



AGENDA ITEM

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**DEMOLITION OF DERELICT
BUILDING AT CRAIGIEBURN,
FALKIRK, FK1 3AQ, FOR
CALLENDAR ESTATE TRUST –
P/15/0759/LBC**

FALKIRK COUNCIL

Subject: DEMOLITION OF DERELICT BUILDING AT CRAIGIEBURN,
FALKIRK, FK1 3AQ, FOR CALLENDAR ESTATE TRUST –
P/15/0759/LBC

Meeting: PLANNING COMMITTEE

Date: 23 March 2016

Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Members: Ward - Falkirk South

Councillor Colin Chalmers
Councillor Dennis Goldie
Councillor Gerry Goldie
Depute Provost John Patrick

Community Council: Falkirk South

Case Officer: Kevin Brown (Planning Officer), Ext. 4701

1. DESCRIPTION OF PROPOSAL / SITE LOCATION

- 1.1 This application for listed building consent proposes the demolition of a category B listed farmhouse within a rural location at Craigieburn Farm to the southwest of Falkirk.

2. REASON FOR COMMITTEE CONSIDERATION

- 2.1 The application has been called to the Planning Committee at the request of Councillor Colin Chalmers.

3. SITE HISTORY

- 3.1 There have been no applications for planning permission or listed building consent relating to the farmhouse. The farmhouse was constructed circa 1785 and was occupied until the 1960's when it was abandoned in favour of a modern replacement farmhouse nearby. The property remained in a reasonable state of repair until around the 1980's when damage to the roof resulted in a rapid decline in the condition of roof and floor timbers. In the early 1990's the building was deemed to no longer be safe and the landowner boarded up the premises and erected boundary fencing and warning signage. On 25 October 2012, the roof collapsed and trapped a local vagrant who had, unbeknown to the applicant, taken up residence in the basement of the property. The Fire Service managed to rescue the individual. Following this incident the applicants were required by Falkirk Council Building Standards to reinstate the security fencing. The building has remained in largely the same condition since this incident occurred.
- 3.2 The property was listed on 9 August 1977.

4. CONSULTATIONS

- 4.1 Scottish Rights of Way and Access Society have no objection to the application.
- 4.2 Historic Environment Scotland (formerly Historic Scotland) have objected to the proposed demolition based on the lack of evidence to demonstrate the building is beyond economic repair or that any efforts have been made by the owner to seek alternative options for its future.
- 4.3 Falkirk Community Trust Museum Service have raised concerns in respect of the lack of marketing of the site.

5. COMMUNITY COUNCIL

- 5.1 Falkirk South Community Council has not commented on this application.

6. PUBLIC REPRESENTATION

- 6.1 During consideration of the application, no letters of objection or representation were received.

7. DETAILED APPRAISAL

Under section 14(2) of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997, the determination of listed building consent applications 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.

7a The Development Plan

The Falkirk Local Development Plan was adopted on 16 July 2015. The proposed development was assessed against the following policy or policies:

- 7a.1 Policy D09 – ‘Listed Buildings’ states:

The Council supports the sustainable re-use and management of the historic built environment, and on that basis there is a presumption against demolition or any other works that would adversely affect the special interest or setting of a listed building. The Council recognises, however, that listed buildings will require alteration, extension and adaptation from time to time to remain in beneficial use and encourages creative and sensitive development where there are no such adverse effects. Accordingly:

- 1. The layout, design, materials, scale, siting and use of any development affecting a listed building, or its setting, including extensions, replacement windows, doors, roofs, rainwater goods, boundary treatments and other features, shall be appropriate to the character and appearance of the building and its setting, and should conform to Supplementary Guidance SG16 'Design Guidance for Listed Buildings and Non-Listed Buildings in Conservation Areas'.*
- 2. Proposals for the total or substantial demolition of a listed building will only be supported where it is demonstrated beyond reasonable doubt that every effort has been made by all concerned to find practical ways of keeping it. In particular it should be demonstrated that:*
 - the existing building is no longer of special interest;*
 - the existing building is incapable of physical repair and re-use, as shown by the submission and verification of a thorough structural condition report;*

- *the costs of repair and re-use are such that it is not economically viable. Supporting evidence should include a full economic appraisal, evidence that grant aid is not able to meet any funding deficit, and evidence that the building has been actively marketed at a reasonable price and for a period reflecting its location, condition and possible viable uses without finding a restoring purchaser; or*
- *the demolition of the building is essential for the delivery of significant economic benefits for the local or wider community.*

3. *RCAHMS will be formally notified of all proposals to demolish listed buildings to enable features to be recorded.*

7a.2 The applicant has submitted a supporting statement outlining reasons for the proposed demolition of the building. The reasons given relate to fears over public safety, lack of funds to renovate the property and a perceived lack of viable alternative uses for the building. The applicant has also submitted an architectural report expanding on these points and outlining the view that it is doubtful that reconstruction of the house would be either technically or financially viable given the current state of the building.

7a.3 The information submitted is limited. It has not been demonstrated that every effort has been made to find practical ways of keeping the building. It has not been demonstrated that the building is no longer of special interest and the reports submitted in support of the proposal do not demonstrate that the building is incapable of physical repair and re-use. No supporting evidence has been submitted to demonstrate that the costs associated with repair and re-use of the property are such that it is not economically viable. No economic appraisal has been submitted for the premises and there is no evidence of any applications for grant aid or any marketing of the site. It is not considered that demolition of the building is essential for the delivery of significant economic benefits for the local or wider community.

7a.4 The proposal fails to accord with the terms of the Falkirk Local Development Plan.

7b Material Considerations

Consultation Responses

7b.1 Both Historic Environment Scotland and Falkirk Community Trust Museum Services have objected to the proposed demolition expressing disappointment at the lack of supporting evidence submitted with the application. In the views of both of these consultees, it is clear that the public safety concerns highlighted by the applicant and limited supporting information have not been sufficient to outweigh the cultural and historical benefits of retaining the property at this time. Additional supporting information was requested from the applicant to address their concerns but this was not forthcoming.

Scottish Planning Policy (SPP)

7b.2 Scottish Planning Policy (SPP) emphasises the important contribution made by our cultural heritage to our economy, cultural identity and quality of life and sets out support for positive change in the historic environment which avoids or minimises adverse impacts on the fabric and setting of the asset, and ensures that its special characteristics are protected, conserved or enhanced. SPP is generally supportive of change to a listed building or enabling development which would result in the building being retained and not lost. Despite requests no evidence has been provided by the applicant to demonstrate that these potential avenues have been explored to demonstrate that there are no viable alternatives to demolition. SPP does not support the demolition of Listed Buildings and as such the proposal is contrary to Scottish Planning Policy.

Scottish Historic Environment Policy (SHEP)

7b.3 The Scottish Historic Environment Policy (SHEP) sets out a framework to inform the day to day work of a range of bodies with a responsibility for managing the historic environment including local authorities and sets out Scottish Ministers' policies for the historic environment. In relation to applications for the demolition of listed buildings SHEP makes it clear that applications will be expected to provide evidence to show that:

- a. the building is not of specific interest; or
- b. the building as incapable of repair; or
- c. the demolition of the building is essential to delivering significant benefits to economic growth or the wider community; or
- d. the repair of the building is not economically viable and that it has been marketed at a price reflecting its location and condition to potential restoring purchasers for a reasonable period.

In this case, the applicants have failed to provide evidence to meet any of the above criteria and as such, demolition of the property is contrary to the terms of Scottish Historic Environment Policy (SHEP).

Supplementary Guidance SG16 – Listed Buildings and Unlisted Properties on Conservation Areas (Consultative Draft)

7b.4 This guidance sets out design aspiration and best conservation practice for the management of change and the preservation and enhancement of historic character and visual amenity in listed buildings within the Falkirk Council Area. In relation to the potential demolition of Listed Buildings, this guidance reflects the considerations within the Falkirk Local Development Plan and generally discourages demolition where every effort has not been made to secure the retention and repair of the building in question. Given the lack of evidence provided by the applicant in support of the proposed demolition, the proposal is contrary to the terms of this guidance.

Site History

7b.5 In reviewing the documents submitted by the applicants and based upon officers' knowledge of the site, it is clear that very little has been done to protect the property from decay and similarly, very little work has been carried out to secure the property from access by members of the public. On visiting the site, the previously erected security fencing was in a poor state of repair and windows to the property were not fully boarded up to prevent access. Further to this HES advice there has been no attempt by the owner to discuss having the property listing removed.

Consideration of the Site in Relation to Coal Mining Legacy

7b.6 The application site falls within or is partially within the Development High Risk Area as defined by the Coal Authority. It is recognised that flexibility and discretion are necessary parts of the planning system and as such there may be exemptions to the requirement for a desk based Coal Mining Risk Assessment within the Development High Risk Area.

7b.7 Exemption can be on the grounds of the type of application or the nature of development. Only one of these needs to be met to exempt the need for a desk based Coal Mining Risk Assessment and also the consequential need for the Council to consult the Coal Authority. This proposal is considered to fall into one of these exempt groups, but ground conditions should still be considered as part of the Building Standards process, if relevant.

7b.8 Where listed building consent is to be granted, an appropriate informative note appears on the Decision Notice.

7c Conclusion

7c.1 The proposal would result in the unjustified demolition of a category B listed building which is contrary to the terms of the Falkirk Local Development Plan, SPP and SHEP. There are no material planning considerations that would warrant a grant of listed building consent in this instance.

7c.2 Should Members decide that they are minded to grant listed building consent in this instance, the terms of Section 12 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 require that the planning authority shall first notify the Secretary of State of the application giving particulars of the works for which the consent is required.

8. RECOMMENDATION

8.1 It is therefore recommended that the Committee refuse listed building consent for the following reasons:-

- (1) The proposal would result in the unjustified demolition of a category B listed building to the detriment of the conservation and enhancement of the historic environment. The proposal fails to accord with the terms of Policy D09 Listed Buildings of the Falkirk Local Development Plan, Scottish Planning Policy (SPP) and Scottish Historic Environment Policy (SHEP).

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pp Director of Development Services

Date: 14 March 2016

LIST OF BACKGROUND PAPERS

1. Falkirk Local Development Plan.
2. Scottish Planning Policy (SPP).
3. Scottish Historic Environment Policy (SHEP).
4. Supplementary Guidance SG16 Listed Buildings and Unlisted Properties in Conservation Areas (Consultative Draft).

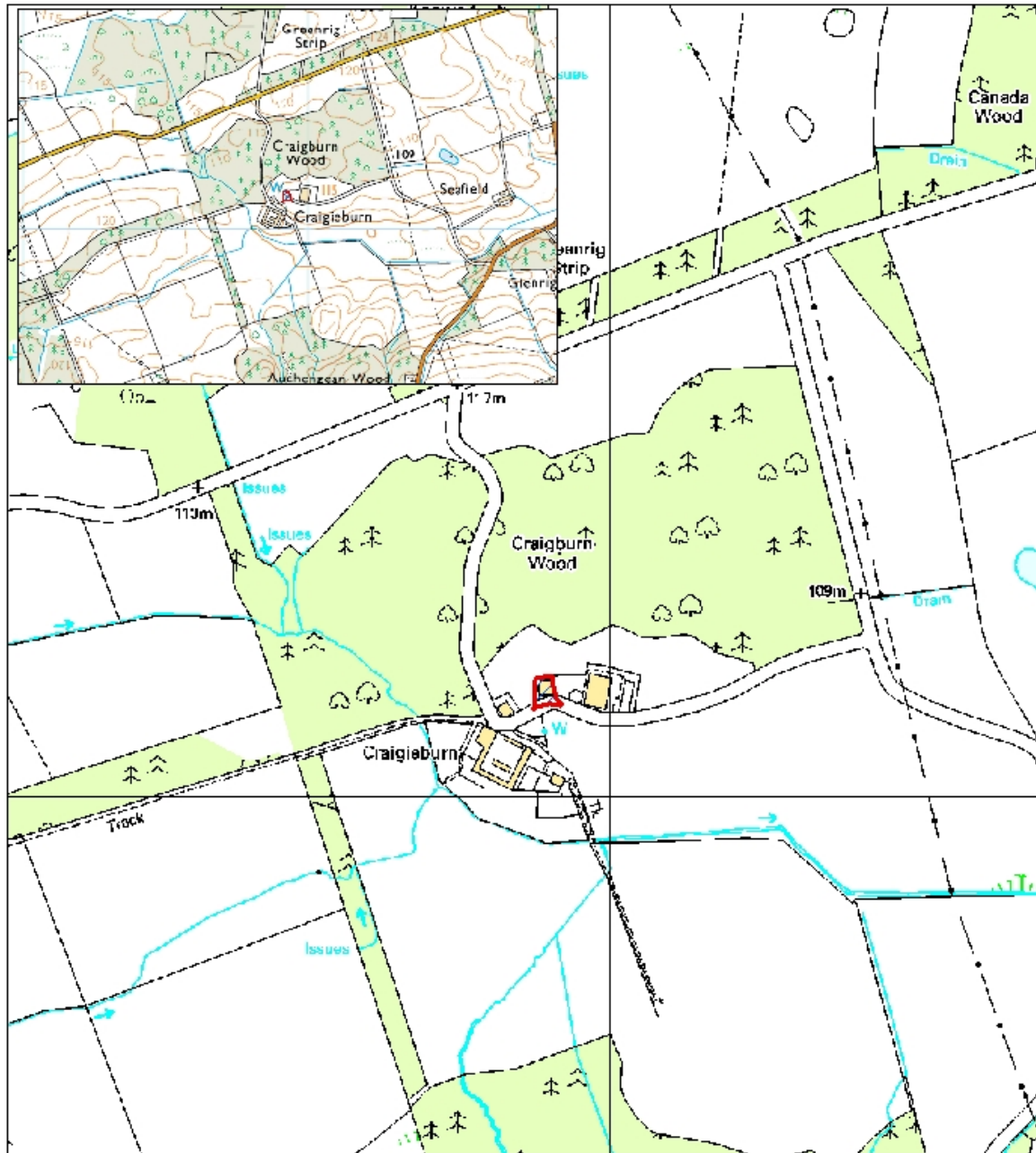
Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504701 and ask for Kevin Brown, Planning Officer.

Planning Committee

Planning Application Location Plan

P/15/0759/LBC

This plan is for location purposes only. It should not be interpreted as an exact representation of the application site.



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APPENDIX 1

