests of safeguarding the landscape setting of the listed building and the character and appearance of the Conservation Area.

- 6 No development shall take place on the site until all existing trees to be retained on the site have been protected by temporary protective fencing and by the laying of the cellular web with gravel surfacing all in accordance with the "Tree Survey, Management Proposals & Arboricultural Impact Assessment": January 2013 docketed to this planning permission. The protective fencing and cellular web with gravel surfacing shall remain in place until construction works are completed.

Reason:

To ensure the retention and maintenance of trees and vegetation in the interests of safeguarding the landscape setting of the listed building and the character and appearance of the Conservation Area.

- 7 New trees of the number, type and positioning as detailed in "Tree Survey, Management Proposals & Arboricultural Impact Assessment": January 2013 docketed to this planning permission shall be planted in the first planting season following the commencement of development or within such longer period as may be agreed, in writing, with the Planning Authority. Any trees dying within the first 5 years following planting shall be replaced and thereafter maintained to the satisfaction of the Planning Authority

Reason:

In the interests of safeguarding the landscape character of the area, the setting of the listed building and the character and appearance of the Conservation Area.

- 8 No development shall take place until the applicant has, through the employ of an archaeologist or archaeological organisation, secured the implementation of a programme of archaeological work (Archive Assessment and Monitored Strip) on the site of the proposed development in accordance with a written scheme of investigation which the applicant will submit to and have approved in advance by the Planning Authority.

Reason:

To facilitate an acceptable archaeological investigation of the site.