



East Renfrewshire Local Development Plan

LOCAL
DEVELOPMENT
PLAN

Supplementary Planning Guidance: Management and Protection of the Built Heritage June 2015



Supplementary Planning Guidance

Management and Protection of the Built Heritage

June 2015



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1. FOREWORD

1.1. Introduction

- 1.1.1. This Supplementary Planning Guidance has been prepared under Section 22 of the Planning etc. Scotland Act 2006 and forms part of the Local Development Plan.
- 1.1.2. This Planning Guidance supplements Policy D11 Management and Protection of the Built Heritage of the Local Development Plan and aims to ensure the appropriate protection, enhancement and management of East Renfrewshire's built heritage assets, by providing clear guidance to applicants and developers bringing forward development proposals. It should be read in conjunction with the Policies and Proposals of the Local Development Plan, Scottish Planning Policy and the Scottish Historic Environment Policy.
- 1.1.3. Built heritage includes ancient monuments, archaeological sites and landscapes, historic buildings, townscapes, parks, gardens and designed landscapes and other features, and comprises both statutory and non-statutory designations.



- 1.1.4. Our built heritage is valued for its own sake, but is also of particular importance for supporting the growth of tourism and leisure, and contributing to sustainable development through the energy and material invested in buildings, the scope for adaptation and reuse. The unique quality of the historic built environment also provides a sense of identity and continuity for communities.
- 1.1.5. A critical component to achieving a high-quality built environment is to ensure that the area's historic environment is sustainably managed, enhanced and protected, while supporting appropriate, informed and sensitively managed development that will retain its special character.
- 1.1.6. This guidance should be taken into account by homeowners and developers and when forming development proposals and submitting planning applications.

1.2. Policy & Legislative Context

1.2.1. This Supplementary Planning Guidance (SPG) has been developed in the context of the following Policy and Strategy frameworks and Government Advice:

- National Planning Framework 3
- Scottish Planning Policy (2014)
- Scottish Historic Environment Policy (2011)
- Managing Change in the Historic Environment Guidance Notes (Historic Scotland)
- Planning Advice Note 71 Conservation Area Management
- Planning Advice Note 2/2011 Planning and Archaeology
- Glasgow & Clyde Valley Strategic Development Plan
www.clydeplan-sdpa.gov.uk/
- East Renfrewshire Local Development Plan

1.2.2. Further information is available on the Scottish Government & Historic Scotland Websites:

- www.scotland.gov.uk/Topics/Built-Environment/planning
- www.historic-scotland.gov.uk/index/heritage.htm

1.2.3. The policies for the protection and management of the built heritage are underpinned by the Historic Environment (Amendment) (Scotland) Act 2011. The Act amended and addresses specific gaps and weaknesses identified in 3 principal pieces of legislation:

- the Historic Buildings and Ancient Monuments Act 1953;
- the Ancient Monuments and Archaeological Areas Act 1979 (“the 1979 Act”); and
- the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (“the 1997 Act”).

1.3. Local Context

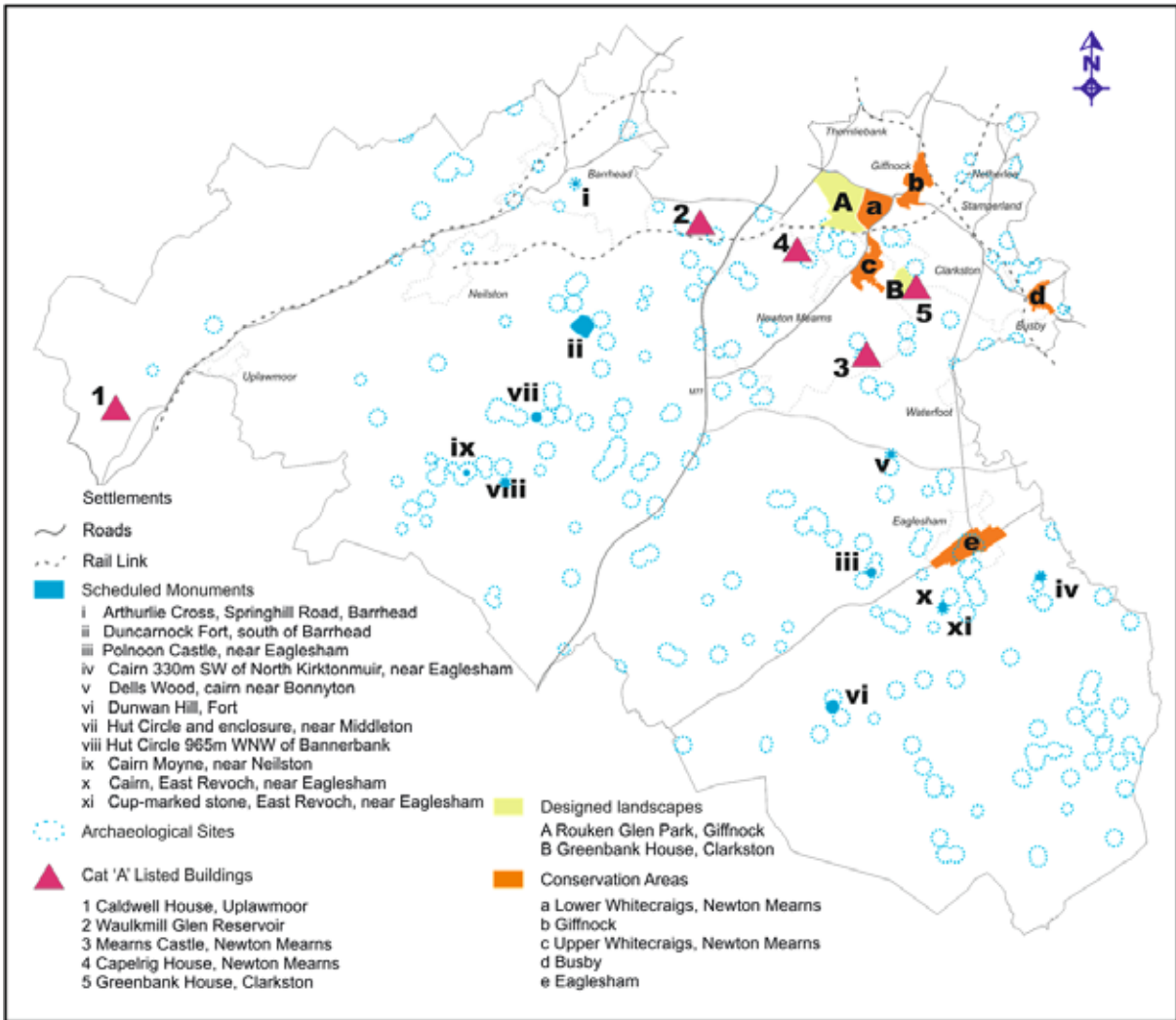
1.3.1. An important outcome for East Renfrewshire Council is to ensure that “our local people live in an attractive built and natural environment that is sustainable and enhanced for future generations”.

1.3.2. East Renfrewshire is an area of rich environmental quality in terms of both the natural and built environment. Parts of Busby, Giffnock, Upper and Lower Whitecraigs have conservation area status, as well as Eaglesham which was Scotland’s first conservation area. Much of Netherlee is also protected. The character of these areas is subject to special planning controls.

1.3.3. Both Greenbank House and Rouken Glen Park are included in Historic Scotland’s ‘Inventory of Gardens and Designed Landscapes’, and the area is also home to many listed buildings, including 5 Category A listed buildings which are of national importance. East Renfrewshire also contains many important archaeological remains, with a number of both nationally and locally important sites, including scheduled monuments.

1.3.4. Effective protection of East Renfrewshire’s historic buildings, conservation areas, gardens and designed landscapes, ancient monuments and archaeology is important as they contribute to quality of place, provide a sense of identity, local distinctiveness and continuity. East Renfrewshire’s built heritage is of particular value bringing many social, cultural and economic benefits to communities, whilst also contributing to sustainable development and regeneration through adaption and reuse.

Figure 1: Built Heritage Designations



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2. GUIDANCE

Policy D11: Management and Protection of the Built Heritage

The Council will safeguard the special character of conservation areas and the Netherlee Article 4 Direction Area; sites included on the Inventory of Gardens and Designed Landscapes; scheduled monuments and archaeological sites; and listed buildings and their settings. Development likely to adversely affect these assets will be resisted.

Further detailed information and guidance is provided in the Management and Protection of the Built Heritage Supplementary Planning Guidance.

The Council will seek to secure the implementation of the environmental protection projects shown on the Proposals Map and listed in Schedule 5.

- 2.1.1. Built heritage designations are shown on the Local Development Plan Proposal Map and listed in the Plan Schedules. Heritage designations change over time, therefore over the life of the Plan there will be additions and amendments to designations. For up to date information on built heritage designations please refer to the Council's website www.eastrenfrewshire.gov.uk/historic-buildings
- 2.1.2. The Council would strongly encourage early pre-application discussions with the Planning Service prior to any formal application involving built heritage assets.



2.2. Listed Buildings

A building included on the Scottish Ministers' list of buildings of special architectural or historic interest which is afforded statutory protection under the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as amended by the Historic Environment (Amendment) (Scotland) Act 2011.

- 2.2.1. The Council recognises that the structure of some listed buildings, particularly those that are disused, are under threat. In line with Scottish Planning Policy, the Council will support the best viable use that is compatible with the fabric, setting and character of the historic environment, with the aim of finding new economic uses that are viable over the long term with minimum impact on the special architectural and historic interest of the building or area.



Listed Building Alteration

- 2.2.2. Works which will alter or extend a listed building in a way which would affect its character or its setting and demolition works require listed building consent. It is a criminal offense to carry out such works without listed building consent. Works requiring listed building consent may also require planning permission.
- 2.2.3. Where both planning and listed building consents are required, cases are dealt with most effectively if applications are submitted at the same time. It is not possible to seek outline listed building consent.
- 2.2.4. Applications should be supported by sufficient information to allow the proposed works and their impact upon the building's character to be understood. The amount of information required will depend on the nature and significance of the building and the level of intervention proposed.

- 2.2.5. Applicants should demonstrate that arriving at a strategy for intervention, the importance of the building has been clearly understood and those features which contribute to its special interest have been identified. Where proposals involve significant intervention, evidence that less intrusive options have been considered should be provided.
- 2.2.6. Change to a listed building will be managed to protect its special interest while enabling it to remain in active use. The layout, design, materials, scale, siting and use of any development affecting a listed building shall be appropriate to the character and appearance of the listed building and its setting.
- 2.2.7. There is a presumption against demolition or other works that adversely affect the special interest of a listed building or its setting.
- 2.2.8. No listed building should be demolished unless it can be clearly demonstrated that:
- the building is not of special interest; or
 - the building is incapable of repair; or
 - the demolition of the building is essential to delivering significant benefits to economic growth or the wider community; or
 - 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.
- 2.2.9. To enable features to be recorded, the Royal Commission on the Ancient and Historical Monuments of Scotland shall be formally notified of all proposals where consent is granted to demolish listed buildings.
- 2.2.10. Enabling development may be acceptable where it is demonstrated that it is required to offset the listed building restoration cost. The resulting development should be of a high design quality, protect the listed building and its setting and be the minimum necessary to enable its conservation and re-use. The new development should be designed to retain and enhance the special interest, character and setting of the listed building and will require to comply with other Local Development Plan policies and in particular Strategic Policy 2 Assessment of Development Proposals and Policy D1 Detailed Guidance for All Development.
- 2.2.11. It should be noted that the setting is more than the immediate surroundings of a site or building, and may be related to the function or use of a place, or how it was intended to fit into the landscape or townscape, the view from it or how it is seen from around, or areas that are important to the protection of the place, site or building.

- 2.2.12. There are currently 138 listed buildings in East Renfrewshire. The listed building register identifies each of these properties and is available to download from the Council's website using the following link www.eastrenfrewshire.gov.uk/listed-buildings
- 2.2.13. Appendix 1 contains further information on listing criteria and categories.

2.3. Conservation Areas

An area designated under the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, as amended by the Historic Environment (Amendment) (Scotland) Act 2011, as being of special architectural or historic interest, the character and interest of which it is desirable to preserve and enhance.

- 2.3.1. There are currently 5 conservation areas in East Renfrewshire (as detailed in schedule 2), as well as an Article 4 Direction covering parts of Netherlee. Their designation provides the basis for the positive management of the area.
- 2.3.2. A number of Conservation Area Appraisals have been prepared and accompany the Local Development Plan. The appraisals will provide the basis for future guidance on each area, specifically relating to design and enhancement.



Development Within a Conservation Area

- 2.3.3. Planning permission will be required for all development within a conservation area apart from small huts and small areas of decking¹. In addition, conservation area consent is required for the demolition of unlisted buildings in conservation areas.
- 2.3.4. Development and demolition within a conservation area or affecting its setting shall preserve or enhance its character and be consistent with any relevant conservation area appraisal or management plan that may have been prepared for the area.
- 2.3.5. The design, materials, scale and siting of any development shall be appropriate to the character of the conservation area and its setting. Given the importance of assessing design matters, outline planning applications will not normally be considered appropriate for developments in conservation areas.

Trees

- 2.3.6. Trees which are considered by the planning authority to contribute to character and appearance shall be preserved. Trees in conservation areas are protected through the Town and Country Planning (Scotland) Act 1997 as amended by The Planning etc. (Scotland) Act 2006. Before carrying out any work on a tree in a conservation area, owners are required to notify the local authority at least 6 weeks in advance, giving details of the intended works. For further information refer to Local Development Plan Policy D8 Natural Features and Green Network and Environmental Management Supplementary Planning Guidance.
- 2.3.7. In certain instances the Council has put in place Tree Preservation Orders to protect trees which it considers are of individual merit or contribute to the character of the area. Permission is required before works are undertaken to trees within a Tree Preservation Order area.

Demolition

- 2.3.8. The demolition of unlisted buildings in conservation areas is brought under control by applying, with modifications, listed building controls. Therefore the following shall be applied when considering the demolition of any building, listed or not, within a conservation area:
- 2.3.9. No building should be demolished unless it can be clearly demonstrated that:
- the building is of little townscape value and does not contribute to the character of the conservation area;
 - or the repair of the building is not economically viable;
 - or the form or location of the building makes its re-use extremely difficult;
 - and the replacement scheme will preserve and enhance the special character of the conservation area

¹ For further information please see information on new permitted development rights on the Council's website <http://www.eastrenfrewshire.gov.uk/what-needs-planning-permission>

- 2.3.10. A detailed planning application for the replacement scheme would require to be submitted. Demolition shall not begin until evidence is given of contracts let for an approved replacement development.

Schedule 2: Conservation Areas and Article 4 Direction Area

Site Ref	Location
D11.1	Busby Conservation Area
D11.2	Eaglesham Conservation Area
D11.3	Giffnock Conservation Area
D11.4	Lower Whitecraigs Conservation Area
D11.5	Upper Whitecraigs Conservation Area
D11.6	Netherlee Article 4 Direction Area

Refer to Figure 1 for the location of Built Heritage designations

Article 4 Direction at Netherlee

- 2.3.11. The Council will continue to safeguard the special character of the area at Netherlee subject to an Article 4 Direction Area, identified as D11.6 on the Local Development Plan Proposals Map. Development likely to prejudice the character of this area will be resisted.
- 2.3.12. The Council is proposing to designate this area of Netherlee as a conservation area, identified in Local Development Plan Policy D12. Once implemented, the Article 4 Direction for Netherlee will be formally withdrawn.



Re-development proposals within any of the conservation areas or the Netherlee Article 4 Direction Area will also require to comply with other Local Development Plan policies and in particular Policy D1 Detailed Guidance for All Development and Policies D14 Extensions to Existing Buildings and Erection of Outbuildings and Garages and D15 Sub-division of the Curtilage of a Dwellinghouse for a New Dwellinghouse and Replacement of an Existing House with a New House.

New Conservation Areas

- 2.3.13. Netherlee was designated as an Article 4 Direction Area in 1988. This direction afforded control over certain building works which it was considered could affect the character of the area. As a result of recent changes to the planning legislation, the Council's Local Development Plan proposes that the most effective way to ensure that Netherlee continues to be protected from inappropriate development is to designate it as a conservation area and revoke the now outdated Article 4 Direction.
- 2.3.14. In addition, the Local Development Plan, through Policy D12, proposes a new conservation area designation in Crookfur, specifically to cover the Crookfur Cottage Homes designed by Sir Basil Spence. Conservation area appraisals will be carried out for these areas before any formal designation is sought.



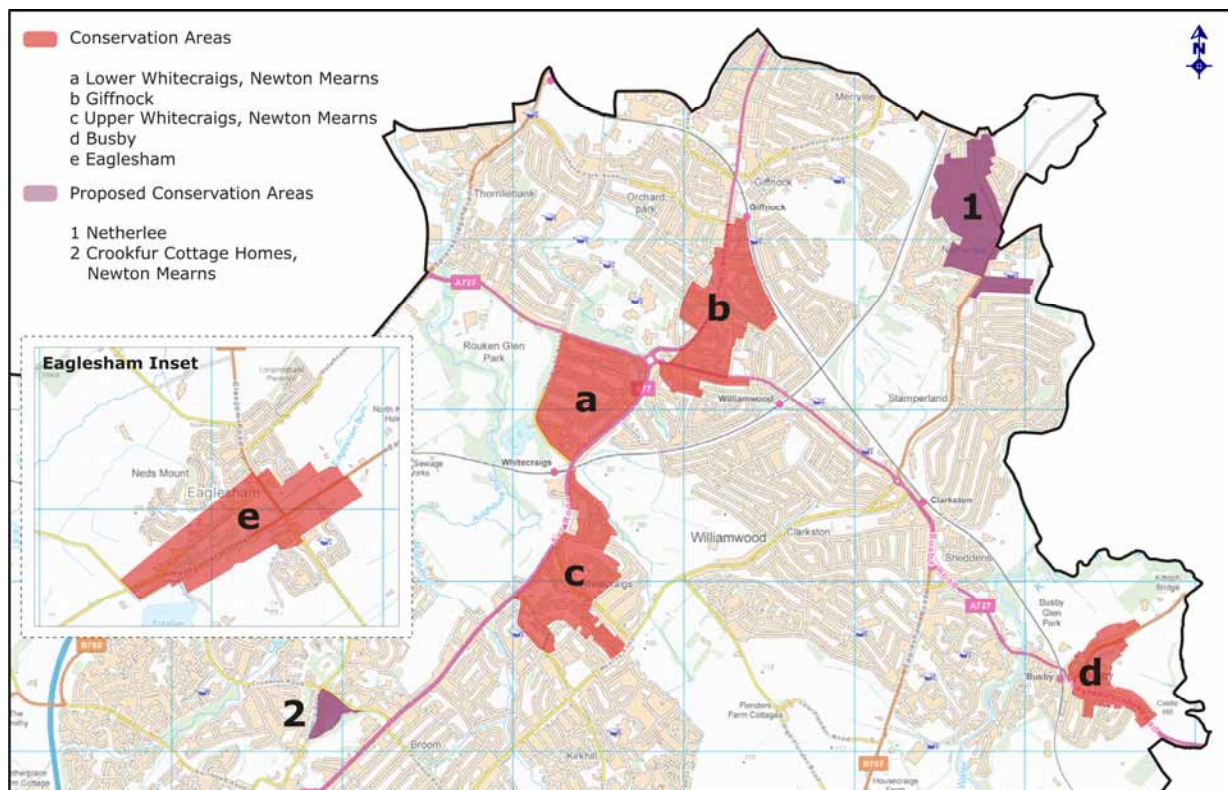
Policy D12: New Conservation Areas

The Council will promote the designation of the following new conservation areas as shown on the Proposals map and Schedule 6:

- Netherlee Conservation Area - D12.1
- Crookfur Cottage Homes Conservation Area – D12.2

Further guidance and control will be set out in a conservation area appraisal which will be prepared for each area.

Figure2: Proposed & Existing Conservation Areas



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2.4. Buildings at Risk

- 2.4.1. The Council supports the Buildings at Risk Service which is maintained by the Royal Commission on the Ancient and Historical Monuments of Scotland on behalf of Historic Scotland, and provides information on properties of architectural or historic merit that are considered to be at risk www.buildingsatrisk.org.uk/BAR

2.5. Gardens & Designed Landscapes

Section 32A(2) of the 1979 Act defines Gardens and Designed Landscapes as grounds which have been laid out for artistic effect and, in appropriate cases, include references to any buildings, land, or water on, adjacent or contiguous to such grounds

- 2.5.1. Our gardens and designed landscapes are a rich source of enjoyment, relaxation and learning and contribute to the well-being of our communities as well as having a significant role to play in tourism. They are also a fragile and finite resource which can become vulnerable to the pressures of development if not adequately protected.
- 2.5.2. Historic Scotland is responsible for the compilation and maintenance of the Inventory of Gardens and Designed Landscapes, which records those sites of regional and national importance. Within East Renfrewshire the gardens at Greenbank House and Rouken Glen Park are included in the Inventory.



- 2.5.3. Development affecting the Gardens and Designed Landscapes listed in Schedule 3 and shown on the Local Development Plan Proposals Map shall protect, preserve and enhance such places and shall not impact adversely upon their character, upon important views to, from and within them, or upon the site or setting of component features which contribute to their value.

Schedule 3: Inventory of Gardens and Designed Landscapes

Site Ref	Location
D11.7	Greenbank House Garden, Clarkston
D11.8	Rouken Glen Park, Giffnock

Refer to Figure 1 for the location of Built Heritage designations



2.6. Scheduled Monuments and Archeological Sites

Scheduled monuments are archaeological sites, buildings or structures of national or international importance which are afforded protection through the Ancient Monuments and Archaeological Areas Act 1979.

- 2.6.1. Archaeological sites and monuments are part of our national and local identity. They contribute to our history and education, tourism, sustainability, local distinctiveness, placemaking and quality of life.
- 2.6.2. Within East Renfrewshire there are 11 scheduled monuments and these are listed in Schedule 4 and shown on the Local Development Plan Proposals Map.



- 2.6.3. Other archaeological sites have been identified as being important by the West of Scotland Archaeology Service. The locations and extents of important archaeological resources can rarely be fully identified and mapped without targeted archaeological evaluation and developers may therefore be asked by the Council to supply a report of such an evaluation in advance of determination of a planning application.
- 2.6.4. Scheduled monuments and other identified nationally important archaeological resources shall be preserved in situ, and within an appropriate setting. Developments which have an adverse effect on scheduled monuments or the integrity of their setting shall not be permitted unless there are exceptional circumstances.
- 2.6.5. All other significant archaeological resources shall be preserved in situ wherever feasible. The planning authority will weigh the significance of the archaeological resources and of any impacts upon them and their settings against other merits of the development proposals in the determination of planning applications.

- 2.6.6. The developer may be requested to supply a report of an archaeological evaluation prior to determination of the planning application. Where the case for preservation does not prevail, the developer shall be required to make appropriate and satisfactory provision for archaeological excavation, recording, analysis, publication and archiving, in advance of development.
- 2.6.7. The legal protection for scheduled monuments is intended to preserve the site for future generations. If scheduled, any works that would demolish, destroy, damage, remove, repair, alter or add to a scheduled monument will require prior consent of Scottish Ministers in the form of scheduled monument consent which is administered by Historic Scotland. This is in addition to any planning application that may be required.

Schedule 4: Scheduled Monuments

Site Ref	Location	Description
D11.9	Arthurlie Cross, Springhill Road, Barrhead	Crosses and Carved stones
D11.10	Duncarnock Fort, south of Barrhead	Hillfort, Prehistoric domestic & defensive
D11.11	Polnoon Castle, near Eaglesham	Remains, Secular
D11.12	Cairn 330m SW of North Kirktonmuir, near Eaglesham	Prehistoric Ritual & Funerary
D11.13	Dells Wood, cairn 250m E of Bonnyton	Prehistoric Ritual & Funerary
D11.14	Dunwan Hill, Fort	Prehistoric domestic & defensive
D11.15	Hut Circle and enclosure, 540m WSW of Middleton	Prehistoric domestic & defensive
D11.16	Hut Circle 965m WNW of Bannerbank	Prehistoric domestic & defensive
D11.17	Cairn 930m E of Moyne, near Neilston	Prehistoric Ritual & Funerary
D11.18	Cairn 420m N of East Revoch, near Eaglesham	Prehistoric Ritual & Funerary
D11.19	Cup-marked stone 485mN of East Revoch, near Eaglesham	Prehistoric Ritual & Funerary

Refer to Figure 1 for the location of Built Heritage designations

2.7. Environment Protection Projects

- 2.7.1. Through Local Development Plan Policy D11, the Council will seek to secure the implementation of the projects shown on the Plan Proposals Map and set out in Schedule 5. These projects will assist in protecting and improving the natural and built environment.

Schedule 5: Environmental Protection Projects

Site Ref	Location	Proposal
D11.20	Crofthead Mill, Neilston	Restoration of listed building and associated enabling development
D11.21	Caldwell House, Uplawmoor	Limited Development to secure listed building restoration

- 2.7.2. The Council wishes to secure the long term future and integrity of these important listed buildings. The Council will work with the owners of the sites in Schedule 5 towards restoration of the listed buildings, where appropriate cross funded by enabling development, in accordance with the criteria set out in the listed building section above.

3. CONTACT DETAILS

For further advice on the built heritage policies and their application, please contact:

Senior Project Officer

Development Plans Team
Planning Property and Regeneration Service,
2 Spiersbridge Way
Spiersbridge Business Park
Thornliebank
G46 8NG
Phone: 0141 577 3568
Email: builtenvironment.planning@eastrenfrewshire.gov.uk
ldp@eastrenfrewshire.gov.uk

For further advice on the planning application process, please contact:

Development Management

Planning Property and Regeneration Service,
2 Spiersbridge Way
Spiersbridge Business Park
Thornliebank
G46 8NG
Phone: 0141 577 3339
Email: Sean.McDaid@eastrenfrewshire.gov.uk

Further information and a complete register of Scheduled Monuments can be obtained from:

Historic Scotland - The Scheduling Team

Longmore House
Salisbury Place
Edinburgh
EH9 1SH
Phone: 0131 668 8766
Email: hs.inspectorate@scotland.gsi.gov.uk
Website: www.historic-scotland.gov.uk/

APPENDIX 1

Listed Buildings: Listing Criteria & Categories

A listed building is one which has been identified as meeting the criteria set by the Scottish Ministers under the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as amended by Historic Environment (Amendment) (Scotland) Act 2011.

The building must be of special interest in the following broad categories: age and rarity; architectural interest; and close historical association. The term 'building' is broadly defined in the legislation and can include (for example): walls; fountains; sundials; statues; bridges; bandstands; and telephone boxes.

Listing covers the whole of a building including its interior and any ancillary structures within its curtilage that were constructed before 1 July 1948.

Buildings are assigned to one of three categories according to their relative importance. All listed buildings receive equal legal protection, and protection applies equally to the interior and exterior of the building or structure at the address given on the list, regardless of category.

Listing Categories:

- **Category A**
Buildings of national or international importance, whether architectural or historic, or fine little-altered examples of some particular period, style or building type.
- **Category B**
Buildings of regional or more than local importance, or major examples of some particular period, style or buildings type which may have been altered.
- **Category C**
Buildings of local importance, lesser examples of any period, style, or building type, as originally constructed or moderately altered, and simple traditional buildings which group well with other in categories A and B.

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