### LOCAL REVIEW BODY

23 October 2025

Application No: 25/00618/P

5 Bowmont Terrace, Queens Road, Dunbar EH42 1LF

Appointed Officer's Submission

#### 25/00618/P - REVIEW AGAINST DECISION - PLANNING OFFICER'S SUBMISSION

Planning Application Review Against Decision (Refusal): Erection of conservatory at 5 Bowmont Terrace, Dunbar.

#### INDEX OF CONTENTS:

16th September 2025

**Scott Robertson** 

Assistant Planner (Planning Delivery)

#### OFFICER REPORT

#### **15th August 2025**

App No. 25/00618/P Application registered on 13th June 2025

Target Date 12th August 2025

Proposal **Erection of conservatory** SDELL N

CDEL N

Location **5 Bowmont Terrace** 

Queens Road Bad Neighbour N

**Dunbar** Development

**EH42 1LF** 

APPLICANT: **Mr & Mrs Llewellyn**Is this application to be approved as a departure from structure/local plan? N

c/o John A Fyall Bsc(Hons)Bld.Eng. C.Build.E, FCABE Per John A Fyall 12 Beachmont Court Dunbar EH42 1YF

DECISION TYPE: Application Refused

#### PLANNING ASSESSMENT

This application relates to 5 Bowmont Terrace, a two storey building located within a predominantly residential area as defined by Policy RCA1 of the adopted East Lothian Local Development Plan (ELLDP) 2018. The building is listed along with nos. 3 and 4 Bowmont Terrace as being of special architectural or historic interest (Category B).

Planning permission is sought for the replacement of the conservatory on the rear (north) elevation of the building.

The existing conservatory is timber framed, painted white with a polycarbonate roof. The proposed replacement conservatory would replicate the size and scale of the existing conservatory but would be uPVC framed and feature a glass roof.

Through separate application 25/00625/P listed building consent is sought for the replacement of a conservatory. That application stands to be determined on its own merits.

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

Policies 7 (Historic Assets and Places) and 16 (Quality Homes) of NPF4 is relevant to the determination of this application. Policies CH1 (Listed Buildings), CH2 (Development Affecting Conservation Areas) and DP5 (Extensions and Alterations to Existing Buildings) of the adopted East Lothian Local Development Plan 2018 are also relevant to the determination of this application.

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

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.

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

Also material to the determination of the application is Historic Environment Scotland's (HES) Guidance "Managing Change in the Historic Environment: Extensions" 2010.

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 it provides policy guidance on replacement windows in buildings which are in a conservation area and/or buildings which are listed as being of special architectural or historic interest.

No objection has been received in relation to the application.

The proposed replacement conservatory would not be harmful to the residential amenity of any neighbouring residential properties.

Policy 7(c) of NPF4 and Policy CH1 of the adopted East Lothian Local Development Plan states that development proposals for the alteration of a listed building will only be supported where the alterations preserve its character and special architectural or historic interest.

The building of 5 Bowmont Terrace is part of a group of buildings a Bowmont Terrace that are all listed as being of special architectural or historic interest (Category B). Their rear elevations are readily visible in views from East Links Road to the north and Golf House Road to the east. Although there have been alterations to the rear of these listed buildings, they still retain traditional elements and are still of some special architectural or historic interest. The existing conservatory is attached to the rear of the listed building and is not in

itself of any particular special architectural or historic interest. Therefore the demolition of that existing conservatory would not be harmful to the special architectural or historic interest of the listed building or harmful to the character and appearance of the conservation area.

The proposed conservatory would be located in the same position as the conservatory that is to be removed. It would be subordinate in scale and form and would be located on a secondary (rear) elevation of the listed building so on those counts the proposed conservatory accords with the HES Guidance "Managing Change in the Historic Environment: Extensions" (2010) However, unlike the existing conservatory which has white painted timber frame. the proposed conservatory would have white coloured UPVC frames. The UPVC framing of the proposed conservatory would not, as required by the HES Guidance, be a high quality material appropriate for use on a category B listed building. Instead, it would be a nontraditional material that would detract from and would neither preserve nor enhance but would be harmful to the special architectural or historic interest of the listed building and the group of listed buildings at Bowmont Terrace of which it is a part.

The proposed replacement conservatory by being harmful to the special architectural or historic interest of the listed building would be harmful to the character and appearance of the Dunbar Conservation Area.

The proposed replacement conservatory by being harmful to the special architectural or historic interest of the listed building and harmful to the character and appearance of the Dunbar Conservation Area would be contrary to Policy 7 of NPF4 and Policies CH1 and CH2 of the adopted East Lothian Local Development Plan 2018 and the Scottish Government's policy on development affecting a listed building given in the Historic Environment Policy for Scotland (HEPS): April 2019.

The proposed conservatory is contrary to the development plan. There are no material planning considerations that outweigh the fact that the proposed conservatory is contrary to the development plan.

#### **REASON FOR REFUSAL:**

The UPVC framing of the proposed conservatory would not, as required by the HES Guidance, be a high quality material appropriate for use on a category B listed building. Instead it would be a nontraditional material that would detract from and would neither preserve nor enhance but would be harmful to the special architectural or historic interest of the listed building and the group of listed buildings at Bowmont Terrace of which it is a part and harmful to the character and appearance of the Dunbar Conservation Area contrary to Policy 7 of NPF4 and Policies CH1 and CH2 of the adopted East Lothian Local Development Plan 2018 and the Scottish Government's policy on development affecting a listed building given in the Historic Environment Policy for Scotland (HEPS): April 2019.

#### **LETTERS FROM**

## EAST LOTHIAN COUNCIL DECISION NOTICE

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

Mr & Mrs Llewellyn c/o John A Fyall Bsc(Hons)Bld.Eng. C.Build.E, FCABE Per John A Fyall 12 Beachmont Court Dunbar EH42 1YF

#### **APPLICANT: Mr & Mrs Llewellyn**

With reference to your application registered on 13th June 2025 for planning permission under the above mentioned Acts and Regulations for the following development, viz:-

#### **Erection of conservatory**

at 5 Bowmont Terrace Queens Road Dunbar EH42 1LF

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

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

The UPVC framing of the proposed conservatory would not, as required by the HES Guidance, be a high quality material appropriate for use on a category B listed building. Instead it would be a non traditional material that would detract from and would neither preserve nor enhance but would be harmful to the special architectural or historic interest of the listed building and the group of listed buildings at Bowmont Terrace of which it is a part and harmful to the character and appearance of the Dunbar Conservation Area contrary to Policy 7 of NPF4 and Policies CH1 and CH2 of the adopted East Lothian Local

Development Plan 2018 and the Scottish Government's policy on development affecting a listed building given in the Historic Environment Policy for Scotland (HEPS): April 2019.

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>	Revision No.	Date Received
DL/JAF/CC/01	-	13.06.2025
DL/JAF/CC/02	-	13.06.2025
DL/JAF/CC/03	-	13.06.2025
DL/JAF/CC/04	-	13.06.2025
DL/JAF/CC/05	-	13.06.2025

**18th August 2025** 

Keith Dingwall Chief Planning Officer

#### **NOTES**

If the applicant is aggrieved by the decision of the Planning Authority to grant permission for the proposed development subject to conditions, 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 decision notice. The notice of review, with the correct appropriate fee, should be submitted online at

https://www.edevelopment.scot/eDevelopmentClient/ or sent 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.

#### 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. Part 2 National Planning Policy National Planning Framework 4 46
- 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.

#### Policy 16: Quality Homes

- a) Development proposals for new homes on land allocated for housing in LDPs will be supported.
- b) Development proposals that include 50 or more homes, and smaller developments if required by local policy or guidance, should be accompanied by a Statement of Community Benefit. The statement will explain the contribution of the proposed development to: i. meeting local housing requirements, including affordable homes; ii. providing or enhancing local infrastructure, facilities and services; and iii. improving the residential amenity of the surrounding area. Part 2 National Planning Policy National Planning Framework 4 63
- c) Development proposals for new homes that improve affordability and choice by being adaptable to changing and diverse needs, and which address identified gaps in provision, will be supported. This could include: i. ii. iii. self-provided homes; accessible, adaptable and wheelchair accessible homes; build to rent; iv. affordable homes; v. a range of size of homes such as those for larger families; vi. homes for older people, including supported accommodation, care homes and sheltered housing; vii. homes for people undertaking further and higher education; and viii. homes for other specialist groups such as service personnel.
- d) Development proposals for public or private, permanent or temporary, Gypsy/Travellers sites and family yards and Travelling Showpeople yards, including on land not specifically allocated for this use in the LDP, should be supported where a need is identified and the proposal is otherwise consistent with the plan spatial strategy and other relevant policies, including human rights and equality.

- e) Development proposals for new homes will be supported where they make provision for affordable homes to meet an identified need. Proposals for market homes will only be supported where the contribution to the provision of affordable homes on a site will be at least 25% of the total number of homes, unless the LDP sets out locations or circumstances where: i. a higher contribution is justified by evidence of need, or ii. a lower contribution is justified, for example, by evidence of impact on viability, where proposals are small in scale, or to incentivise particular types of homes that are needed to diversify the supply, such as self-build or wheelchair accessible homes. The contribution is to be provided in accordance with local policy or guidance.
- f) Development proposals for new homes on land not allocated for housing in the LDP will only be supported in limited circumstances where: i. the proposal is supported by an agreed timescale for build-out; and ii. the proposal is otherwise consistent with the plan spatial strategy and other relevant policies including local living and 20 minute neighbourhoods; iii. and either: delivery of sites is happening earlier than identified in the deliverable housing land pipeline. This will be determined by reference to two consecutive years of the Housing Land Audit evidencing substantial delivery earlier than pipeline timescales and that general trend being sustained; or the proposal is consistent with policy on rural homes; or the proposal is for smaller scale opportunities within an existing settlement boundary; or the proposal is for the delivery of less than 50 affordable homes as part of a local authority supported affordable housing plan.
- g) Householder development proposals will be supported where they: i. do not have a detrimental impact on the character or environmental quality of the home and the surrounding area in terms of size, design and materials; and ii. do not have a detrimental effect on the neighbouring properties in terms of physical impact, overshadowing or overlooking.
- h) Householder development proposals that provide adaptations in response to risks from a changing climate, or relating to people with health conditions that lead to particular accommodation needs will be supported.

East Lothian Local Development Plan 2018

Policy CH1: Listed Buildings

Internal or external alterations or extensions to listed buildings will only be permitted where they do not harm the architectural or historic character of the building.

The demolition of a listed building will not be permitted unless the building is no longer of special interest, is incapable of repair or there are overriding environmental or economic reasons, and it must be satisfactorily demonstrated that every effort has been made to continue the present use or to find a suitable new use.

New development that harms the setting of a listed building will not be permitted.

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.

Policy DP5: Alterations and Extensions 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;

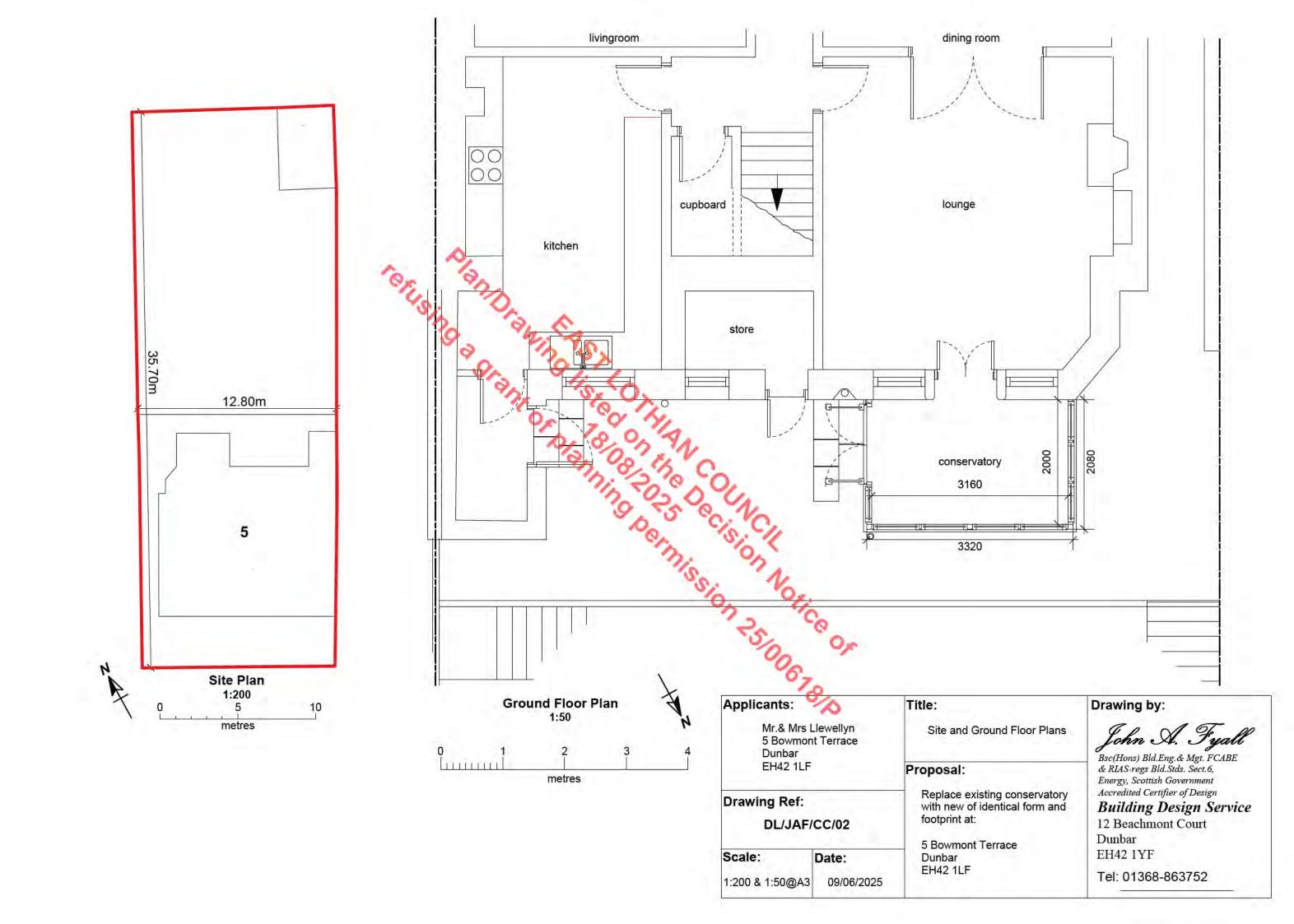
Development that does not comply with any of the above criteria will only be permitted where other positive planning and design benefits can be demonstrated.

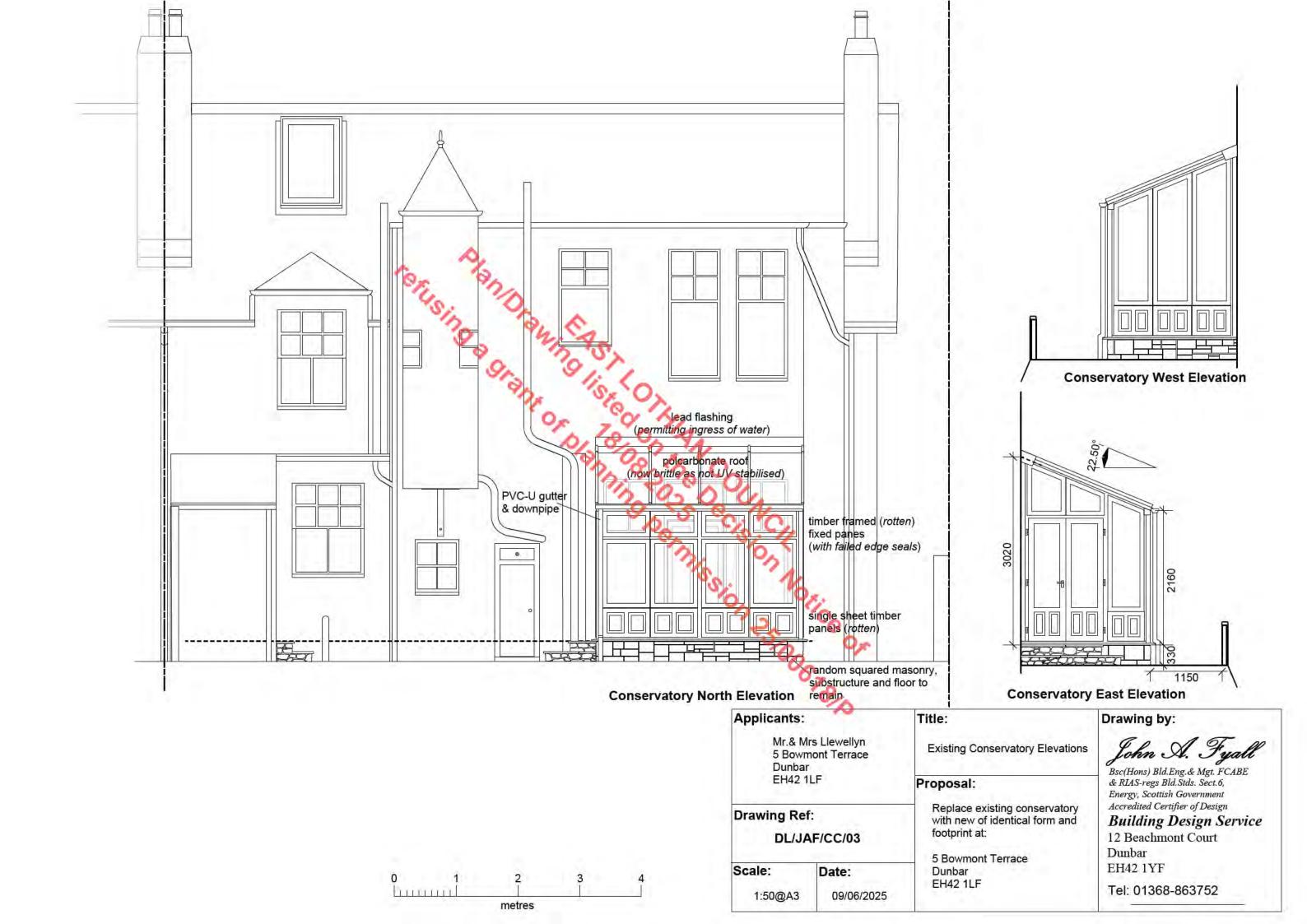
Schedule of conditions for 25/00618/P if appeal is upheld:

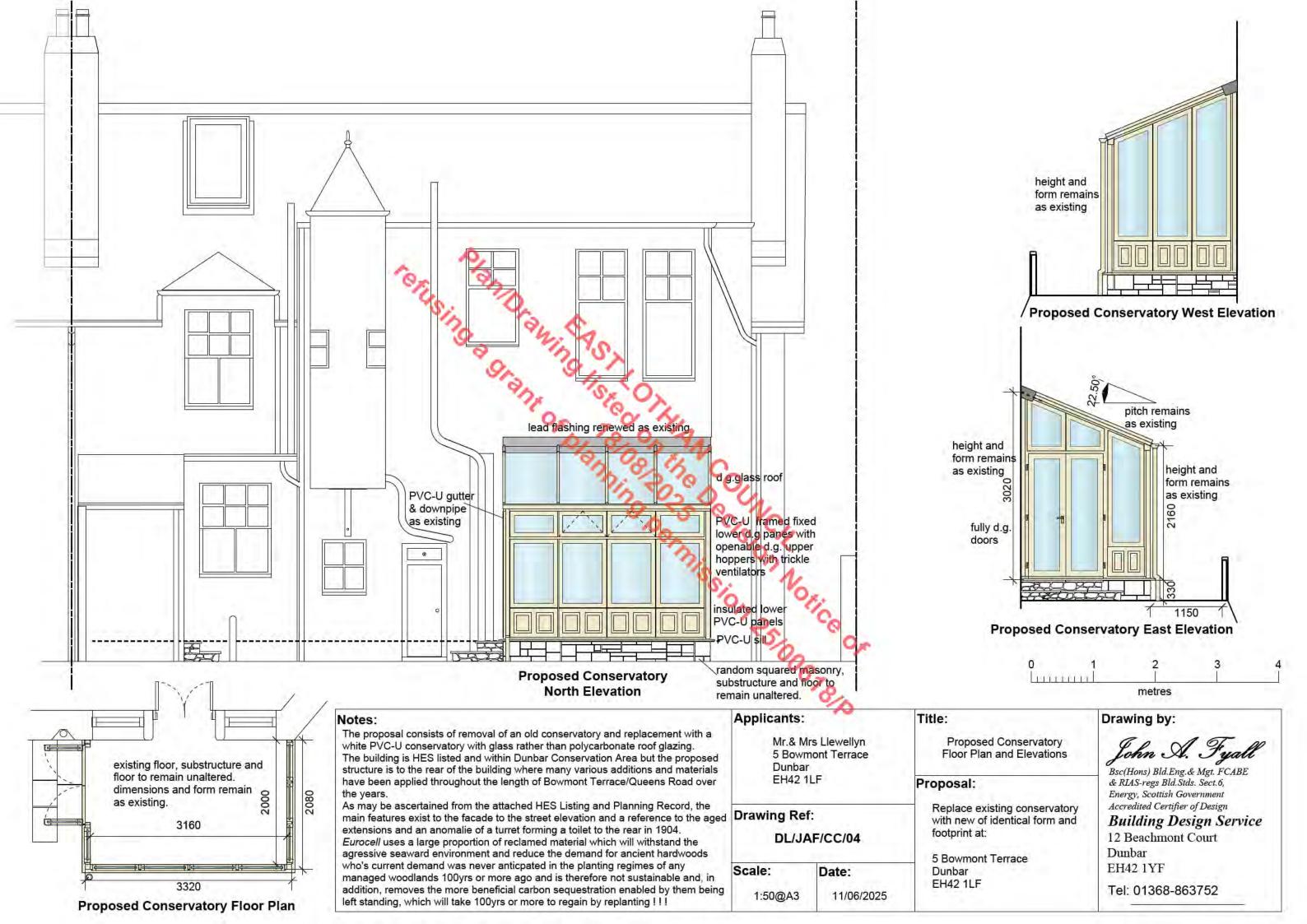
1. The development hereby approved shall begin before the expiration of 3 years from the date of this permission.

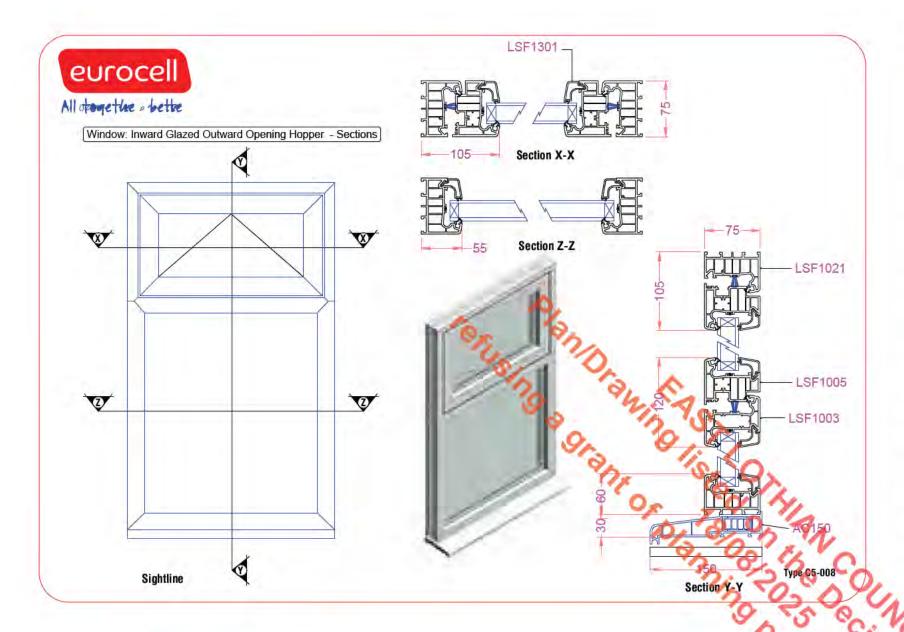
Reason:

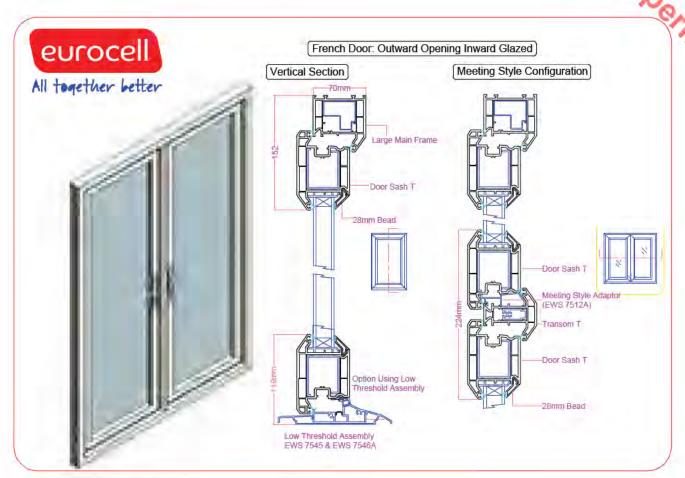
Pursuant to Section 58 of the Town and Country Planning (Scotland) Act 1997 as amended.











# Eurocell Sets Benchmark for Recycled PVC-U in Extrusion 5 June 2024





Eurocell, which operates the largest PVC-U recycling operation in the UK, achieved 32 per cent recycled PVC-U in extrusion in 2023, up from 27 per cent in 2021 - setting a new bar for recycled materials in the design and manufacture of its PVC-U windows and doors.

Eurocell's dedication to sustainability is demonstrated through its innovative manufacturing processes, where its profiles division blends raw PVC resin with recycled materials sourced from the company's cutting-edge recycling plants located in Selby, North Yorkshire, and Ilkeston, Derbyshire.

These facilities are pivotal in transforming factory offcuts and old window frames, which would likely end up in landfill, into reusable raw materials. In 2023 alone, Eurocell's recycling operations saved the equivalent of approximately 3 million window frames from landfill. The business operates a closed-loop recycling system to ensure that waste PVC-U can be reused, significantly reducing environmental impact.

Sandra Gaspar, Head of Recycling at Eurocell, commented: "The increase to 32 per cent in the proportion of recycled materials in our extrusion process, is a testament to our ongoing commitment to sustainability and demonstrates how we are leading the way in PVC-U recycling.

"By integrating more recycled content into our products, we not only reduce our carbon footprint but also provide our customers with high-quality, sustainable building solutions. We are helping the industry reduce waste and lower its carbon footprint, which is what we want our forward strategy to help deliver as we look to make further inroads in our recycling operation."

Looking ahead, Eurocell has set an ambitious target to increase the proportion of recycled PVC-U in its products to 40% by 2030. The company's recycling initiatives also extend beyond its own operations and they are actively working with third-party sites to optimise material recovery and reduce waste, aiming to increase the percentage of waste recycled to 88% by 2025 and to 93% by 2030.

Eurocell facilitates efficient PVC-U recycling for installers and fabricators through its closed-loop recycling system. By offering reliable and timely collections from anyUK site, Eurocell ensures that PVC-U waste is managed responsibly. The service includes all aspects of waste management, from collection and transport to documentation, with waste transfer notes provided to demonstrate responsible handling - a testament to why the home improvement specialist won "Best PVC-U Manufacturer & Recycler 2023 - UK" at the Design and Build Awards 2023.

With a focus on continuous improvement and innovation, Eurocell is leading the way in PVC-U recycling within the industry, providing sustainable, low-carbon products, to meet the growing demand for sustainable building products.

# Applicants: Mr.& Mrs Llewellyn 5 Bowmont Terrace Dunbar EH42 1LF Drawing Ref: DL/JAF/CC/05 Scale: Date:

11/06/2025

1:5@A3

Title:

Proposed Eurocell Conservatory details and supporting sustainability statement

#### Proposal:

Replace existing conservatory with new of identical form and footprint at:

5 Bowmont Terrace Dunbar EH42 1LF Drawing by:

John A. Fyall

Bsc(Hons) Bld.Eng.& Mgt. FCABE

& RIAS-regs Bld.Stds. Sect.6,

Energy Scottish Government

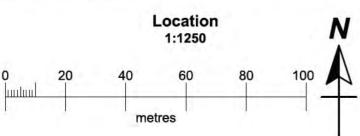
& RIAS-regs Bld.Stds. Sect.6, Energy, Scottish Government Accredited Certifier of Design

Building Design Service
12 Beachmont Court
Dunbar

Tel: 01368-863752

EH42 1YF







**Current View from East Links Road** 







Current North Elevation from East Links Road

Applicants:

Mr.& Mrs Llewellyn 5 Bowmont Terrace Dunbar

**Drawing Ref:** 

DL/JAF/CC/01

Date:

Scale:

1:1250@A3 10/06/2025 Title:

EH42 1LF

Proposal:

Replace existing conservatory with new of identical form and footprint at:

Location

5 Bowmont Terrace Dunbar EH42 1LF

Drawing by:

Bsc(Hons) Bld.Eng.& Mgt. FCABE & RIAS-regs Bld.Stds. Sect.6, Energy, Scottish Government Accredited Certifier of Design

**Building Design Service** 12 Beachmont Court

Dunbar EH42 1YF

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