

**ANGUS COUNCIL****DEVELOPMENT CONTROL COMMITTEE****20 FEBRUARY 1997****SUBJECT: BUILDING PRESERVATION NOTICE - 3, NEW ROAD, FORFAR****REPORT BY DIRECTOR OF PLANNING, TRANSPORT & ECONOMIC DEVELOPMENT**

**Abstract: 3, New Road, Forfar is an 18th Century, stone slated house situated just outside the Forfar Conservation Area. Although the building is worthy of statutory listing, it is not included in the list of buildings of Special Architectural or Historic Interest for Forfar Burgh. Informal proposals have been received which would seriously compromise the building's appearance. The only way of preventing the alterations is through service of a Building Preservation Notice.**

**1 RECOMMENDATION**

- 1.1 It is recommended that the Committee agrees to serve a Building Preservation Notice on the owner, lessee and occupier of 3, New Road, Forfar. It is also recommended that Historic Scotland are requested to include 3, New Road, Forfar in the Statutory List of Buildings of Special Architectural or Historic Interest for Forfar Burgh.

**2 BACKGROUND**

- 2.1 Informal proposals have recently been submitted in respect of 3, New Road, Forfar as follows:
1. replacing the stone slates with another finish;
  2. replacing the existing timber sliding sash and case windows;
  3. demolishing outbuildings and part of the boundary wall to form car parking;
  4. demolishing the chimney stacks.
- 2.2 The building dates to the late 18th Century at least, and comprises a two storey, rubble built town house, with a stone slated roof. It is largely intact and a good example of a Forfar type town house of the period. The building is seen against the backdrop of the Little Causeway properties, most of which are Listed, and against the skyline as viewed from the south. Removing the stone slates, demolishing the chimneys and outbuildings and forming a vehicular access would seriously damage the architectural and historic qualities of this fine building.

**3 BUILDING PRESERVATION NOTICES**

- 3.1 It is open to planning authorities to serve a Building Preservation Notice under Section 56 of the 1972 Act, in the case of unlisted buildings which appear to them to be of Special Architectural or Historic Interest, and which are in danger of demolition or alteration in such a way as to affect their character. Once the Notice has been

served, Historic Scotland are then requested to statutorily list the building - planning authorities do not, themselves, have the power to list the buildings.

- 3.2 Historic Scotland have seen photographs of the building and they have responded positively as follows: "The building at 3 New Road has been considered by our Historic Buildings Inspectorate, who's opinion it is, that the building seems to be of sufficient merit to warrant consideration for inclusion on the Secretary of State's List of Buildings of Special Architectural or Historic Interest".

#### **4 FINANCIAL IMPLICATIONS**

- 4.1 If the Building Preservation Notice was not supported by Historic Scotland, i.e. if Historic Scotland did not subsequently list the building, then any person who had an interest in the building at the time that the Notice was served, may be entitled to compensation in respect of any loss or damage which is directly attributable to the effect of the Notice. As a precaution, the views of Historic Scotland have been obtained and they have responded positively. In effect Historic Scotland have confirmed that they consider the building to be worth listing - there is, therefore, little risk of the Building Preservation Notice not being confirmed.

#### **5 CONSULTATION**

- 5.1 The Chief Executive, Director of Finance and Director of Law & Administration have been consulted in the preparation of this report.

#### **6 CONCLUSION**

- 6.1 3 New Road, Forfar is a fine example of a typical Forfar town house of the late 18th Century and it is the subject of informal proposals which would place its appearance and character at risk. It is open to the Council to serve a Building Preservation Notice to protect the building if it is considered to be at risk. Historic Scotland have confirmed that they would support any such Notice.

#### **NOTE**

No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973, (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above Report.

AA/PM/MR

17 February 1997

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