



From mountain to sea

Benholm

Conservation Area Management Plan

December 2017

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Contents

1	Introduction	3
1.1	What is a conservation area?	3
1.2	What is the purpose of a Conservation Area Management Plan?	3
1.3	Why did Benholm become a conservation area?	3

2	Policy Context	5
2.1	Statutory Powers and Policies	5
2.2	General Policy	5
2.3	Conservation Areas	5
2.4	Listed Buildings	6

3	Conservation Area Management Plan	7
3.1	Benholm Conservation Area Planning Advice	7
3.2	Enhancement Opportunities	13

4	Additional Controls within the Benholm Conservation Area	16
4.1	Changes in Legislation	16
4.2	Article 4 Directions	16

5	Monitoring and Review	18
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6	Appendices	19
6.1	Appendix I – Conservation Area Boundary Map	19

1 Introduction

1.1 What is a conservation area?

Conservation areas were first introduced by the Civic Amenities Act 1967. The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 provides the current legislative framework for the designation of conservation areas. A conservation area is defined as 'an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance'.

All planning authorities are required by the Act to determine which parts of their area merit conservation area status. Aberdeenshire currently has over 40 conservation areas varying in character from central Stonehaven to the small coastal settlement of Pennan.

1.2 What is the purpose of a Conservation Area Management Plan?

Following the formal designation of Benholm as a conservation area on 2nd September 2014, Benholm Conservation Area Management Plan has now been produced. This document is designed to act as a supportive document to the Benholm Conservation Area Appraisal produced as part of the designation process.

The Conservation Area Appraisal set out to identify what was considered to be significant about the townscape qualities of Benholm and also the problems identified within the settlement. The Conservation Area Management Plan builds on this document, identifying the need to preserve original architectural detailing and set down standards for repair and enhancement works. Measures are also set out for encouraging sensitive development within the conservation area and suggestions for the enhancement of the public realm.

This document is intended to be of value in providing guidance to property owners on the ongoing care of their properties; to their agents on how historic buildings may be sensitively altered; to contractors in providing guidance on the expected standard of workmanship; to developers when considering to invest in projects and to Planning Officers in the assessment of development that falls within the boundary of the Benholm Conservation Area.

1.3 Why did Benholm become a conservation area?

Benholm is a solid example of a kirkton which has developed as a result of the feudal system and agriculture. Benholm was originally centred around the barony which held feu superiority over tenant farmers, and this agricultural tradition lasted well in to the 20th century when Benholm still had over 30 working farms. Benholm has a long history with evidence of an early medieval kirk being present in the heart of the settlement since 1242 and a history of milling dating back to the 12th century. The rebuilding of the parish kirk in 1832, with associated Manse, was typical of the religious revival and church building taking place during the late 18th and early 19th century. For such a small settlement Benholm has 9 listed structures with Mill of Benholm and Benholm Parish Kirk both being designated as A listed.

The transition of the settlement through the wider social and economic changes in Scotland is perfectly evidenced in a number of the listed structures including; Benholm Parish Kirk, Manse, Schoolhouse, Mill of Benholm and the two C listed bridges known as Bridge over Benholm Burn and Bridge over Castle Burn, (Benholm in the 18th century sat on the main route from Montrose to Aberdeen, known as the 'post road' or 'auld road'). Its special character comes largely from its informal and unspoilt setting, where the buildings of historic significance and traditional construction still dominate and the streetscape remains largely uncluttered by modern signage, street lighting and pavements.

In addition to its historic associations and well preserved architectural qualities, Benholm is an important geological site and has a striking woodland setting with ancient semi-natural woodland, which are all worthy of protection.



2 Policy Context

2.1 Statutory Powers and Policies

Applications for any form of development or redevelopment will be considered on their own individual merits having regard to the most up to date Aberdeen City & Shire Strategic Development Plan, Aberdeenshire Local Development Plan and any other supplementary documents produced by the local authority. Aberdeenshire Local Development Plan policy: protecting historic and cultural areas, supports the third outcome from Scottish Planning Policy 2014 (SPP): Creating a natural, resilient place, which seeks to protect and enhance cultural assets, and facilitate their sustainable use. It also contributes to delivering the National Planning Framework 3 (NPF3), which recognises that the historic environment is an important part of Scotland's cultural identity, and regards it as an essential contributor to our well-being and is an economic opportunity.

2.2 General Policy

Protecting and improving the historic environment is important to the distinctiveness and sense of place within Aberdeenshire. Local history helps create a clear identity for the area and strengthens connections between people and places. We recognise the importance of the historic environment to the character of the area to the quality of life of the people who live here. We also recognise that it is an economic asset to the area. We want to maintain and strengthen our commitment to protecting and making sustainable use of the historic environment, both by putting the Aberdeenshire Historic Environment Strategy into practice and in the way we manage development.

(<https://www.aberdeenshire.gov.uk/media/6346/historicenvironmentstrategy.pdf>).

2.3 Conservation Areas

Within the conservation area it will be the policy of Aberdeenshire Council to protect or preserve, through development management, all those buildings, views and other aspects of the environment that make up the character of Benholm. Trees in conservation areas are also protected through the Town and Country Planning (Scotland) Act 1997. Before carrying out any work on a tree in a conservation area, owners are required to notify the Planning Authority giving details of intended works.

The following considerations for design will be applied in the determination of any future planning applications located within the conservation area:-

The position of the building on its site will be determined by its relationship with adjoining buildings and/or open space. The mass of the building shall be to scale and harmony with the adjoining buildings and the wider area as a whole.

The design of the building shall be such that the proportions of the parts relate to each other and are appropriate to the adjoining buildings. The highest possible standard of professional design will be required wherever new buildings and

alterations to existing buildings are permitted. In certain exceptional cases normal planning standards may be relaxed in order to achieve the best visual results.

The design, scale, layout, siting and materials used in development within the conservation area must be of the highest quality and respect the individual characteristics for which the conservation area was designated. All details must be provided under the cover of a full application and any trees contributing to the setting should be retained.

We will not allow development, including change of use or demolition that would not preserve or enhance the character or appearance of a conservation area. This applies both to developments within the conservation area and proposals out with that would affect its setting.

Conservation areas form an important physical record of the architectural development and historical growth of an area. They are an irreplaceable cultural and economic resource that contributes to the distinctive character and unique quality of Aberdeenshire and therefore must be protected.

2.4 Listed Buildings

We will protect all listed buildings contained on the statutory list of Buildings of Special Architectural or Historic Interest for Aberdeenshire. We will encourage their protection, maintenance, enhancement, appropriate active use and conservation. We will not allow development that would have a negative effect on the character, integrity or setting of listed buildings.

The following considerations for design will be applied in the determination of any future planning applications affecting listed buildings:-

Alterations to listed buildings will only be permitted if they are of the highest quality, and respect the original structure in terms of setting, scale, design and materials.

Listed building consent is required if an applicant seeks to demolish, extend, or alter internally or externally a listed building, regardless of whether or not planning permission is required. Repairs and maintenance may not require listed building consent if the works are carried out on a like for like basis in replicating the design, construction and material finish of the original architectural element. However, applicants are advised to check with the Planning Authority in advance to starting any works.

Listed building policy supports the protection and improvement of historic buildings, but it is explicit in not allowing development proposals that would have a negative effect on their character or setting.

3 Conservation Area Management Plan

3.1 Benholm Conservation Area Planning Advice

When effectively managed, conservation areas can; anchor thriving communities, sustain cultural heritage, generate wealth and prosperity and add to quality of life. The challenge is to ensure that all new developments respect, enhance and have a positive impact on the area.

These advice notes seek to provide specific advice to ensure that any future development compliments or enhances the wider character of the Benholm Conservation Area.

3.1.1 *Planning Permission in Principle*

Planning permission in principle will rarely provide the level of detail required to assess whether the proposal will have a detrimental impact on the character of a conservation area. The local authority will not accept outline consents for large residential or commercial developments without an understanding or realistic assessment of whether they can be accommodated sensitively within the setting of the area. The submission of a design statement will aid the assessment and consideration of proposals in outline and can be used to inform the preparation of planning conditions. Appropriate conditions will be used to provide confidence that the desired level of quality can be secured.

3.1.2 *Conservation Area Consent*

An application for Conservation Area Consent will be required for the demolition of any unlisted building located within the Benholm Conservation Area, over 115 cubic metres, and should include supporting information as per the Conservation Area Consent Guidance Note available; <https://www.eplanning.scot> . To help the Planning Authority to consider your application effectively and efficiently, this should set out a clear case for demolishing the building.

Detailed plans for an acceptable replacement building will need to be provided before the Planning Authority will grant Conservation Area Consent for demolition, particularly if the building you want to demolish is of architectural value, either in itself or as part of a group, or is on an important site in the conservation area.

Conservation Area Consent does not cover listed buildings. Also, Section 67(1) of the Planning (Listed Building and Conservation Areas)(Scotland) Act 1997 does not cover demolishing a church, a scheduled monument or any building in certain categories which the Scottish Ministers decide do not need conservation area consent. Check with the Planning Authority.

3.1.3 *Design Guidance and Detailed Planning Advice*

The following guidance is based on the findings of the comprehensive street audit undertaken for the conservation area character appraisal. The audit took into account the significance of surviving elements of historic fabric; levels of authenticity; where change had occurred; negative features; and any recurring problems.

Roofs

The majority of properties located within Benholm have natural slate roofs which significantly shape the character and appearance of the conservation area. The Planning Authority will therefore seek the retention of these traditional treatments to ensure that both repair works and any new roofs replicate this original form of construction.



Dormers

Although not dominant a small variety of traditional dormers can be found within the Benholm Conservation Area, which not only shapes the character of the individual buildings but the wider appearance of the streetscape. The Planning Authority will seek the retention of these traditional elements and also insist that any new dormers on traditional buildings are appropriately designed to complement the character of the building and the conservation area. This will include the replication of the proportions, opening method and materials of the more traditional style dormer.

Large box dormers are out of character and scale with the conservation area and smaller more traditionally proportioned dormers will be encouraged.



Rooflights

There should be a presumption in the favour of retaining original cast iron rooflights especially in 'non-living' spaces of attics and subservient structures.

Where new rooflights are to be introduced on traditional buildings within the conservation area, they must be the minimum necessary and be a true top hung conservation unit with vertical proportions and subdivided into two panes. On symmetrical elevations consideration should be given to ensuring that the position of the roof lights are balanced with the overall composition of the façade.



Rainwater Goods

Cast iron gutters and downpipes have lasting qualities and if well maintained play a significant role in shaping the character of individual buildings. Any repairs or replacement fittings should therefore be undertaken on a like for like basis. Modern uPVC replacement rainwater goods not only have a detrimental impact on the appearance of properties but are more fragile and prone to accidental damage. Consequently, there is a presumption against the replacement of original cast iron rainwater goods with uPVC fittings, and encouragement given to the reinstatement of earlier cast iron patterns where systems have already been replaced by non-traditional fittings. Where appropriate, black aluminium, cast-iron look downpipes may be acceptable on non-listed traditional properties within the conservation area.

Ridges, Skews and Chimneys

Chimneys are an important feature within the conservation area, the Planning Authority will therefore seek their retention. The existing stone skews, clay ridge tiles and ceramic chimney pots also have a significant impact on the townscape and should be retained or replaced on a like for like basis if considered beyond repair.

Doors

Traditional doors and door furniture make a significant contribution to the character of the Benholm Conservation Area. The Planning Authority will therefore promote the retention of all traditional doors and seek that any replacements match the originals

not only in terms of design and construction but also in external treatment and ironmongery detail.



Windows

Windows are a fundamental component which shape the appearance and character of not only the individual property but the wider conservation area. Benholm benefits from a variety of traditional window styles and there will be a presumption in favour of the repair of original units in preference to their replacement. When windows are shown to be beyond economic repair; replacements must replicate the originals in terms of design, construction and decorative finish. Where trickle ventilation is required to meet building standards, they should be designed in such a way that they are not visible.



The Planning Authority will promote the reinstatement of original glazing patterns to restore the architectural integrity of the façade where existing windows are replacements and are deemed to be out of character with the building.

Boundary Treatments

The informal boundary treatments found within Benholm make a significant contribution to the character of the conservation area. The age and construction of these various elements all contribute to the interest of the townscape of Benholm and the Planning Authority will therefore seek the retention of any traditional boundary treatments as well as support any proposal to reinstate missing architectural elements.



Micro Renewables Equipment Satellite Dishes

These items can often seriously disfigure a building and greatly diminish the wider quality of the conservation area and should therefore only be installed where it is possible to do so without affecting in any way the wider appearance of the townscape. The fact that a property is set well back from the road is not a relevant consideration in appraising the installation of equipment and the applicant should always be advised to locate any such fixtures in a position not readily visible from the public carriageway.



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Extensions

Proposals to extend a property located within the conservation area should not be considered in isolation but in context to the wider townscape to ensure it respects the character, scale and proportions of neighbouring buildings. Any new extension should also follow the established building line of the street and use detailing and materials which are distinctive or complimentary to the settlement.



Street Furniture

The sensitive nature of (settlement) merits street furniture design that reflect the settlements distinctive individuality. With lamp standards, litter bins and seating designed and sited to acknowledge the unique character of the settlement. Consequently, the bland standardised street furniture and normal proliferation of traffic signage will need to be considered and located carefully so as not to have a negative impact on the townscape of the conservation area.



New Build

The relationship between the Parish Kirk, Old School, Old Coaching Inn and the site of the Smiddy plays an important role in the historic interest and intimacy of the core of the settlement and this clear relationship should be maintained. New build should avoid increasing the density of the settlement as this would be detrimental to Benholm's unique character.

3.2 Enhancement Opportunities

Redevelopment sites

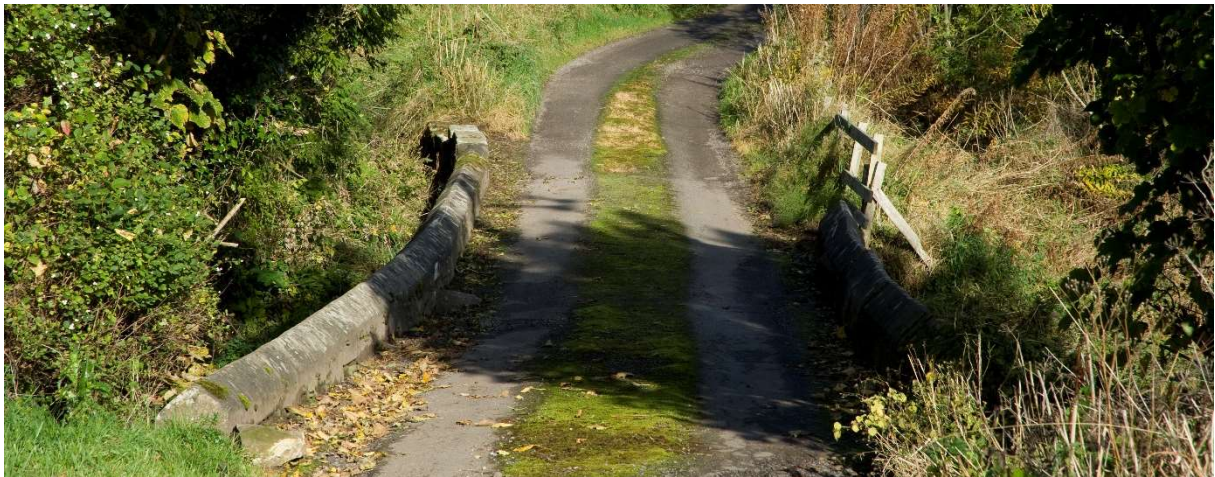
There are a number of properties within Benholm that are currently lying vacant or in a semi derelict state, which detracts from the unique character of the area. It would be beneficial to see the adaptive reuse of these sites so they enhance the area rather than detract from it. These include;



- Steading complex to the rear of the original coaching inn, (now the farmhouse);



- Benholm Mill.



In addition the Birnie Bridge over Benholm Burn, which lies to the north west of the settlement, is C listed and is in need of significant repair and maintenance. This bridge, during the 18th century, formed part of the main route from Montrose to Aberdeen known as the 'post road' and so is a significant feature in demonstrating the history and development of the area. It also provides potential for the re-connectivity of a significant historical path networks.

A striking feature of Benholm is its woodland setting. Ancient semi-natural woodlands follow the valleys of the Benholm Burn and the Castle Burn down to their confluence below the kirkton, and continue' s beyond the Mill towards the coast. There is opportunity for bio-diversity enhancement and interest in some areas. For example, verges and the historic kirk yard as well as woodland and landscape areas.



Benholm Parish Kirk is a significant building within the settlement, evident through its category A listed status. Its continued use is an essential contribution to the conservation area and should be supported.

Repair and Maintenance

The conservation area appraisal identified recurring problems with the fabric of structures in a poor state of repair because of irregular maintenance. Good conservation practice cannot be seen in isolation of undertaking targeted maintenance such as replacing slipped or missing slates, repairing damaged leadwork or replacing cracked rainwater goods but planned regular maintenance such as painting timberwork and cleaning out gutters. Failure to carry out regular maintenance can place a building at considerable risk and place a financial burden upon property owners if unattended problems lead to damage to the internal fabric such as wet or dry rot.



4 Additional Controls within the Benholm Conservation Area

4.1 Changes in Legislation

The Town and Country Planning (General Permitted Development) (Scotland) Order 1992 and subsequent amendments removes some permitted development rights within a conservation area. This piece of legislation is subject to regular amendments so please check with the Planning Authority before undertaking any works. Two of the more significant amendments are detailed below.

In February 2012 the Town and Country Planning (General Permitted Development) (Scotland) Amendment Order 2011 came into force. This removed householder Permitted Development Rights within conservation areas. Owners of Domestic properties within the boundary of a conservation area now need to apply for planning approval for changes to their external appearance including windows, roof materials and painting external walls. This does not apply to like for like repairs and maintenance. Please check with the Planning Authority if you are unsure if consent is required.

In June 2014 the Town and Country Planning (General Permitted Development) (Scotland) Amendment Order 2014 came into force this removed permitted development rights for many non-domestic properties including shops, schools, office buildings and the creation of access ramps outside non-domestic buildings.

4.2 Article 4 Directions

In addition to the controls above it is proposed to add additional controls within the Benholm Conservation Area. This will put additional restrictions on groups such as Statutory Undertakers and Local Authorities as a means to bring their obligations more in line with those of the owners of domestic and non-domestic properties and provide consistency in decision making within the conservation area.

Part 10

Class 28 - The carrying out of any works for the purposes of inspecting, repairing or renewing any sewer, main, pipe, cable or other apparatus, including breaking open any land for that purpose.

Part 12

Class 30 - The erection or construction and the maintenance, improvement or other alteration by a local authority.

Class 31 - The carrying out of works by a roads authority.

Class 33 - The carrying out of works, within their own district, by a local authority.

Part 13

Class 38 - Water undertakings

Class 39 - Development by a public gas transporter

Class 40 - Electricity undertakings

Class 43 -Universal Service Providers.

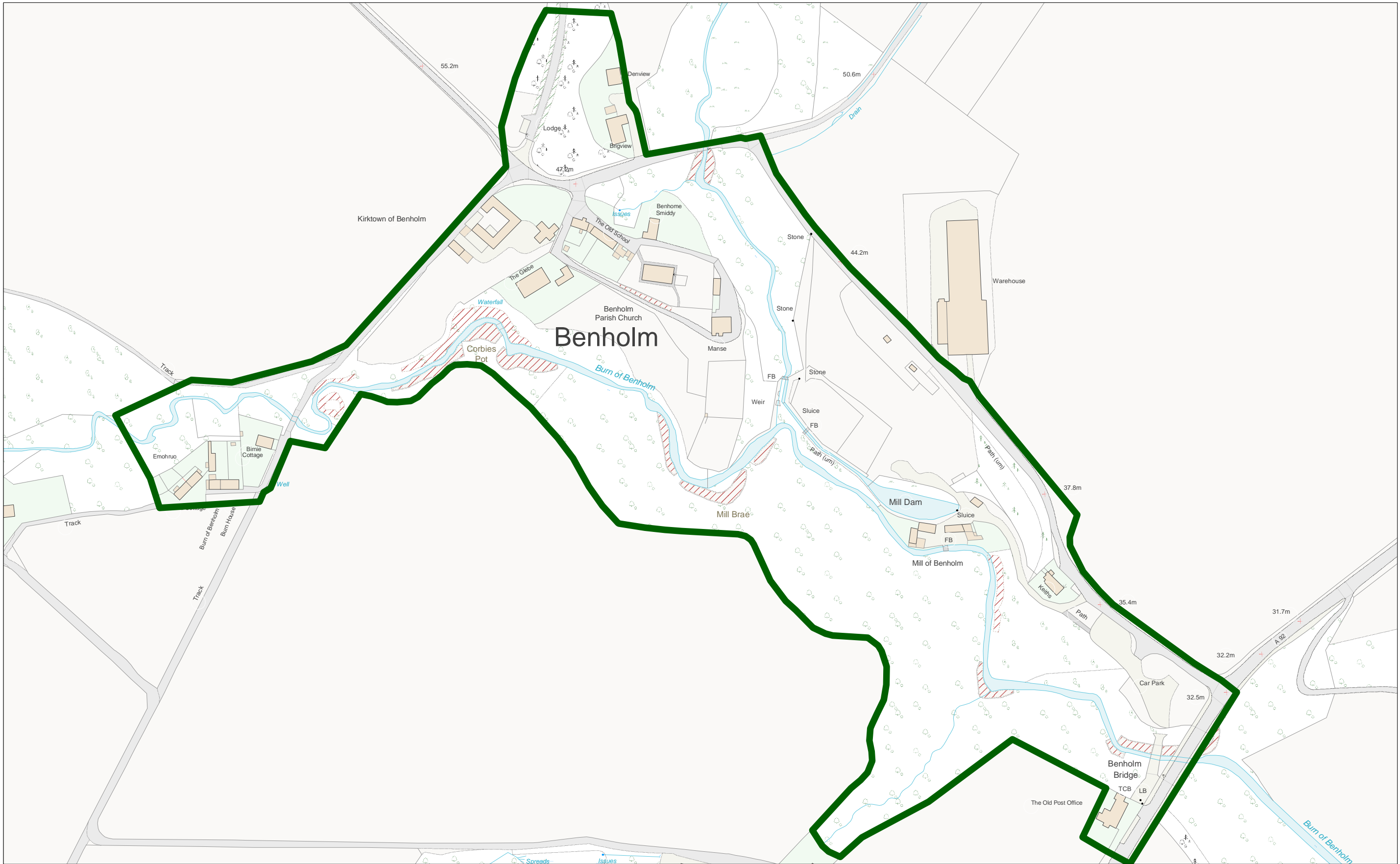
5 Monitoring and Review

Legislation provides for the regular reviews of conservation areas, which may result in new Article 4 Directions, planning advice, boundary changes or de-designation. This will act as an important tool in the future management of the (settlement) Conservation Area and allow the local authority to better assess the future impact of development.

For further information concerning the contents of this document, contributions for its improvement or any matters concerning conservation areas or listed buildings, contact the Environment Team.

6 Appendices

6.1 Appendix I – Conservation Area Boundary Map

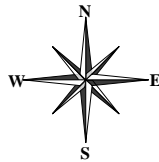


Benholm Conservation Area

Scale - 1:2500

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