

Development Management Sub Committee

Wednesday 4 March 2020

**Application for Conservation Area Consent 19/04117/CON
at Forth Rail Bridge, Hawes Brae, South Queensferry
To demolish 2x ancillary buildings of residential property to
make way for proposed development of Forth Bridge
Experience.**

Item number

Report number

Wards

B01 - Almond

Summary

With reference to the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 the proposals preserve the character and appearance of the conservation area. The buildings proposed for demolition are not considered worthy of preservation and retention. The replacement development is considered of sufficient quality within the Queensferry Conservation Area.

Links

[Policies and guidance for this application](#)

LDPP, LEN05, LEN01, CRPQUE, NSG, NSLBCA,

Report

Application for Conservation Area Consent 19/04117/CON at Forth Rail Bridge, Hawes Brae, South Queensferry To demolish 2x ancillary buildings of residential property to make way for proposed development of Forth Bridge Experience.

Recommendations

1.1 It is recommended that this application be Granted subject to the details below.

Background

2.1 Site description

The site is located to the eastern side of South Queensferry and to the north of Dalmeny Station.

The site consists of the Forth Bridge as far as the top of the first cantilever, the former Network Rail depot site at the southern end of the Forth Bridge, there is an existing access road from Hawes Brae and existing pedestrian accesses from Dalmeny Station and Hawes Brae (known as Jacob's Ladder).

The Forth Bridge is a statutory category A listed building completed in 1890. It was listed on 18 June 1997, ref LB40370.

UNESCO inscribed the Forth Bridge as a World Heritage Site on 5 July 2015. It has a statement of Outstanding Universal Value and a Management Plan.

The application site is accessed off Hawes Brae (B924) and incorporates Fort House, currently a residential dwelling with category A gun emplacements within its curtilage. There are outbuildings associated with the dwelling including a swimming pool, garage, storage and a car port. The garden area associated with the Forts is extensive and has a number of substantial trees at the western end. The western and northern sides are bound by a tall fir hedge, and on the southern edge there is a line of mature trees which may have formed part of a field boundary.

The area under the bridge was formerly in industrial use. It now comprises hard standing with a secure fence. Electricity sub stations sit at the foot of the bridge piers.

To the south of the site lies Dalmeny Station with footpath links passing the west of the site, connecting into the village centre through Ferry Glen to the west of the site. This application site is located within the Queensferry Conservation Area.

2.2 Site History

28 July 2011 - An Application for Listed Building Consent. The proposals involve permanent access solution for Forth Bridge to replace existing temporary access. Proposals will include a permanent access at Hawes Brae abutment from ground up onto bridge lower walkway and at the Jubilee Tower, a stair and walkway from the lower walkway up to track level, at Forth Rail Bridge, Hawes Brae, South Queensferry, (application reference 11/01747/LBC).

27 July 2015 - An Application for Listed Building Consent. The proposals are to retain the works for the removal of existing signals and installation of new signals and location box, (application reference 15/02916/LBC).

3 June 2019 - A Proposal of Application Notice for "Proposed development of reception centre and bridge access system with associated car parking, landscaping and servicing and alterations to existing pedestrian and vehicular access", at the Forts, 3 Hawes Brae, South Queensferry, (application reference 19/02357/PAN).

Parallel Applications

29 August 2019 - An application for Listed Building Consent for Installation of bridge access system on Forth Bridge and installation of glazed capping to Dalmeny Battery, at Forth Rail Bridge, Hawes Brae, South Queensferry, (application reference 19/04118/LBC).

29 August 2019 - An application for Full Planning Permission for Development of a Forth Bridge Walk Reception Centre; new sections of bridge access system, new viewing platforms, associated car parking, landscaping; servicing and alterations to existing vehicular and pedestrian accesses at Forth Rail Bridge, Hawes Brae, South Queensferry, (application reference 19/04116/FUL).

Main report

3.1 Description of the Proposal

The application proposes the demolition of two modern outbuildings located within the site of the early 20th Century Dalmeny Battery.

The buildings to be demolished within the curtilage of The Forts are:

- 1) A single storey building with a flat roof, constructed of red brick and housing a swimming pool; and
- 2) A single storey garage constructed of steel frame open structure with a polycarbonate roof.

Further modifications are proposed to The Forts property including the removal of a glazed conservatory along the western side of the property, these are assessed in the parallel planning application 19/04116/FUL.

The application is supported by the following documents which are available to view on the Planning and Building Standards Online System:

- Planning Supporting Statement;
- Heritage Statement;
- Design and Access Statement; and
- Landscape and Visual Impact Assessment.

3.2 Determining Issues

Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states - In considering whether to grant consent, special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. For the purposes of this issue, preserve, in relation to the building, means preserve it either in its existing state or subject only to such alterations or extensions as can be carried out without serious detriment to its character.

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states - special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

In determining applications for conservation area consent, the Development Plan is not a statutory test. However the policies of the Local Development Plan (LDP) inform the assessment of the proposals and are a material consideration.

3.3 Assessment

To address these determining issues, the Committee needs to consider whether:

- a) The demolition will adversely affect the character and appearance of the conservation area;
- b) The proposed replacement development is of sufficient quality and
- c) Public Comments have been addressed.

a) The demolition will adversely affect the character and appearance of the conservation area

Section 64 of the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997 which states;

In the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions in subsections (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The two buildings proposed to be demolished in this application are not listed buildings. They are modern ancillary buildings that were constructed to support the conversion of The Fort building to residential use.

The buildings are single storey and are sited within the garden curtilage of The Fort residential dwelling, they are screened from view by the existing landscape boundaries. The buildings have no historical, archaeological or cultural merit and do not contribute positively to the Queensferry Conservation Area, or the setting of the category A listed Dalmeny Battery Enclosure or the Forth Bridge World Heritage Site.

The demolition of the buildings is appropriate in the context of the proposed development to create a visitor experience to enjoy the heritage of the Forth Bridges Experience (application reference 19/04116/FUL). The demolition of these ancillary domestic buildings will complement the change of use of the residential dwelling on the site, The Forts, to office use, and will facilitate access to the associated visitor car park.

Historic Environment Scotland raise no objection to the proposal but advise that there is a separate requirement through section 7 of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997(as amended) to allow Historic Scotland the opportunity to carry out recording of the building.

Archaeology raise no objection to the demolition of the buildings but recognise that the demolition process may disturb underlying archaeological deposits associated with the Dalmeny battery and therefore an appropriate archaeological condition is recommended.

A Bat Survey Report was submitted in support of the parallel planning application reference 19/04116/FUL. The Bat Survey Report identifies that there is potential for foraging and commuting bats both within the trees and buildings and therefore a detailed Bat Survey has been carried out.

The Bat Survey Report identifies a single roost in the site and therefore the development will have an effect on a European protected species, which in accordance with the Habitats Regulations 1994, will require the applicant to obtain a BLIMP licence from Scottish Natural Heritage.

Prior to issuing this licence it is necessary for the applicant to be in receipt of planning permission. Therefore, the planning authority must be satisfied that the three tests necessary for a licence to be issued, will be met. With information supplied by the applicant the three test have been applied to this application and it is considered likely that SNH will issue a licence. This will be required before the buildings on the site are demolished.

It is concluded that the buildings are not considered worthy of preservation and retention and as such the principle of their demolition is considered acceptable, subject to the recommended condition.

b) The proposed replacement development is of sufficient quality

Edinburgh Local Plan policy Env 5 (Conservation Areas - Demolition of Buildings) only supports the demolition of unlisted buildings in conservation areas, which are considered to make a positive contribution to the character of the area, in exceptional circumstances. If the building does not make a positive contribution its removal is considered acceptable in principle so long as the replacement building enhances or preserves the character of the conservation area. The replacement scheme is the subject of the concurrent planning application reference 19/04116/FUL.

The exceptional circumstance for permitted demolition of the buildings are detailed in assessment a).

The proposed new reception building would be on a different part of the site to the existing buildings, secluded from long views within compound area of the Forth Rail Bridge.

The height and floor plan of the new Hub building is domestic in scale; at one and a half storeys high it sits comfortably under the granite pier of the rail bridge. The proposed material finish of the new hub building is high quality concrete and steel and will respect the industrial heritage of the bridge. The removal of ancillary buildings associated with the Forts; the swimming pool and car port, together with the upgrading of the existing dwelling and careful siting of the plant store and cycle store will complete a cohesive form of development and will sit comfortably within the retained landscape on the site. Looking down from the bridge visitors and rail passengers will see a series of sedum roofs and some cordon steel structures.

The proposal will allow for the new reception hub building to enhance the appearance of this part of the conservation area, consistent with the Queensferry conservation area character appraisal.

The proposal satisfies the objectives of Local Development Plan policy Env 5 and will facilitate landscape enhancements of the site as proposed in the parallel planning application reference 19/04116/FUL.

It is concluded that the removal of the two modern buildings within the garden space will not impact upon the inherent features of Queensferry Conservation Area.

C) Public Comments have been addressed

The application has generated four letters of objection and one letter of support. The reasons for comments may be summarised as follows;

Support

- Support the development of a tourist attraction at this iconic structure;
- Support the upgrade of the footpath from Dalmeny Station to the cycle path;
- Support the management of the landscape in this area;
- Valuable development to the local economy, will raise the profile of Queensferry and the Forth Bridge.

Objection

- Demolition of the two buildings is unnecessary (addressed in section 3a)
- Proposal is contrary to the World Heritage Site (addressed in section 3a);
- Should not be demolition in the Conservation Area that will spoil the look of the bridge (addressed in section 3b).

Matters unrelated to this application for conservation area consent that are addressed in the parallel application for planning permission reference 19/04116/FUL

- Nature conservation site being changed into a commercial venture;
- Should not add additional buildings to the World Heritage Site;
- Unsupported car park proposal.

Non Planning comment

Concern regarding the "voracity of a very local campaign from one street against this much needed development which cites a series of unfounded objections".

Conclusion

The buildings proposed for demolition are not considered worthy of preservation and retention. The replacement development is considered of sufficient quality within the Queensferry Conservation Area.

It is recommended that this application be Granted subject to the details below.

3.4 Conditions/reasons/informatives

Conditions:-

1. No demolition shall take place on the site until the applicant has secured and implemented a programme of archaeological work (excavation, analysis & reporting) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.

The work must be carried out by a professional archaeological organisation, either working to a brief prepared by CECAS or through a written scheme of investigation submitted to and agreed by CECAS for the site. Responsibility for the execution and resourcing of the programme of archaeological works and for the archiving and appropriate level of publication of the results lies with the applicant.

2. No demolition shall commence until the applicant has secured the appropriate licence from Scottish Natural Heritage in respect of the bat roost within the buildings.

Reasons:-

1. In order to safeguard the interests of archaeological heritage.
2. To ensure suitable protection of European Protected Species.

Informatives

It should be noted that:

1. The applicant is advised that section 7 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (as amended) allows Historic Environment Scotland opportunity to carry out recording of the building.
2. Clearance of vegetation from the proposed construction area has the potential to disturb nesting birds; therefore clearance should be carried out outside the bird nesting season March - August (inclusive). Should it be necessary to clear ground during the bird nesting season the land should be surveyed by a suitably qualified ecologist and declared clear of nesting birds before vegetation clearance starts.
3. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

5.1 Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

Equalities impact

6.1 The equalities impact has been assessed as follows:

The application has been assessed and has no impact in terms of equalities or human rights.

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

This application is not subject to the sustainability requirements of the Edinburgh Design Guidance.

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

The application was advertised on 20 September 2019 and a site notice displayed, the time period for comments was extended until 7 November 2019. The application has generated four letters of objection and one letter of support.

Background reading/external references

- To view details of the application go to
- [Planning and Building Standards online services](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)
- [Scottish Planning Policy](#)

Statutory Development

Plan Provision

The proposal is subject to the policies of the Edinburgh Local Development Plan.

Date registered

29 August 2019

Drawing numbers/Scheme

1-7,

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Jennifer Paton, Senior Planning Officer

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Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

LDP Policy Env 5 (Conservation Areas - Demolition of Buildings) sets out criteria for assessing proposals involving the demolition of buildings within a conservation area.

LDP Policy Env 1 (World Heritage Site) protects the quality of the World Heritage Site and its setting.

The Queensferry Conservation Area Character Appraisal emphasises the importance of the medieval core, the settlement pattern of stone built houses with their lang riggs, and the strong Scots vernacular character of the architecture

Relevant Non-Statutory Guidelines

Non-statutory guidelines 'LISTED BUILDINGS AND CONSERVATION AREAS' provides guidance on repairing, altering or extending listed buildings and unlisted buildings in conservation areas.

Appendix 1

Application for Conservation Area Consent 19/04117/CON at Forth Rail Bridge, Hawes Brae, South Queensferry To demolish 2x ancillary buildings of residential property to make way for proposed development of Forth Bridge Experience

Consultations

Edinburgh Urban Design Panel

1 Recommendations

The Panel welcomes the opportunity to provide advice on the Forth Bridge Experience at this early stage in the design process. The Panel recognises the educational and cultural benefits of enabling people to connect with bridge. This an exciting project on an interesting scale, with potential to attract large numbers of visits.

In particular, the Panel supports:

- o The focus on maintaining visitor numbers at a manageable level;*
- o Enabling and encouraging people to access the Forth Bridge Experience by rail, bicycle or on foot;*
- o Improvements and extensions to surrounding footpaths;*
- o Integrating rail travel into the Bridge Experience.*

In developing the proposals, the Panel suggests further consideration should be given to:

- o A bolder design for the Reception Centre;*
- o Strong emphasis on landscape design, particularly in relation to site layout;*
- o Use of 3-D visualisations to test the impact of design solutions on relevant views;*
- o Ensuring all interventions are reversible;*
- o A clear rationale for colour choices;*
- o Effective traffic and carpark management;*
- o A robust visitor booking system;*
- o A thorough approach to security.*

2 Planning Context

Site Description

The site lies under the Forth Road Bridge. The Forth Bridge is a statutory category-A listed building. The bridge is 2.5 km long and 110m high cantilever bridge completed in 1890.

UNESCO inscribed the Forth Bridge as a World Heritage Site on 5 July 2015, it has a Statement of Outstanding Universal Value and a Management Plan. Network Rail, the

applicant, owns the Forth Bridge and is responsible for its operation and maintenance, but wider World Heritage issues are coordinated by the Forth Bridges Forum.

The application site is accessed off Hawes Brae (B924) and will incorporate Fort House, currently a residential dwelling with category-A gun emplacements within its curtilage. The area under the bridges formally had industrial uses and is hard cored over and currently secure fenced. Electricity substations sit at the foot of the bridge piers.

Planning Policy

In the Edinburgh Local Development Plan (LDP), the part of the site to the west of the bridge is allocated as open-space ENV 18, it is also designated as a Special Landscape Area, policy ENV 11. The land to the east of the bridge is designated as greenbelt, policy ENV 10 is relevant.

Policy ENV1 Development within a World Heritage Site and ENV3 Development affecting the setting of a listed building.

The site is within the Queensferry Conservation Area where policies ENV 5 and ENV 6 apply. The shore area under the bridge is within the Firth of Forth Natura 2000 site and SSSI, policies ENV 13 and ENV 14 area relevant. It is designated as a Local Nature Conservation site, policy ENV 15. The site is adjacent to Dalmeny Historic Garden/designated landscape inventory NT 16488 77731, added 01/07/1987, policy ENV 7 applies.

Planning History

The applicant requested and EIA screen on 25 May 2017. There is no other relevant planning history to the site.

This report

No declarations of interest were noted.

This report should be read in conjunction with the pre-meeting papers.

This report is the view of the Panel and is not attributable to any one individual. The report does not prejudice any of the organisations represented at the Panel forming a differing view at the proposals at a later stage.

3 Panel Comments

The Panel's detailed comments are as follows:

Accessibility

The Panel strongly supports the proposed emphasis on enabling and encouraging people to access the Forth Bridge Experience by rail, bicycle or on foot, in particular proposed improvements to the pedestrian route from Dalmeny Station and Jacob's Ladder, and new paths leading to/from the shore - all of which will benefit the wider community. While the Panel accepts it will be necessary for some visitors to arrive by car

or minibus, it encourages the integration of rail travel, as far as possible, into the Bridge Experience.

The Panel notes that the new carpark will be barrier-operated, with access restricted to private cars and mini-buses, excluding coaches. A strong focus on good traffic and carpark management, including staff parking, is needed to ensure the facility runs smoothly. It may be possible to locate coach parking near Hawes Pier.

Visitor management

The Panel notes that no more than 120 people, in eight groups, will be climbing the bridge at any one time, and that indoor facilities will be limited to a briefing room, changing rooms, and WCs. It highlights the importance of maintaining visitor numbers at a manageable level by operating a robust booking system focussed on attracting people who are sufficiently fit to undertake the bridge climb.

While it is acknowledged that a café could benefit visitors, particularly in cold or windy weather, it is likely that the absence of a café will help keep visitor numbers within manageable limits.

Site Layout

The Panel considers that the site layout lacks a coherent landscape design and is currently dominated by visitor parking. The proposed intervention within the Greenbelt (visitor carpark/vehicle access/turning circle) is the least satisfactory part of the design. Addressing these shortcomings should be a priority in taking forward the proposal.

Design concept

The Panel encourages a bolder design for the Reception Centre because the current proposal appears to turn its back on the bridge.

Some Panelists feel an opportunity has been missed to create a sense of arrival, such as a generous view of the bridge from the building. This could, for example, enable visitors to watch climbers in action. Alternatively, if absent from the building, the view could be part of the joy of climbing.

The Panel emphasises the importance of ensuring all interventions affecting the bridge are reversible.

Impact on setting

Although surrounded by sensitive designations, the Panel considers this setting capable of supporting a more visible intervention. Instead of hiding the building, the developer is encouraged to create good architecture that enhances the view from land, bridge and water.

SNH landscape visualisation standards should be used to demonstrate impact from various viewpoints, including close-up views of facilities and infrastructure, e.g. from surrounding roadways. Analysis should also take account of the visual impact of 120 climbers on the bridge.

Colour

The Panel recommends submission of a clear rationale for the choice of colour for new infrastructure and climbing wear. Suggestions vary, including:

- *Making walkways match the colour of the existing bridge*
- *Painting new infrastructure a drab colour*
- *Using colour to achieve a clear contrast between new/existing infrastructure*
- *Making climbing suits match the colour of the existing bridge to ensure climbers "blend" with the structure and avoid an "ant-like" appearance.*
- *Bright yellow climbing suits.*

Security

The Panel encourages a thorough approach to security, ensuring use of appropriate locks, bolts etc.

HES comment - 24 September 2019

Our Advice

We have considered the information received and do not have any comments to make on the proposals. Our decision not to provide comments should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on listed building/conservation area consent, together with related policy guidance.

Further Information

This response applies to the application currently proposed. An amended scheme may require another consultation with us.

As this application involves the demolition of an unlisted building in a conservation area, if consent is granted there is a separate requirement through section 7 of the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997 (as amended) to allow us the opportunity to carry out recording of the building.

Archaeology comment - 10 October 2019

The application relates to two modern out buildings located within the site of the early 20th Century Dalmeny Battery a site of archaeological and historic significance. Accordingly, this application must be considered under the terms Scottish Government's Our Place in Time (OPIT), Scottish Planning Policy (SPP), Historic Environment Scotland's Policy Statement (HESPS) 2016 and Archaeology Strategy and CEC's Edinburgh Local Development Plan (2016) Policies ENV4, ENV8 & ENV9. The aim should be to preserve archaeological remains in situ as a first option, but alternatively

where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.

The loss of these two ancillary outbuildings is not considered to be significant.

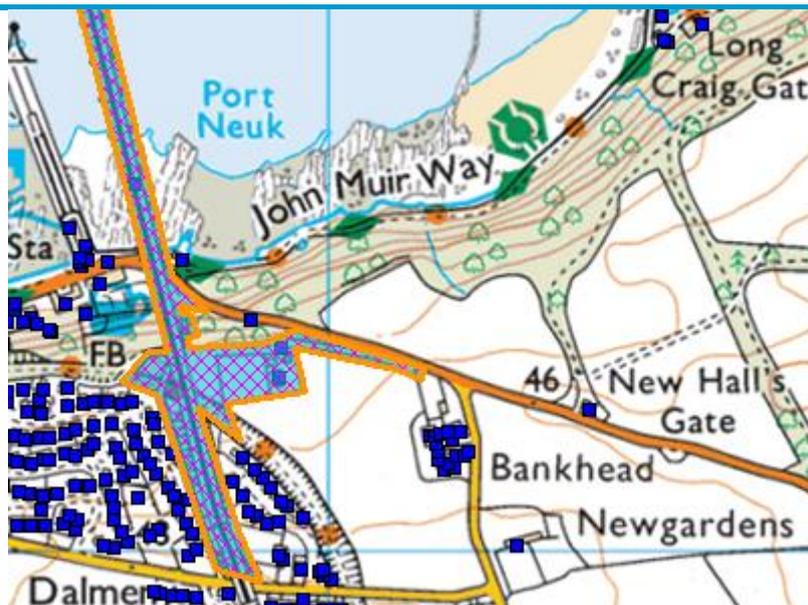
However, ground breaking works carried out as part of the demolition process may disturb underlying archaeological deposits associated not only with the Battery but also potentially earlier prehistoric remains. Accordingly, demolition works should be limited to ground level. Removal of foundations and ground slabs will require archaeological mitigation. This work should form part of the wider archaeological mitigation outlined in my response to the associated FUL application 19/04116/FUL (see response dated 10/10/19).

It is recommended that the following condition be applied to any consent granted to secure this programme of archaeological works;

'No demolition shall take place on the site until the applicant has secured and implemented a programme of archaeological work (excavation, analysis & reporting) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.'

The work must be carried out by a professional archaeological organisation, either working to a brief prepared by CECAS or through a written scheme of investigation submitted to and agreed by CECAS for the site. Responsibility for the execution and resourcing of the programme of archaeological works and for the archiving and appropriate level of publication of the results lies with the applicant.

Location Plan



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