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Your Ref: **10/01194/CAC** Our Ref: **1240**  
Subject: **Conservation Area Consent for Demolition of Building  
Station Court Home  
4 Bennoch Road, Kirkcaldy  
KY1 1YQ**  
Date: **13-Aug-10**

The Trust has examined this application by Dow Investments Ltd for the above and wishes to comment as follows:

The Trust wishes to strongly object to this application.

The Trust has commented on several proposals for this site since October 2008. This building is on the Buildings at Risk Register.

The building is prominent within the Kirkcaldy Conservation Area. As such, additional controls apply to the demolition of the building, outlined in Scottish Ministers' Scottish Historic Environment Policy (SHEP). This requires the applicant to demonstrate that:

- a. the building is not of special interest; or
- b. the building is incapable of repair; or
- c. the demolition of the building is essential to delivering significant benefits to economic growth or the wider community; or
- d. 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.

The applicant has failed to justify the demolition of the building according to these criteria. As the applicant notes the building is not currently listed and Historic Scotland have indicated that they do not consider the building to meet the criteria for listing, however both the Trust and Historic Scotland believe that the building makes a very positive contribution to the character of the conservation area. While the building's condition has deteriorated due to vacancy and lack of maintenance it certainly appears to be in sound structural condition, and the applicant has not demonstrated that it is incapable of reuse.

The building has not been marketed as far as we are aware. In the Supporting Statement the applicant notes that the building has been offered to Fife Council, Shelter Scotland and Adam Smith College for a £1/Year rental with no success. The Trust would suggest that perhaps the wrong organisations have been approached and this would make an excellent opportunity for a Building Preservation Trust. We would urge the applicant and the council to contact a local building preservation trust with this opportunity. The Trust is also aware that there is significant community interest in and support for this building, and discussion with local groups about how the community could take ownership of the building to take forward development may prove very fruitful.

Finally, the Trust notes that no plans have yet been lodged for the redevelopment of the site. Even if the applicant had satisfied all other criteria for the demolition of this building (which is certainly not the case) SHEP states that "In instances where demolition is to be followed by re-development of the site,

**Town and Country Planning (Scotland) Acts**  
**Application for Planning Permission and/or Listed Building Consent, etc.**

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consent to demolish should in general be given only where there are acceptable proposals for the new building." (3.59) This is to ensure that the special character of the conservation area is protected or enhanced. Clearly this significant site within the conservation area would require a replacement development of a high quality, befitting both the conservation area and the adjacent listed buildings. Demolition must not be approved before appropriate plans for the future of the site have been approved.

*Gemma Wild*

Gemma Wild  
Technical Officer (Conservation and Design)

To Head of Development Services, Fife Council  
cc Historic Scotland (Robin Evetts)  
AHSS  
Kirkcaldy Civic Society

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