



**PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) (SCOTLAND)  
ACT 1997**

**TOWN AND COUNTRY PLANNING (APPEALS) (SCOTLAND) REGULATIONS  
2013**

**Hollywood Church, Hollywood, DG2 0RH**

**PLANNING REF: 24/1491/LBC**

**DPEA REF: LBA-170-2021**

**DUMFRIES AND GALLOWAY COUNCIL**

**STATEMENT IN RESPONSE TO THE APPEAL**

**1. Background & Circumstances Surrounding Appeal**

1.1 An application for Listed Building Consent at the above site was submitted by Mr Mark Huitson and was subsequently registered as valid on 17<sup>th</sup> July 2024. The application sought Late Listed Building Consent for the Removal of the Church Bells

The application for listed building consent was accompanied by the following documents:

- Planning Application Form;
- Location Plan;
- Supplementary Location Plan;
- Applicant's Report on the Origins of the Bells;
- Supplementary Information;
- Photographs 1 and 2; and
- Supporting Statement

1.2 In accordance with the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 an advert was placed in the Dumfries and Galloway Standard on 2<sup>nd</sup> August 2024 and the Edinburgh Gazette on 2<sup>nd</sup> August 2024 for a 21 day period.

1.3 The information contained within this document (and supporting appendices), in conjunction with the other documentation submitted and listed in the Planning

Appeal Response Form (PARF), represents the Council's response in respect of the above appeal in accordance with Regulation 4(2) of the above Regulations.

1.4 The statutory Report on Handling (Delegated Report – DGC18) comprises the key Council document in this appeal case. Related consultation responses and representations also carry weight in their own right, together with the appellant's submissions, and particularly their statement of appeal. The intention of this statement is not to re-write the report on handling which formed the basis of the decision, but to add additional, salient points of consideration that the Council, respectfully, ask the Reporter to consider;

- The bells are included in the Listed Building entry in the Special Interest section. As such, they are viewed as an integral structural fitting within the church.
- The history of the bells themselves is not material to the consideration of this application for late Listing Building Consent for their removal. Irrespective of their particular history, as the bells formed part of the fabric of the Category B listed building, their removal diminishes the significance of the former church and the site of the historic Holywood Abbey, which the church replaced.

## **2. Consultation Responses**

2.1 During the determination period, the following responses have been received by the Council (note that these have been sent to the DPEA under separate cover):

- Historic Environment Scotland
- Council Archaeologist
- Council Senior Planner – Built Heritage Policy

## **3. Policy Summary**

### Policy Context – National

3.1 National Planning Framework 4 became part of the development plan (alongside the Dumfries and Local Development Plan 2) on 13 February 2023 and it comprises three parts, summarised below:

(a) Part 1: sets out an overarching national spatial strategy for Scotland in the future and includes a vision and spatial principles;

(b) Part 2: sets out policies for the development and use of land that are to be applied in the preparation of Local Development Plans, local place plans, masterplans and briefs, and for determining the range of planning consents. It is clear that this part of the document should be taken as a whole, and all relevant policies should be applied to each application;

(c) Part 3: contains a series of annexes which sets out how the document should be used, statements of need for National Developments, spatial planning priorities, the qualities of successful places and other matters, as well as a glossary of definitions.

3.2 Turning to Part 2 of NPF4, the most relevant Policy in this case includes:

(g) Policy 7: Historic Assets and Places;

3.3 Policy 7: Historic Assets and Places of NPF4 sets out to protect and enhance historic environment assets and places. The stated Policy outcome for Policy 7 is to ensure that the historic environment is valued, protected and enhanced and recognising the social, environmental and economic value of the historic environment to our economy and cultural identity.

#### Policy Context – Local

3.4 For the purposes of determination, the development plan for the area currently comprises the Dumfries & Galloway Local Development Plan 2 (LDP2), adopted October 2019 (DGC11), which is also accompanied by adopted Supplementary Guidance. In the context of this appeal, it is considered that the key development plan policies set out in LDP2 is: -

(a) HE1: Listed Buildings

3.5 The pre-amble to the historic environment policies of LDP2 sets out how and why the historic environment should be protected and how development can be managed. It states that the historic environment can accommodate change, providing it can be carefully and sensitively managed. The degree of permissible change must be judged on a sound understanding of the historic asset in question and its setting, and in some cases may not be desirable or possible.

3.6 The Council is committed to supporting the conservation led management of our rich and diverse historic environment. It will ensure that this is undertaken in a way that promotes sensitive and sustainable development whilst retaining the historic character and quality of the area. The Council has undertaken an assessment of the significance of the assets recorded in the Historic Environment Record. This assessment is material (underlined for emphasis) to the Councils consideration of development proposals.

3.7 Policy HE1 states that in considering development that impacts on the character or appearance of a listed building or it's setting the Council will need to be satisfied that proposals to alter a listed building respect the appearance, character and features which contribute to its listing as a building of special architectural or historic interest. Adopted Supplementary Guidance's - Historic Built Environment is also a material consideration. The overriding objective of this Supplementary Guidance is to achieve consistent, high-quality development in the historic environment which ensures that historic significance and character is preserved. Proposals for new development in historic areas or for alterations or extensions to

historic buildings will be supported where they demonstrate conservation of the significant architectural details and features of the building, group or place.

**Conditions**

4.1 In the event that the appeal is upheld, and listed building consent is approved, a schedule of the Council's suggested conditions is attached in a separate word format document (DGC19).