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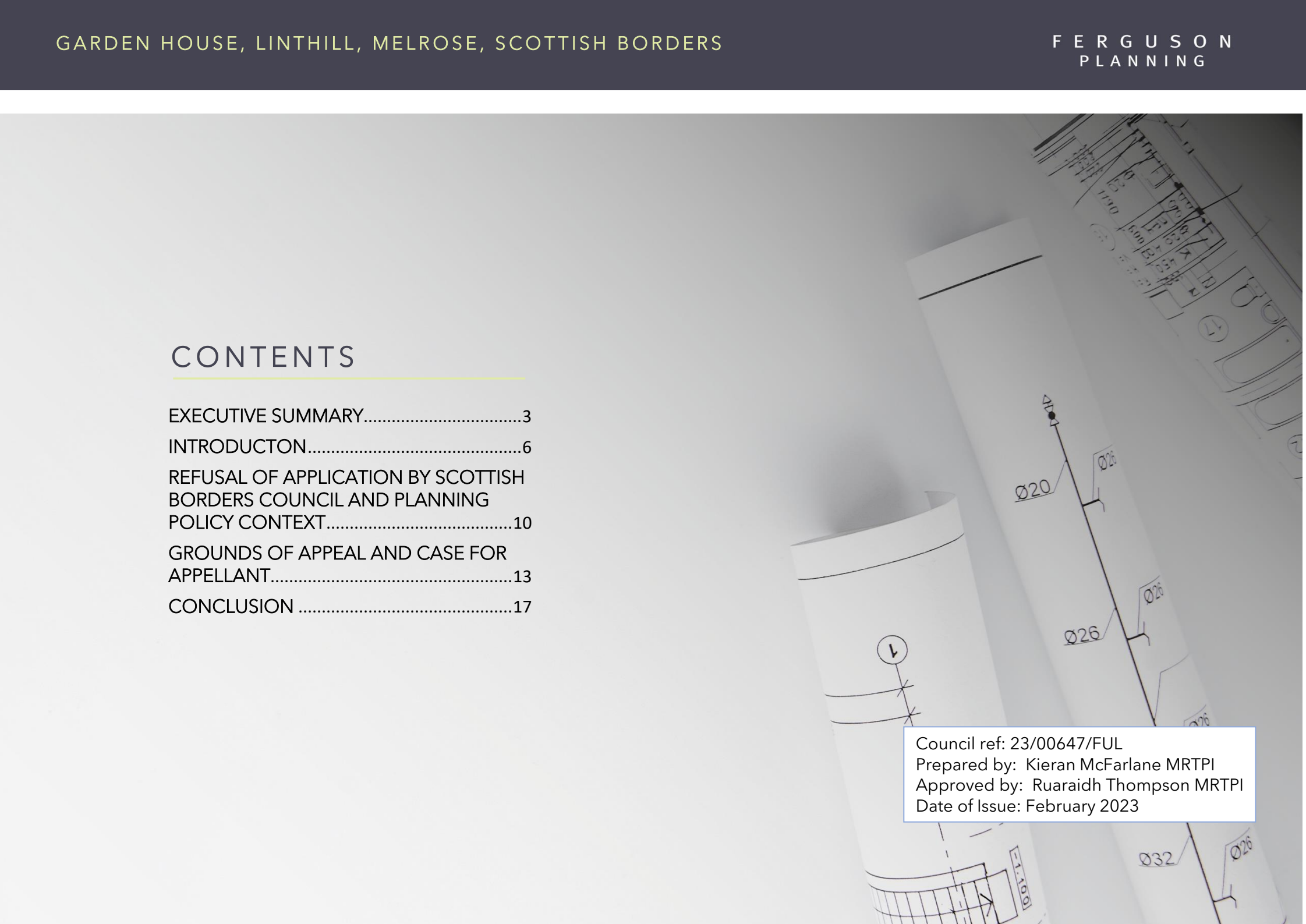
GARDEN HOUSE, LINTHILL, MELROSE, SCOTTISH BORDERS

MR GEOFF LONGSTAFF

FEBRUARY 2024

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Council ref: 23/00647/FUL
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GARDEN HOUSE, LINTHILL, MELROSE

EXECUTIVE SUMMARY

EXECUTIVE SUMMARY

This Statement is submitted on behalf of Mr Geoff Longstaff (the Appellant) against the decision by Scottish Borders Council to refuse Planning Permission for a replacement roof to the glass house at Garden House, Linthill, Melrose, Scottish Borders, TD6 9HU on 14th November 2023 (reference 23/00647/FUL). All Core Documents (CD) are referenced in Appendix 1.

The Appellant is seeking retrospective Listed Building Consent for the replacement roof on the glass house. The building subject to this appeal is a Category B Listed Building that sits within the walled garden at Linthill.

In 2019, the glass house was dismantled and reconstructed, with a link introduced to the adjacent dwelling, which is a more recent addition to the Walled Garden having received consent in 2008. This integrated the glass house as a habitable room of the dwelling. At the time of dismantlement, it was widely accepted that the original glass house was in a deteriorated condition and that the majority of the original, historic fabric was beyond repair. This resulted in the significant loss of the buildings original historic fabric, however the works to the glass house generally sought to match the detailing and character of the original. It has been accepted that Listed Building Consent was not required for these works.

During the course of the Application's determination, the following consultee responses were received from Council Officers and external consultees:

- Heritage and Design Officer - Objection
- Community Council - No reply

- Architectural Heritage Society of Scotland - No reply
- HES - No comments to make
- Scottish Civic Trust - No reply

Reason for Refusal

One reason was cited for the refusal of the Application, this stated.

"The proposed development does not preserve the special architectural and historic interest and therefore harms the significance of the listed building. The proposal fails to comply with Policy 7 of the National Planning Framework 4 and Policy EP7 of the Scottish Borders Local Development Plan 2016."

It is the position of the Appellant, as set out within this statement that in combination of the addition of the contemporary dwelling within the Walled Garden, and loss of the historic fabric of the glass house, this has resulted in a detrimental impact on the significance of the glass house and Walled Garden itself. While special architectural and historic interest in the Listed Building remains, this is however in a limited scope as detailed within the Architectural Commentary Statement

Furthermore, as the glass house is now an integrated part of the dwelling, there is a need to ensure that conditions within the room are habitable and the building is resilient to current and future impacts of climate change. As such, a shingled roof is required on the building to improve heat retention and improved waterproofing.

It is considered that the proposed development is required to ensure a neglected historic building is brought back into a sustainable and productive use and is resilient to current and future impacts of climate change. It is also considered that the existing glass house has already been subject to loss of its historic fabric and experienced harm to its special architectural and historic interest. It is not considered that the introduction of a solid roof brings any further harm to the Listed Building than has already occurred.

The Local Review Body, having considered the detail contained within the Application package, together with the information set out herein, are respectfully requested to allow the Appeal and grant Planning Permission.

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GARDEN HOUSE, LINTHILL, MELROSE
INTRODUCTON

INTRODUCTION

- 1.1. This Statement supports an Appeal of the delegated decision by Scottish Borders Council to refuse to grant Planning Permission for a replacement roof on a glasshouse at Garden House, Linthill, Melrose, TD6 9HU.
- 1.2. The building subject to this appeal is a Category B Listed Building that sits within the walled garden at Linthill.
- 1.3. Under previous applications (07/01619/FUL and 07/01618/LBC) consent was obtained for the erection of a new dwelling adjacent to the original 19th century glasshouse which has now been implemented and is the residence of the Appellant. This dwelling is contemporary both through its material nature and form. It is clad in horizontal larch boarding with aluminum windows, the single storey structure with curved roof sits respectfully below the coping level of the walled garden to form a deferential yet contemporary intervention within the formal historic landscape.
- 1.4. In 2019, the glass house was dismantled and reconstructed, with a link introduced to the new dwelling, integrating the glass house as a habitable room of the dwelling. At the time of dismantlement, it was widely accepted that the original glass house was in a deteriorated condition and that the majority of the original, historic fabric was beyond repair. This included excessive rot to the original timber structure and broken and fractured panes of glass. The Heritage and Design Officer makes reference to this in their response to the retrospective application (23/00647/FUL), noting that as the works to the glass house generally sought to match the detailing and character of the original, it was accepted that Listed Building Consent was not required for these works.
- 1.5. The remainder of this Statement considers the buildings context and relevant planning policy, before evaluating the accordance of the appeal proposal with the National Planning Framework 4, the Local Development Plan and other material considerations.

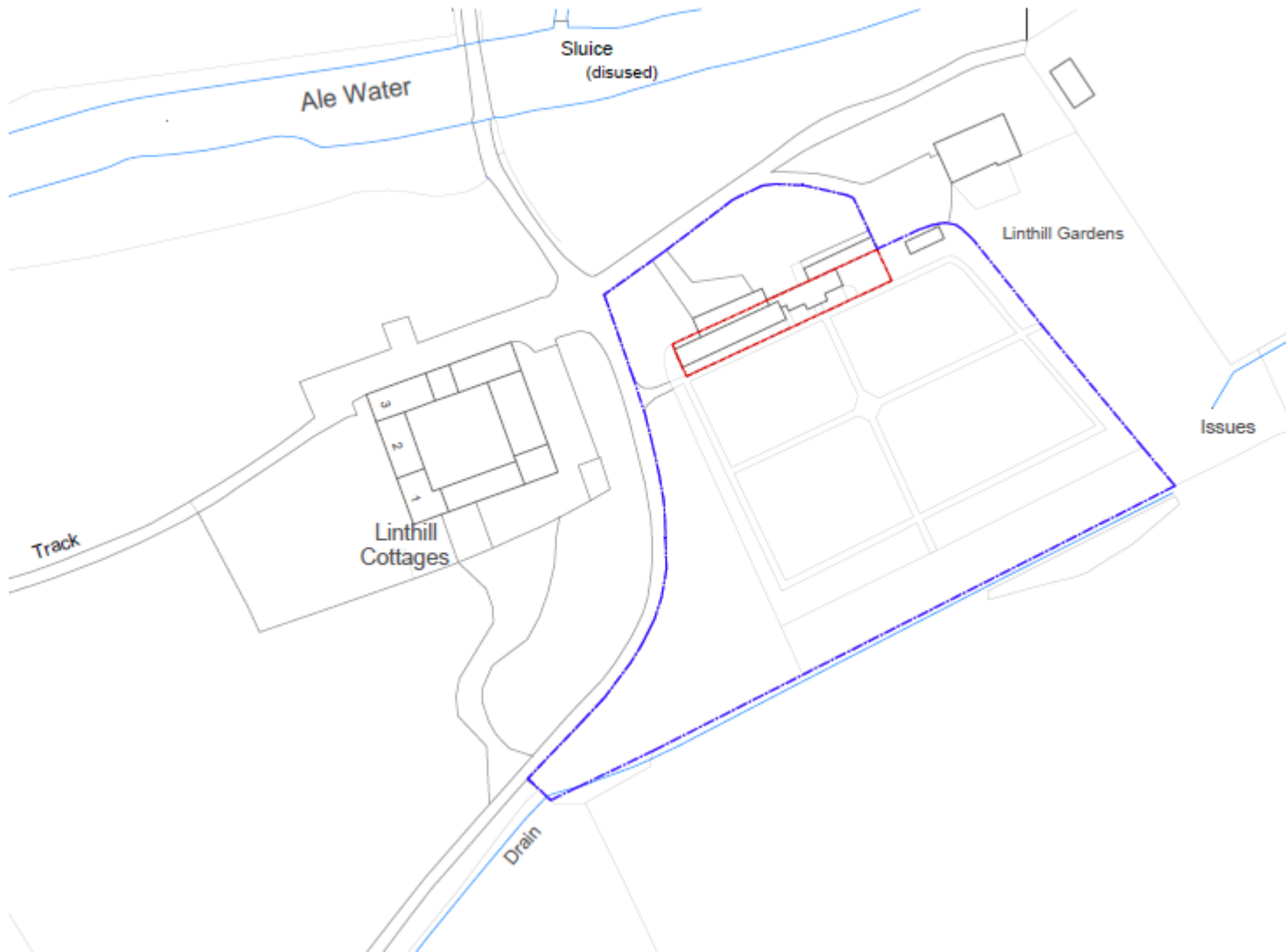


Fig 1: Extract from Site Location Plan

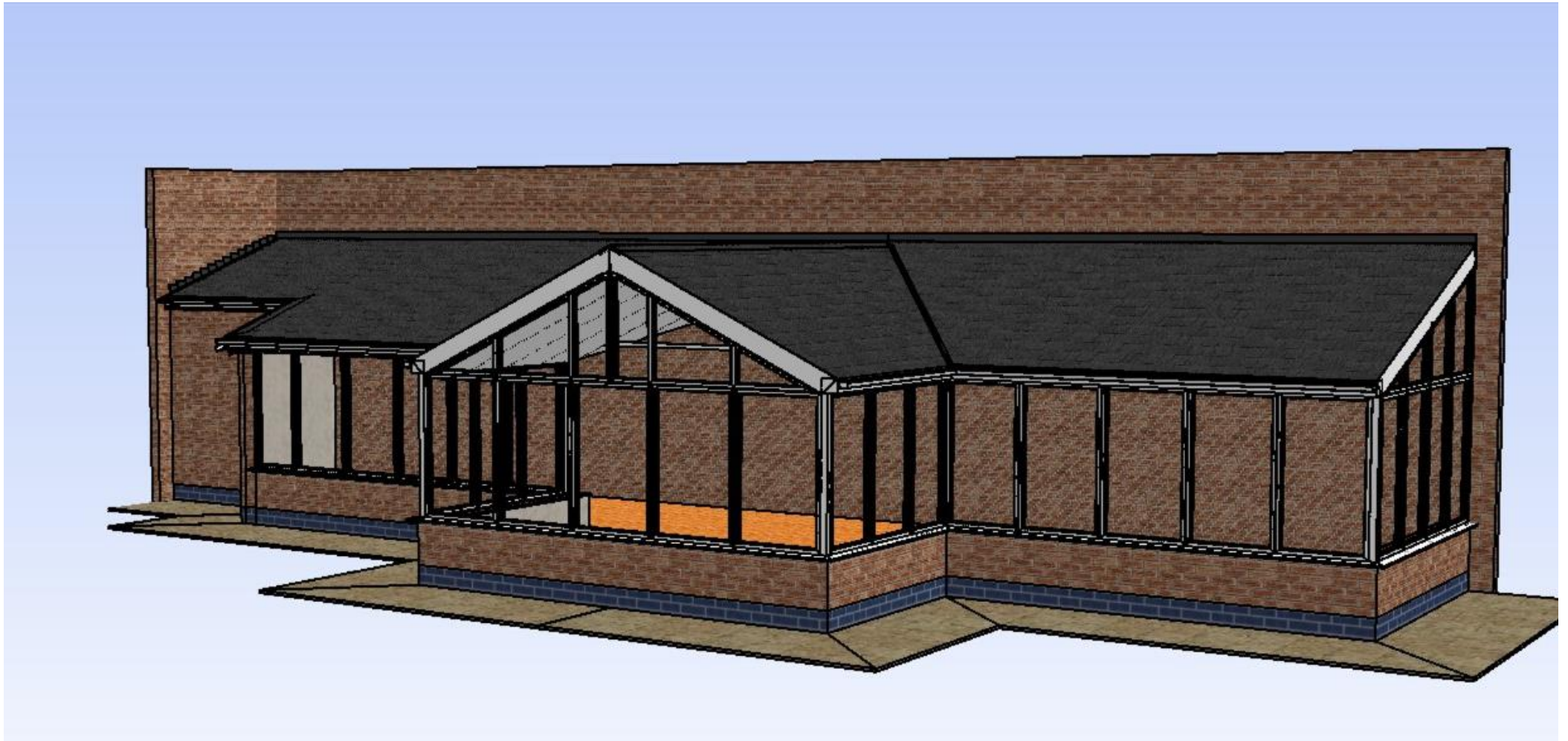


Fig 2: Elevation Visual

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GARDEN HOUSE, LINTHILL, MELROSE
REFUSAL OF APPLICATION BY SCOTTISH
BORDERS COUNCIL AND PLANNING
POLICY CONTEXT

REFUSAL OF APPLIATION BY COUNCIL AND PLANNING POLICY CONTEXT

- 2.1 An application for Planning Permission (23/00647/FUL) was refused on 14th November 2023. The Decision Notice (CD14) cited one reason for refusal, as set out below:

“The proposed development does not preserve the special architectural and historic interest and therefore harms the significance of the listed building. The proposal fails to comply with Policy 7 of the National Planning Framework 4 and Policy EP7 of the Scottish Borders Local Development Plan 2016.”

Local Development Plan

- 2.2 **Policy EP7** of the Scottish Borders Local Development Plan (SBLDP) details the circumstances in which proposals that affect Listed Buildings will be considered. The text of *Policy EP7* is copied below:

“The Council will support development proposals that conserve, protect, and enhance the character, integrity and setting of Listed Buildings.

Internal or external alterations and extensions to Listed Buildings, or new developments within their curtilage, must meet the following criteria:

- a) *Be of the highest quality,*
- b) *Respect the original structure in terms of setting, scale, design and materials, whilst not inhibiting contemporary and/or innovative design;*
- c) *Maintain, and should preferably enhance, the special architectural or historic quality of the building;*
- d) *Demonstrate an understanding of the building’s significance.*

All applications for Listed Building Consent or applications affecting the setting of Listed Buildings will be required to be supported by Design Statements.

New development that adversely affects the setting of a Listed Building will not be permitted.

The demolition of a Listed Building will not be permitted unless there are overriding environmental, economic social or practical reasons. It must be satisfactory demonstrated that every effort has been made to continue the present use or to find a suitable new use.”

National Planning Framework 4

- 2.3 One of the six overarching spatial principles of NPF4 is to support conserving and recycling assets. This encourages the productive use of existing buildings, places, infrastructure and services, locking in carbon, minimising waste, and building a circular economy.
- 2.4 **Policy 7: Historic assets and places** intent is to protect and enhance historic environment assets and places, and to enable positive changes as a catalyst for the regeneration of places. The relevant section (criterion c) of the policy is copied below:

“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.”

- 2.5 These policies are the pertinent material consideration in the determination of the appeal proposal, as established within the reason for refusal within the Council's Decision Notice (CD9).

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GROUNDS OF APPEAL AND CASE FOR
APPELLANT

GROUNDS OF APPEAL AND CASE FOR APPELLANT

3.1 The decision of the Planning Authority to refuse the Application is challenged on the basis of the grounds of appeal as set out below. It is the submission of the Appellant that the proposal accords with the relevant adopted policy of National Planning Framework 4, the Local Development Plan and that there are no material considerations which justify the refusal of the application.

3.2 The application was refused on concerns solely related to the impact on the Listed Building, therefore the grounds of appeal will relate to the relevant policies as noted in the reason for refusal, which are:

- NPF4 Policy 7
- Scottish Borders LDP Policy EP7

3.3 During the course of the applications determination, the following consultee responses were received from Council Officers and external consultees:

- Heritage and Design Officer - Objection
- Community Council - No reply
- Architectural Heritage Society of Scotland - No reply
- HES - No comments to make
- Scottish Civic Trust - No reply

3.4 Grounds of Appeal: The decision to refuse planning permission is challenged on the basis that:

“Limited special architectural and historic interest in the Listed Building remains, with this retained where possible. The proposed development is required to create habitable

conditions in the room and ensure it is resilient to current and future impacts of climate change.”

3.5 The original glass house was largely dismantled and reconstructed (circa. 2019), with a link added to the dwelling resulting in the glass house forming part of the overall house. Given the works to the glass house generally sought to match the detailing and character of the original, it was acknowledged that Listed Building Consent was not required. This is accepted in the Heritage and Design Officers consultation response to the proposed development.

3.6 It is acknowledged by both the Appellant and the Council that during the recent reconstruction of the glass house, the original materials were in a condition beyond repair, this included excessive rot to the original timber and broken/fractured panes of glass, and ultimately the historic fabric could not be retained. Whilst it was required to remove the historic fabric at the time of the rebuild, the traditional detailing and overall character of the building were largely retained.

3.7 The existing glass house now forms part of the overall dwelling, connected via a link, forming a habitable room in the dwelling. Efforts were made to reuse salvaged materials where possible, this includes the existing base course and the presence of some historic bricks. The introduction of a solid roof is the matter of dispute, with the retrospective planning application refused on the view that it harms the significance of the Listed Building.

3.8 It must be acknowledged that the glass house subject to this appeal is effectively a contemporary construction and it should be conceded that the significance of the wider setting of the walled garden has effectively been reduced in part due to the erection of the dwelling and renovation of the glass house.

- 3.9 It should also be recognised that the integration of the once stand-alone glass house into the existing dwelling has diminished the autonomous nature of the building thus diminishing the importance and character of the building itself. Traditionally built as a lean-to structure within the walled garden with expressed gable ends, it must be recognised that the integration with the more recently constructed dwelling alters how the glass house sits and is perceived within the walled garden.
- 3.10 In addition, the challenges raised by the integration of the reconstructed glass house into the existing dwelling in terms of general maintenance and energy efficiency should be considered as a key matter in the assessment of the proposed development.
- 3.11 The installation of a shingled roof as opposed to the continuation of a glass roof is intended to improve the habitation conditions in the room and increase the energy efficiency of the dwelling as a whole. The shingled roof enhances the rooms capacity to retain heat, repels increased rainfall and mitigates energy loss. This is a large step towards adapting a historic structure to deal with environmental challenges, this is supported by NPF4 Policy 7 which sets out the aim that *“the historic environment is valued, protected and enhanced, supporting the transition to net zero and ensuring assets are resilient to current and future impacts of climate change”*.
- 3.12 Effort has been made by the Appellant to retain the special architectural character and historic setting of the building where possible, while supporting a neglected historic building being brought back into a sustainable and productive use. This prevented further deterioration or damage to the Listed Building which could have resulted in its total loss. It is considered that the glass house could not have been successfully integrated with the dwelling if a glass roof was retained.
- 3.13 It is therefore that position of the Appellant that the special architectural and historic interest of the glass house has already been significantly reduced through the loss of its historic fabric and as effect of recent and necessary reconstruction works and integration of the once standalone building into the adjacent dwelling. Through the integration of the glass house as part of the dwelling it has become necessary to introduce a shingled roof to ensure the room can be habitable to residents. In line with the outcomes of NPF4 Policy 7, this has ensured a neglected historic building has been brought back into a sustainable and productive use, while ensuring that the historic asset is resilient to current and future impacts of climate change. It is considered that the proposal complies with NPF4 Policy 7.
- 3.14 Policy EP7 of the SBLDP sets out that alterations to Listed Buildings must maintain the special architectural or historic quality of the building. This Statement and the supporting Architectural Commentary Statement has detailed that due to recent repairs/alterations that were not required to obtain Listed Building Consent that the historic fabric and the independent character of the Listed Building were significantly lost. It is the Appellants case that the introduction of the shingled roof does not cause anymore **significant** harm to the Listed Building than has already occurred.
- 3.15 The Proposed Scottish Borders Local Development Plan was submitted to Scottish Ministers on 13th December as modified following Examination. Ministers are currently considering the documents and the Planning Authority may not adopt the Proposed LDP before Friday 8th March 2024. Given the advanced stage of the Proposed LDP and it’s proximity to adoption, the policies within this plan carry significant weight in the assessment of current proposals. Updated Policy EP7 in the Proposed Plan sets out that development may be acceptable where it is shown to be the only means of retaining a Listed Building and securing its long term future, this is also justified through the environmental benefit gained through ensuring the building as now part of the dwelling is resilient to the

impact of climate change. The proposal is considered to be in compliance with Policy EP7.

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CONCLUSION

CONCLUSION

- 4.1 The Notice of Review, supported by this Statement, respectfully requests that the Council overturns the decision to refuse Planning Permission for Application 23/00647/FUL and grant consent for a replacement roof on the glasshouse at Garden House, Linthill, Melrose, TD6 9HU.
- 4.2 The building subject to this appeal is a Category B Listed Building that sits within the walled garden at Linthill. In 2019, the glass house was dismantled and reconstructed, with a link introduced, integrating the glass house as a habitable room of the existing dwelling, which is a more recent and contemporary addition in the Walled Garden.
- 4.3 At the time of dismantlement, it was widely accepted that the original glass house was in a deteriorated condition and that the majority of the original, historic fabric was beyond repair. The Heritage and Design Officer makes reference to this in their response to the retrospective application (23/00647/FUL), noting that as the works to the glass house generally sought to match the detailing and character of the original, it was accepted that Listed Building Consent was not required for these works.
- 4.4 It is considered that taking into account the addition of the contemporary dwelling within the Walled Garden, and loss of the historic fabric of the glass house, this has resulted in a detrimental impact on the significance of the glass house and Walled Garden itself. Special architectural and historic interest in the Listed Building remains, albeit moderately reduced, however this has been retained where possible through specific parts of reconstruction as detailed in the Architectural Commentary Statement and reuse of salvaged materials for the base course, the red ashlar is legible as are the presence of some historic bricks.
- 4.5 Furthermore, the integration of the glass house into the dwelling has altered the character of the once autonomous nature of the structure itself. As the glass house is now an integrated part of the dwelling, there is a need to ensure that conditions within the room are habitable and the building is resilient to current and future impacts of climate change. As such, a shingled roof is required on the building to improve heat retention and improved waterproofing.
- 4.6 It is considered that the proposed development is required to ensure a neglected historic building is brought back into a sustainable and productive use, that is resilient to current and future impacts of climate change. It is also considered that the existing glass house has already been subject to loss of its historic fabric and experienced harm to its special architectural and historic interest, whilst this has been retained/recreated where possible, it is not considered that the introduction of a shingled roof brings any further harm to the Listed Building. In addition, the proposed development is essential in order to create a resilient and future proofed building that brings a neglected historic building back into active use.
- 4.7 The proposed development is therefore considered to be in accordance with NPF4 Policy 7 and SBLDP Policy EP7. Members are respectfully requested to allow the appeal and Listed Building Consent.

Appendix 1 - CORE DOCUMENTS

The following drawings, documents, and plans have been submitted to support the Notice of Review:

- Notice of Review Form;
- CD1 Appeal Statement;
- CD2 Location Plan;
- CD3 Site Plan;
- CD4 Design Statement (Architectural Commentary);
- CD5 Extralight Shingle Roofing Sheet;
- CD6 Existing Roof Plan 1
- CD7 Existing Roof Plan 2
- CD8 Existing Roof Plan 3
- CD9 Photo 1
- CD10 Photo 2
- CD11 Photo 3
- CD12 Application Form 23/00647/FUL
- CD13 Report of Handling 23/00647/FUL
- CD14 Decision Notice 23/00647/FUL
- CD15 Heritage and Design Consultation Response

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