

Development Management Sub-Committee Report

Wednesday 29 June 2022

**Application for Listed Building Consent
The Forts, 3 Hawes Brae, South Queensferry**

Proposal: Installation of access system on Forth Bridge and replacement of existing wire mesh on Dalmeny Battery.

**Item – Other Item at Committee
Application Number – 22/00360/LBC
Ward – B01 - Almond**

Reasons for Referral to Committee

The proposed works affect an iconic category A listed building and there is an associated application for planning permission that has received more than six objections. Therefore, the application must be determined by the Development Management Sub Committee due to being of significant public interest.

Recommendation

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

Summary

The proposals comply with Sections 14 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. There are no material considerations which indicate that the proposal should be refused. Therefore, the proposals are acceptable.

SECTION A – Application Background

Site Description

The site measures 3.48 hectares and comprises the southern section of the Forth Bridge, as far as the top of the first cantilever, and former Network Rail depot site at the south end of the Bridge to the east and west of the approaching viaduct. The land is located on the eastern side of South Queensferry, to the east of the Forth Bridge and to the south of Hawes Brae.

The Forth Bridge is a category A listed building, completed in 1890 (reference LB40370, listed on 18 June 1997.)

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

Dalmeny Battery, a reinforced concrete coastal defence building, dating from circa 1903, is situated within the eastern section of the former Network Rail depot site and within the garden ground of a modern bungalow known as "The Forts", currently in use as a rented residence. The Battery is category A listed (reference LB52469, listed on 9 May 2018), excluding the engine house, oil store and caretaker's quarters to the east, and boundary railings. There are outbuildings associated with The Forts, including a swimming pool and car port and the extensive garden contains a group of substantial trees in the western section.

The application site is within Queensferry Conservation Area.

Description of the Proposal

The application proposes additions to the Forth Bridge to form a bridge walk experience and a minor alteration to the Dalmeny Battery as follows:

Bridge walk and access

The existing stair accessing the maintenance walkway within the steelwork of the Forth Bridge will be adapted to connect with a new metal gantry with perforated metal balustrading. This gantry will form the access to the bridge walk from the new reception hub building. The alterations to the existing stair involve the removal of part of the lowest flight, the extension of the existing landings and installation of a perforated metal safety screen.

A new stair will be erected up the east side of the Jubilee Tower connecting visitors onto the access track leading to the top of the first cantilever. Four overbridge structures will be installed over key cross-member structures of the bridge and two additional platforms will provide a continuous walkway.

Two new viewing platforms will be installed at either end of the top of the first cantilever to allow clear views across to the north and south. Each platform will measure approximately seven metres by six metres.

The stairs, open-grid walkways and platforms and supporting structures will be manufactured in galvanised steel with GRP handrails and kickboards.

Dalmeny Battery

Steel mesh capping is proposed over open sections of the structure to replace the existing wire mesh to make the structure safe for visitors. The previous application proposed glazed capping.

A parallel application has been submitted for planning permission for the development of a Forth Bridge Walk, including a reception hub building, new sections of bridge access system, new viewing platforms, alterations to the Dalmeny Battery, demolition of two outbuildings, associated car parking, landscaping, servicing and alterations to existing vehicular and pedestrian accesses (application reference 22/00358/FUL).

Supporting Information

Heritage Statement;
Planning Supporting Statement and
Design and Access Statement.

Relevant Site History

19/04118/LBC
Forth Rail Bridge
Hawes Brae
South Queensferry

Installation of bridge access system on Forth Bridge and installation of glazed capping to Dalmeny Battery
Granted
6 April 2020

Other Relevant Site History

Not applicable.

Pre-Application process

Pre-application discussions took place on this application.

Consultation Engagement

Historic Environment Scotland

Refer to Appendix 1 for a summary of the consultation response.

Publicity and Public Engagement

Date of Neighbour Notification: Not Applicable

Date of Renotification of Neighbour Notification: Not Applicable

Press Publication Date(s): 11 February 2022;

Site Notices Date(s): 8 February 2022;

Number of Contributors: 2

Section B - Assessment

Determining Issues

Due to the proposals relating to a listed building(s) within a conservation area, this application for listed building consent requires to be assessed against Sections 14 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (the "1997 Heritage Act"):

- Having due regard to HES Policy and guidance, do the proposals:
 - a. harm a listed building or its setting? or
 - b. conflict with the objective of preserving or enhancing the character or appearance of the conservation area?
- If the proposals do comply with HES Policy and guidance, are there any compelling reasons (including but not limited to the public sector equality duty) for not approving them?
- If the proposals do not comply with HES Policy and guidance, are there any compelling reasons (including but not limited to the public sector equality duty) for approving them?

Assessment

To address these determining issues, it needs to be considered whether:

a) The proposals harm the listed building or its setting?

Section 59 (1) of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997 states:

"In considering whether to grant planning permission for development which affects a listed building or its setting, a planning authority or the Secretary of State, as the case may be, 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."

The following HES guidance is relevant in the determination of this application:

- Managing Change: Engineering Structures.

Forth Bridge

This category A listed structure is internationally acclaimed as one of the most ambitious and successful engineering achievements of the 19th century due to its exceptional bridge span and scale for a steel structure. The bridge has a distinctive cantilevered design and russet colour, making the Forth Bridge Scotland's most instantly recognisable industrial landmark and a symbol of national identity.

The proposed walkways and platforms are relatively small in scale and will be inconspicuous against the large bridge trusses. The new stair proposed up the east side of the Jubilee Tower is an extension of the existing stair and will be constructed in the same materials and style, so it will not have any significant visual impact against the granite pier. The supporting steelwork will be bolted or clamped onto the historic structure and any fixings will reuse existing rivet holes rather than drilling new holes, wherever possible.

The proposed alterations and extensions affecting the existing steel access stair from the maintenance compound will have no adverse physical or visual impact on the historic pier.

A condition has been applied to ensure that the specified finishes for the proposed walkways and platforms are appropriate.

The proposed upgrading of the Dalmeny Battery is an appropriate and minimal intervention. The proposed steel mesh capping over the open areas will replace the existing wire mesh covering providing a more robust solution that will allow viewing of the structure whilst protecting its interior.

A condition has been applied to ensure that the proposed fixtures and finish of the proposed capping are appropriate.

Setting of Forth Bridge and Dalmeny Battery

The proposed works to these listed structures will have no impact on their respective settings.

Conclusion in relation to the listed building

The proposed interventions to these listed structures are relatively small scale, sensitively designed and reversible so the key characteristics will be preserved.

Historic Environment Scotland has raised no objection to the proposals.

The proposals are acceptable in terms of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and relevant HES guidance.

b) The proposals harm the character or appearance of the conservation area?

The Forth Bridge is the most outstanding landmark of Queensferry Conservation Area, dominating the town and wider area with its sheer scale and presence.

The proposed additions to the Forth Bridge are discreet in terms of the sheer scale of the structure and will have no significant impact on its appearance. The proposed replacement mesh capping on the Dalmeny Battery is a minor intervention.

These works will therefore have no impact on the character or appearance of the conservation area.

Conclusion in relation to the conservation area

The proposals are acceptable in terms of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

c) there are any other matters to consider?

The following matters have been identified for consideration:

Archaeological remains

The site lies within an area of considerable archaeological significance in terms of its 20th century military history and railway heritage.

A condition has been applied to the parallel application for planning permission to ensure that a programme of archaeological work is undertaken to ensure that any significant archaeological remains are conserved appropriately. This condition is not necessary in terms of the works that require listed building consent.

Equalities and human rights

Due regard has been given to section 149 of the Equalities Act 2010. The nature of the visitor experience will require a level of mobility and fitness to ascend the bridge, although visitors with mobility issues will be able to access the new reception hub building and other public areas.

Consideration has been given to human rights. No impacts have been identified through the assessment and no comments have been received in relation to human rights.

Public representations

A summary of the representations is provided below:

support comments

- the public will be able to access this world-famous structure for the first time to explore its heritage and to access outstanding, world-class views;
- suitable assessments and safeguards must be put in place to secure the bridge's historic fabric for future generations.

A condition has been applied to ensure that the details of the finish and fixings of the proposed walkways and platforms are appropriate.

non-material considerations

- the felling trees within the curtilage of the Dalmeny Battery will have an adverse effect on its setting and would require listed building consent.

Listed building consent is not required for landscaping works affecting the setting of a listed building.

Conclusion in relation to other matters considered

The proposals do not raise any concerns in relation to other material considerations identified.

Overall conclusion

The proposals comply with Sections 14 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. There are no material considerations which indicate that the proposal should be refused. Therefore, the proposals are acceptable.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following;

Conditions :-

1. Details of the finishes and fixtures for the new walkways and platforms on the Forth Bridge, including handrails, shall be submitted to and approved in writing by the Planning Authority before work is commenced on site.
2. Details of the finish and fixtures for the steel mesh capping on the Dalmeny Battery shall be submitted to and approved in writing by the Planning Authority before work is commenced on site.

Reasons:-

1. In order to safeguard the character of the statutorily listed building.
2. In order to safeguard the character of the statutorily listed building.

Informatives

It should be noted that:

1. The works hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.

Background Reading/External References

To view details of the application go to the [Planning Portal](#)

Further Information - Local Development Plan

Date Registered: 27 January 2022

Drawing Numbers/Scheme

01-14

Scheme 1

David Givan
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PLACE
The City of Edinburgh Council

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Appendix 1

Summary of Consultation Responses

NAME: Historic Environment Scotland

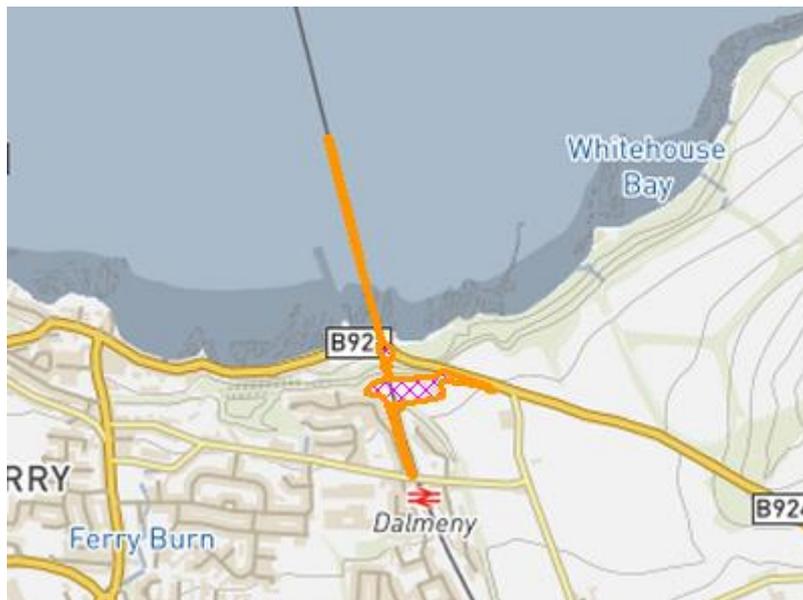
COMMENT: This application proposes minor changes to how people will access the bridge. The existing access stair will now be retained and adapted. Historic Environment Scotland is content that these changes are minor and will have no adverse physical impacts on the bridge - by using the existing stair these proposals are less interventionist than the approved scheme.

The use of steel mesh (instead of glass) to cap the Dalmeny Battery is acceptable.

DATE: 24 February 2022

The full consultation response can be viewed on the [Planning & Building Standards Portal](#).

Location Plan



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