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Date: 9 December 2009

Historic Scotland
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FAO Gordon Mackie

Dear Sir,

Consultation Response: Managing Change

Please find enclosed comments on behalf of East Lothian Council to the above consultation. I also enclose completed respondent information form.

Yours faithfully,

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Principal Planner

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Consultation on Historic Scotland Guidance notes – Managing Change in the Historic Environment

On behalf of East Lothian Council I have the following comments to make:

General Comments

This proposed series of guidance leaflets replaces the Memorandum of Guidance on listed buildings and conservation areas. The loss of the Memorandum of Guidance on listed buildings and conservation areas is of concern as it has been a very useful tool for the local planning authority handling listed building consent applications, dealing with grant schemes and generally managing the historic environment.

In particular the Memorandum has been valuable in its comprehensiveness and in its straightforward advice on what is generally a correct approach and why another approach is generally wrong. It has been a tool that an officer can quote in a report to qualify their argument as to the correct course of action for a historic building or building located in a historic area. It has been used and quoted at Public Local Inquiry and Planning Appeal by this Council where reporters have given it due importance. It has also been used extensively in considering planning applications in Conservation Areas, and when dealing with application for listed building consent in discussions with owners, agents and other professionals.

Arguably there is little wrong with the Memorandum of Guidance on listed buildings and conservation areas, other than a requirement to update references, though its format, without illustration, is certainly dry.

However, it has been proposed that it be replaced with well presented, extensively illustrated modern leaflets. The new format is likely to win more readers but the brevity of the advice contained within them, compared to the Memorandum of Guidance on listed buildings and conservation areas, and the lack of clarity in what is meant is a concern to the planning authority. Negotiation over an application is made all the easier when the applicant or agent is able to see stated in black and white clear guidance from a national agency that advises on a particular approach to an aspect of the historic building repair and supports the arguments put forward by the local authority. Too often this series of leaflets is lacking in the detailed guidance that made the Memorandum of Guidance on listed buildings and conservation areas a practical and useful document for professional planners.

The place for broad level guidance is in the SHEP. The place for general information about the particular component features of buildings and the history of their development is in the excellent Inform guides aimed at the public. But these Managing Change leaflets need to be more detailed, containing more substantive and practical advice than simply 'should protect its character'. The leaflets as first drafted repeat too much information

contained in the Inform guides and fail to repeat the useful advice previously contained in the Memorandum of Guidance on listed buildings and conservation areas. This previous advice was aimed at the local planning authority and professional engaged in historic building conservation and was valuable in assessing planning and listed building consent applications. Like the Memorandum of Guidance on listed buildings and conservation areas these leaflets need to be more detailed to be fit for purpose and to be able to be effectively used by a local planning authority.

The wording used in the leaflets is often weak with phrases like 'can affect the character'. Where specific phrases previously contained in the Memorandum are no longer referred to, it would be justifiable for a developer to argue that that issue is no longer important, unnecessarily requiring far more effort on behalf of the local planning authority to convince otherwise.

The Memorandum also usefully cross referenced between sections where there was overlap, something that is not so easy to do in compartmentalised leaflets. It also contained a glossary and this would be helpful if added to these leaflets. It is useful to have illustrations in the leaflets but not all are as relevant as they could be to everyday situations and more examples of good and bad practice would help to clearly indicate the difference to the reader.

There is an unfortunate overall impression that the advice is watered down, as if the historic environment is less important, or judged as less important by the Scottish Government, leaving it up to local authorities to justify how they manage change in the historic environment without the same level of assistance from Historic Scotland and that is regrettable.

Please take the time to redraft the Managing Change series of leaflets in a way that better meets the needs of the local planning authority.

Detailed Comments

ACCESSIBILITY

Generally this is a useful new leaflet. Reference is needed to the character of a place as well as its significance in the background section. It does assume that there will always be a solution which the Memorandum was not prepared to acknowledge stating that in some circumstances full access may not be possible due to architectural quality. Full access may not be possible due to architectural quality. It is important to require that the design of ramps should complement the existing fabric of the building.

BOUNDARIES

This leaflet is inadequate. It omits some very good advice previously contained in the Memorandum and fails to address some common situations where advice is necessary. Its approach is too general, over reliant on the

phrase alterations to boundaries 'should protect character. Many applicants have difficulty in accepting that, as they see it, insignificant boundaries are in fact significant features that should not be harmed. The Memorandum gave clear advice in a number of specific situations that it was handy to consider, quote in a report to qualify the argument and if necessary point out to applicants in black and white at an early stage in the application process.

Specifically the Boundaries leaflet should reinstate the following succinct and clear first paragraph that the new leaflet takes longer to say in a more indistinct way:

The presence of walls, railings, gates and gate piers will often make a significant contribution to the quality of the setting to a listed building or to the streetscape character of a Conservation Area. A proposal to relocate, remove or reduce in height any of these items should be thought through very carefully as it may detract perceptibly from the quality of the building's setting or of the street in which it lies or both.

It is of more value for the local planning authority to have advice in the form of 'the loss of large lengths of boundary wall in towns ...should be firmly resisted' than 'alterations to boundaries should protect character'. The latter is a higher level policy and this leaflet ought to provide clear guidance on what is always important across the country when changes are sought to boundary features, as in this example from the Memorandum. Moreover if this is omitted, then applicants and developers could argue that this is no longer seen by Historic Scotland as important.

Other examples of what is important to retain rather than lose from the memorandum include statements on opposing the loss of garden walls to provide parking and that in some cases the architectural importance or townscape merit of the existing boundary arrangements may be such that no change is permissible.

Rigg walls feature heavily in medieval burghs throughout Scotland. Many rigg are under threat from lack of maintenance or where new development is proposed. They are key features of many conservation areas and should surely merit more than a passing reference in this leaflet. A strong statement on their importance to character and how they should be dealt with in proposals for development is required. There are many examples of development in riggs that can be used for illustrative purposes.

Similarly there is little reference to the many different types of cope that feature on boundary walls across Scotland. Consider adding: 'The many different types of cope found on historic walls can demonstrate different regional characteristics to wall construction and should be respected in new or repaired walls.'

Specific suggestions to improve the wording

Page 2 Key issues – the reference to ‘associated features in no.2 is weak it should give examples e.g. gates; lanterns; historic planting. Delete ‘wherever possible’ in no.4

Page 3 What are Boundary Treatments? - Listed Building Consent does not control historic planting. Third sentence should state ‘However, trees in Conservation Areas or those subject to specific Tree Preservation Orders are subject to control by the Planning Authority.’

Page 4 first sentence - This would read better if it stated that ‘Most boundaries are functional, marking property ownership as retaining walls. Boundaries can also be decorative and some have historical.....rituals.’ Suggest a further sentence ‘Many present day boundary walls provide visual clues to earlier buildings and structures in the form of blocked windows, doors and other features. These can be important in understanding the historical landscape.’

Page 5 Material Qualities - This could also refer to walls that have been altered over time e.g. raised sometimes in brick on top of stone. No reference to copes.

Page 6 Character and Interest of the boundary - the clear guidance in the Memorandum has been replaced by a bland general principle: ‘Alteration or repairs to a historic boundary should protect its character’. This should be expanded to provide general advice on how to do this for example, by use of the same materials and design. The cumulative effect of too many alterations should be referred to.

Maintenance - rather than state that a co-ordinated approach to maintenance is desirable it should state that it should ensure consistency. Reference should be made to local authority powers to serve amenity notices. Alterations - Leaflet states that the design, materials and construction of alterations should seek to ‘complement the original in terms of quality’. This is rather a vague statement and should be made clearer. Consider adding new sentence: ‘Where alterations are made they should use the closest match of materials and be finished to present the same appearance as the original. For example in a stone wall the coursing of stone, the width and material used in its pointing and the design and spacing of any coping stone are factors that should replicate the original.’ The Memorandum acknowledged that in some cases the architectural importance or townscape merit of the existing arrangements may be such that no change is permissible. There is no obvious reason why this should be omitted in the new guidance.

New Openings - it is unclear how a new opening can ever be ‘consistent with the existing design’.

Widening of openings- The use of the words ‘impact on’ rather than ‘seriously diminish’ as used in the memorandum water down the advice given on whether widening an entrance is acceptable or not.

Page 7 Rebuilding - It is common for walls to contain evidence of earlier work possibly blocked up windows, doors archways etc. These often add character to a wall and if so consideration should be given to their retention rather than the wall restored.

Pg7 Listed Building Consent - Delete 'helpful' in line 7 and add after 'technical information', 'including details of material specification'.

Illustrations – a more common boundary wall is that of large countryside estates and should be illustrated. Another should show the alterations in boundary walls perhaps with examples of previous openings or arches that it is desirable to retain rather than lose. Illustrations of different copes used throughout Scotland would be helpful.

DEMOLITION

Again with this leaflet it is more the statements that were contained in the Memorandum that are no longer referred to that are considered to weaken the guidance. These sought to emphasise that retention of listed buildings was important; that largely unaltered listed buildings should be kept and that some buildings and streets cannot accept the change brought about by demolition.

With reference to this latter point there was a situation recently in a High Street in East Lothian where due to the costs of repair a B listed tenement in a terrace was considered for demolition. Its neighbouring buildings were also listed for group value therefore the impact its demolition might have had would have been wider than just the building. It would be helpful if there was a reference to the group value of listed buildings as a further reason to oppose demolition.

The leaflet should make reference to the value of embodied energy in an existing building. It should also refer to partial demolition and façade retention and provide a position statement on this.

DOORWAYS

The Inform guide on Doors should be referred to in the introductory section as it is very helpful and has a good background piece on recent trends towards replacement doors, that could be considered for this leaflet too.

No reference is made in the leaflet to new doorways in new small scale extensions, which was referred to in the Memorandum. This was helpful advice to a Development Management officer dealing with an extension and should be considered for reinstatement.

Page 5 Associated Features - the Memorandum was quite clear that steps, plats and flyovers should always be retained. That advice is not contained within the new leaflet and should be reinstated. The Memorandum offered

advice on repair to these features which is also lacking in both the leaflet and in the Inform guide.

Replacement - the Memorandum phrase (1.2.2) '*Proposals to recess a door either less or more deeply within the door opening than the original should be refused*' would be more helpful to use than the phrase 'maintenance of the relationship of the door plane to the plane of the existing wall' at top of Page 6, which is confusing. .

The Memorandum was clear that '*replacement doors which are made of hardwood with a stained or varnished finish, and those which incorporate asymmetrical elements, integral fanlights, or inappropriate glazing or panelled patterns should never be given consent*'. There is no reason to drop this advice which remains relevant.

Glazing - Final sentence: Instead of stating that where replacement is required, new work to match existing should be specified, it should state that new work to match the original specification should be specified as for example many fanlights have been replaced with a single glazed pane where once there may have been astragals and subdivision.

Converting Doors to windows - to emphasise the problem that this can cause insert 'and harm' after 'disruption' in line 2

Page 7 Colour – this is a subject that deserves a leaflet on its own. Colours used in the historic built environment for all features of buildings.

Alterations to Fixtures – this should be expanded to include references to those items referred to in the Memorandum (1.2.3): detailing of balustrades, urns, finials, lamps.

EXTENSIONS

Key Issues – the first issue would benefit from adding 'but not all' after most in line 1. Using the word 'acknowledge' in line 1 of Contextual Design needs further explanation as its meaning will not be clear to all readers – worth expanding on this.

Many extensions dealt with on a daily basis by a Development Management team are small additions often to smaller buildings such as conservatories. It would be helpful if the leaflet provided further guidance on small scale extensions, preferably with relevant illustrations. The Memorandum had a section on porches and conservatories.

The Memorandum referred to extensions to symmetrical elevations requiring these to be refused if they unbalanced the building. In el there is a good example of a building with two conservatory extensions on either side that responded to this advice. If this advice is still considered relevant then it should be included. Photo can be supplied if required.

There should be reference to Design Statements which many local authorities require for extensions to listed buildings and a recommendation as to the issues a design statement should address.

Page 3 Additions to historic buildings - should be made clear that this also refers to buildings in a conservation area not just listed buildings.

Page 4 Replication – The last two sentences read confuse the previous sentences rendering the guidance unclear. Suspect the word ‘must should not be used.

Page 5 Extensions to the ground plan (does the ground plan need to be referred to here?) Bullet point 3 – this is an example of where these leaflets are less effective than the memorandum which then adds ‘and should be firmly refused’ thus giving clear guidance to an applicant.

Page 6 – Roof Extensions –this section requires reference to dormer windows

Visibility – this guidance is unclear – seems to suggest that anything goes on a roof extension to a listed building if it is not in an important view. Is that really national guidance for listed buildings or buildings in a conservation area? It is a very weak position.

Amenity – the wording of the guidance should be clearer

FIXTURES

This leaflet omits much useful information previously contained in the Memorandum. It tends to refer to houses rather than farm or industrial building interiors which can present different challenges, particularly on retention of interior features that do not lend themselves to being retained in a conversion to housing.

Either it or Roofs should have clear guidance on rainwater goods which are key features of historic buildings specifying materials when

Key Issues 1 – delete can from line 1

Page 3 Why are external features important – Line 2 add additional examples referring to rainwater goods and railings

Page 5 General – delete use of ‘repetition’ in line 4 and replace with ‘presence’.

Siting of new features – should refer to these being sited to minimise impact on the architectural integrity.

Telecoms – line 1 replace ‘considerable’ with ‘adverse’. Refer also to skyline impact as well as historic profile.

Page 6 Flagpoles – not sure this is relevant?

Banners – unclear what tension-mounted banners are

No mention of cabling fixings

INTERIORS

Key Issues no 4 – delete ‘where possible’ as it implies that this interest is not always important.

Key issues should also refer to owners responsibility in listed buildings
The opening sentence of the Memorandum should be added to the Early sections: *“Listing always applies to the whole building and not merely to those elements of it or within it to which reference has been made in the descriptive list...All interior work is consequently covered by the listing.”*

No mention of safeguarding interiors during building works is an omission and was clearly referred to in the memorandum.

Room subdivision is a very common issue that has to be dealt with in the interior of a listed building and guidance on ways in which this should or should not be undertaken should be specifically included.

Page 4 Fixtures and Fittings – further guidance is required on this with reference to industrial or farm buildings where these are proposed to be converted.

Page 6 there should be an illustration of a jib door.

Recording – refer to the fact that some local authorities, such as East Lothian also require recording of buildings prior to alteration.

MICRO RENEWABLES

Guidance on this issue is welcomed.

Key Issues – the statement on page 3 under Background that energy efficiency should be optimised before considering installation of micro-renewable technology should be made a key issue.

Key Issue 1 - it is unclear why the statement that historic buildings lend themselves well to micro-renewable technology has been made – this needs to be justified over any other type of building or excluded altogether.

The leaflet sets out the issues well enough but the detailed guidance that should follow is often lacking.

Wind – the leaflet fails to provide clear guidance for wind turbines and listed buildings which it should be able to do. It does not refer to the movement factor of a turbine and its effect on the building. It refers to setting but as the

setting leaflet makes no specific mention of wind turbines this leaflet needs to be clearer.

Although not a micro renewable, damp proof courses and the damage they can cause when installed from the outside of a building should be referred to in either this leaflet or elsewhere in the series.

In general the impact on historic building fabric is not explained sufficiently.

SETTING

This is an important topic and one that is used in many planning appeals and Public Local Inquiries where listed buildings are affected by [proposed development.

The Memorandum of Guidance on listed buildings and conservation areas phrase that: *'At all times the listed building should remain the focus of its setting. Attention must never be distracted by the presence of any new development whether it be within or outwith the curtilage'* was a useful, well used and well quoted phrase. Its omission from this leaflet is regretted. Indeed the whole of Chapter 10.0.0 of the Memorandum was very useful in assessing development at a listed building. The present guidance is not as clear or consequently as useful.

Key Issues – no 1 – the development management system actually has a key role to play.

Page 6 stage 3 – the impact of a development on the setting of a historic structure is a material consideration.

SHOPFRONTS AND SIGNS

Key Issues – no 2 delete 'that contain'

Signage – as symbolic signage is becoming rare should the leaflet not suggest that local planning authorities should encourage new examples?

Blinds and Canopies – this section refers to the need to avoid fixings into polished ashlar when the leaflet on fixtures suggests that fixings into the middle of stones avoids damage to surrounding stones. This would appear to be an anomaly.

The Memorandum contained useful advice on the principles of painting buildings including shopfronts that should be reincorporated into this leaflet – avoiding for example single colour washes on historic shopfronts; advising against stained timber and advising on how to paint where the shop is part of a painted tenement. Some shops have mouldings extending to upper floor levels and advice on retaining these would be desirable. May be helpful to note that standard corporate colours and lettering may not be acceptable on historic buildings in historic areas.

There is no mention of projecting hanging signs, the principle of these and the location relative to the façade of the building nor of the extent of wording appropriate to shop signs – if no wish to be prescriptive here simple good and bad signage examples would help as illustrations.

There should be explicit mention of the harm caused by altering window patterns either to introduce more panes or to lose originally sub divided windows.

Page 4 General Principles - there needs to be a general reference to the host building of a shopfront and the need to respect its character in any alteration.

Page 5 It would be helpful if the leaflet referred to historic tiled exteriors of shopfronts and required that tiles should not be painted over.

Page 5 - 2nd sentence – refers to older underlying shopfronts. This guidance should be sharper.

Page 5 – last sentence of section 1 refers to historic shop interiors but the guidance offered is insufficiently clear to ensure the retention of rare survivals.

Blinds and Canopies – the reference to modern fixed canopy blinds must state that these should not be permitted.

Security – better guidance from Historic Scotland is required here and should state what type of shopfront security is acceptable.

Other items – this does not make clear how signs are ‘therefore controlled’. Needs rewording to say what should be controlled, how and why. Suggest that light and cable fittings should be into mortar not stonework and that they should minimize their visual effect.

Page 7 2nd para 1st sentence - add to end of 1st sentence: “and should be resisted where it would lead to a significant loss of architectural quality.”

ENGINEERING STRUCTURES

Bridges – guidance should state that original items should always be retained, as should original cobbled or setted road surfaces. Reinstatement of the original design of lamp standards or parapets should be sought. Where bridge reinforcement is unavoidable, the solution of least structural and visual damage should always be sought

No mention of public park structures; churchyards; garden buildings and structures and street furniture and surfaces. These were all referred to in Memorandum – and should be reinstated.

Chimneys and tall structures – this could also refer to chimneys associated with 19th century farm buildings – it would be helpful if the guidance could be clear that these are important and should be retained.

ROOFS

There are several sections of the Memorandum that should be incorporated into this leaflet as they gave useful advice. These include:

The principle that where roofs, parapets, skewes, chimneyheads or dormers survive in original form, they should be carefully preserved (from Memorandum App1, para 1.5.1)

That early roof timberwork should be retained & repaired wherever possible, or recorded where not (1.5.2)

That any roof of structural interest should be retained if at all possible (1.5.3)

That roofs should retain their original form & pitch (1.5.4)

That wallheads should never be raised (1.5.4)

That where roofs have to be replaced, the profile & detailing of features of character should be reproduced (1.5.4)

That associated masonry detail including crowsteps, skewes should never be removed (1.5.5)

That lead should only be added to cornices if unavoidable, & the area of visibility minimised, crowsteps & skewes should not be surface leaded (1.5.5)

That chimneyheads & stacks should always be retained, or restored to original size, with particular care to reproduce original profile of cornice & coping (1.5.6)

That brick chimneyheads & stacks should not be smooth rendered & lined out to imitate stone (1.5.6)

That chimney pots should not be removed

That replacement pantiles should be clay, non-interlocking and the correct profile, colour & sheen, & the eaves course detail should be reproduced (all 1.5.13)

That flat Rosemary roof tile roofs of late 19th/ early 20th century should be retained (1.5.14)

That glazed tiles on inter-war buildings should be retained (1.5.15)

That consent should never be given for removal of broad eaves or decorative bargeboarding (1.5.16)

That lead and copper visible roof features should be retained & repaired as necessary (1.5.17)

That original dormers should always be retained & repaired (1.5.18)

That new dormers should not make a roof ill balanced or crowded

That box dormers and linked dormers should not be permitted

That traditional cast iron skylights should be retained wherever possible, with any new ones limited in size, number, profile and location, and whether they should be permitted on principle elevations (all 1..5.18)

There seems to be no reason to delete this useful information on roofs from the previous Memorandum.

WINDOWS

As with roofs above several areas of useful advice on windows have been omitted from the new guidance. The leaflet does not offer the same level of guidance as did the previous Memorandum of Guidance on listed buildings and conservation areas and there would appear to be no clear reason for this. For example under Ventilation the leaflet identifies that it is preferable to avoid prominent trickle vents but it would be helpful to the local planning authority if it was stated that these should not be used.

With regard to repair being the first preference many owners of listed buildings are keen to accept nothing other than wholesale replacement. Whilst the guides referred to are helpful they carry no weight in terms of persuading an applicant to repair rather than replace. This leaflet should be more explicit in the need to permit replacement only in specified circumstances.

Key Issues – no 3 delete the word ‘usually’

EXTERNAL WALLS

Key Issues – no 2 delete ‘where possible’

General Principles

Alterations – should be clearer in the definition of ‘complimentary materials’ – especially useful would be a comment on the acceptability or otherwise of the use of fake or reconstituted stone.

New Openings – this should refer to the cumulative affect of too many

openings for example in a farm steading conversion.

Harling – unclear in the reference to ‘limewash and its boundaries’? Does it mean that limewash may not have covered window margins and stringcourses?

Lime harling should be mentioned in this paragraph. If the local planning authority is to encourage the use of lime harling it needs greater assistance in this guidance.

There is lots of detailed guidance in the Memorandum of Guidance on listed buildings and conservation areas omitted – for example on stone cleaning and on painted walls. This should not be lost and remains relevant.

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