

ANGUS COUNCIL**DEVELOPMENT CONTROL COMMITTEE****17 JULY 1997****SUBJECT: BUILDING PRESERVATION NOTICE
SMITHY COTTAGE, FINAVON****REPORT BY DIRECTOR OF PLANNING, TRANSPORT & ECONOMIC DEVELOPMENT**

Abstract: An application for Planning Permission to demolish an 18th Century cottage and to erect a dwellinghouse on the site is currently lodged with the Council. Although not statutorily listed, Historic Scotland have confirmed that the building is of listable quality. Accordingly, it is open to the Council to protect the architectural and historic qualities of the building by serving a Building Preservation Notice.

1 RECOMMENDATION

It is recommended that the Committee authorises the Director of Planning, Transport and Economic Development to serve a Building Preservation Notice on the owners of Smithy Cottage, Finavon, and to subsequently request Historic Scotland to statutorily list the building.

2 DESCRIPTION OF BUILDING

- 2.1 The original part of the building dates to the mid-18th Century and consists of a single storey, rubble built cottage with a central door flanked by single windows on either side. During the mid to late 19th Century the building was enlarged by the addition of an 'L'-plan extension and the addition of a lean-to milk/dairy store on the north elevation. At that time the building was converted to a Blacksmith's workshop and remained in use as such until quite recently. The Blacksmith's forge and associated items such as tools are still in the building.
- 2.2 The building is prominently situated just off the northbound carriageway of the A90 on the historically important Cadger's Path. There are two stone built houses (one boarded up) nearby. The setting can be described as picturesque.

3 LEGISLATIVE POWERS

- 3.1 It is open to planning authorities to serve a Building Preservation Notice under Section 3 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. This allows the protection of unlisted buildings which appear 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. Provided that the Building Preservation Notice is confirmed by Historic Scotland, i.e. that the building is statutorily listed, there are no financial implications for the Council. Historic Scotland have confirmed in writing that they consider the building to be of listable quality.
- 3.2 The Notice could be served within 24 hours if necessary.

4 FINANCIAL IMPLICATIONS

- 4.1 There are no financial implications provided that Historic Scotland confirm the Building Preservation Notice. Should they fail to do so compensation could be payable for any proven out of pocket expense or inconvenience. However, Historic Scotland have already confirmed in writing that they consider the building to be of listable quality.

5 CONCLUSION

- 5.1 Smithy Cottage is an attractive building which would certainly be listed during the next re-survey of the lists for Angus; Historic Scotland have confirmed that they consider the building to be of listable quality. Unless the Council serves the Building Preservation Notice, a modest, but nonetheless attractive, cottage in a picturesque setting will probably be demolished.

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/IAL
15 July 1997

Alex Anderson
Director of Planning, Transport & Economic Development