

ANGUS COUNCIL

DEVELOPMENT STANDARDS COMMITTEE – 4 AUGUST 2015

**LISTED BUILDING CONSENT APPLICATION – LAND AT FORMER NORANSIDE PRISON, FERN,
BY FORFAR**

GRID REF: 347205:761155

REPORT BY THE HEAD OF PLANNING AND PLACE

Abstract:

This report deals with listed building consent application No. 15/00438/LBC for the conversion and alterations of the Stable Block to form three residential dwellings for Tulloch Farms on land at Former Noranside Prison, Fern, Angus. This application is recommended for conditional approval.

1. RECOMMENDATION

It is recommended that this listed building consent application is approved for the reason and subject to the condition detailed at Section 10 of this report.

**2. ALIGNMENT TO THE ANGUS COMMUNITY PLAN/SINGLE OUTCOME AGREEMENT/
CORPORATE PLAN**

This report contributes to the following local outcome(s) contained within the Angus Community Plan and Single Outcome Agreement 2013-2016:

- Our natural and built environment is protected and enjoyed

3. INTRODUCTION

3.1 Listed Building Consent is sought for the conversion and alterations of the Stable Block to form three residential dwellings.

3.2 The site is located to the north and east of the U412 at Noranside and measures approximately 10HA in area. The site contains the listed stable block and other agricultural buildings and hardstandings which occupies approximately 1.4HA of the site, with the majority of the remaining site area covered by woodland to the north, south and west of the farm buildings. The site slopes down north to south and is accessed via the existing access from the U412 to the south west of the site. The north, south and west boundaries of the site are formed by public roads, beyond which lies either agricultural land, woodland or housing. The remainder of the former prison estate lies to the north east of the site and agricultural land is located to the south east.

3.3 The proposal involves alterations and extension to the category C listed stable block to form three new dwellings. The alterations include removal of the modern infill section of farm building which lies within the original U shaped steading. Other later extensions to the building would also be removed (including the lean-to on the east elevation) to return the steading closer to what is likely to have been the traditional form of the building. The works involve the reintroduction of the pavilion to the north west corner of the building and alterations to the pavilion in the north east corner of the building to return it closer to its original form.

3.4 The proposal has been advertised in the press as required by legislation. The application has not been subject of variation.

4. RELEVANT PLANNING HISTORY

- 4.1 Application No. 13/00840/PPPM for conversion of former prison buildings to residential use (7 units) and redevelopment of former prison complex including the erection of new dwellinghouses providing 41 residential units including affordable housing (48 units in total) at Noranside Prison, Fern, Forfar was approved subject to conditions by the Development Standards Committee on 5 August 2014 (Report 310/14 refers)..
- 4.2 Listed building consent application (14/00187/LBC) for the conversion of Noranside House to form three residential dwellings including alterations and removal of later extensions; alterations and extensions of the Gardener's Cottage to form one residential dwelling; conversion and alteration of Stable Block to form three residential dwellings; alterations and restoration of Walled Garden; the demolition of 'curtilage listed' buildings including Edzell House, A/B Wing, Boiler House and Visitors Room was also approved by that committee.
- 4.3 A parallel application for matters specified in conditions (15/00412/MSCM) is pending consideration. That application proposes the conversion and alteration of the Stable Block to form three residential dwellings and the erection of 5 new-build dwellings as well as other works associated with the planning permission in principle.

5. APPLICANT'S CASE

No information has been submitted in support of the application.

6. CONSULTATIONS

- 6.1 **Roads Service** – offers no objection to the proposal
- 6.2 **Scottish Water** – there was no response from this consultee at the time of report preparation.
- 6.3 **Community Council** - there was no response from this consultee at the time of report preparation.

7. LETTERS OF REPRESENTATION

No letters of representation have been received in connection with the proposal.

8. PLANNING CONSIDERATIONS

- 8.1 In considering whether to grant listed building consent, the Council is required in terms of Section 14(2) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 8.2 The development plan contains policies which enable an assessment of the impact on the buildings and their setting. In this case the development plan comprises:-
- TAYplan (Approved 2012)
 - Angus Local Plan Review (Adopted 2009)
- 8.3 TAYplan Policy 3 indicates that historic buildings should be safeguarded and suggests that development will be allowed where it does not adversely impact upon or where it enhances these assets. The Angus Local Plan Review indicates that the Council will seek to ensure that development proposals respect and sustain the character and quality of listed buildings and their settings. Policy ER15 of the local plan relates to change of use, alterations and extensions to listed buildings and indicates that changes will only be permitted where they are in keeping with fabric, character or appearance of the building or its setting.
- 8.4 The **Scottish Planning Policy** (SPP, June 2014) represents a statement of government policy on land use planning. In relation to the historic environment and listed buildings, paragraph 141 indicates *'where planning permission and listed building consent are sought for development to, or affecting, a listed building, special regard must be given to the importance of preserving and enhancing the building, its setting and any features of special architectural or historic interest. The layout, design, materials, scale, siting and use of any development which will affect a listed building or its setting should be appropriate to the*

character and appearance of the building and setting. Listed buildings should be protected from demolition or other work that would adversely affect it or its setting.

- 8.5 The Stable Block is proposed to be altered and extended to form three dwellinghouses. The proposal includes the removal of a modern infill agricultural shed which sits within the U shaped original building and a brick lean to on the east elevation. The drawings indicate that stable building would be re-roofed with slate, all dressed stone work would be picked and repointed with lime mortar and all other stonework would be checked for boss mortar and repaired with those walls finished in a lime based wet harl. The stable doors would be replaced with new timber doors with the openings filled with recessed glazing. Replacement matching cast iron rainwater goods would be installed. The external changes proposed are considered to be acceptable. The dressed stonework would be cleaned up and repointed and the random rubble sections finished in a wet harl. That approach would retain the prominence of the principal elevation, with the dressed stone on the pavilions remaining the dominant element in the building. The details of the wet harl for the rubble walls could be agreed by planning condition. Existing openings in the structure would be retained and the converted building would retain much of its original appearance.
- 8.6 Internally, little historic features remain in the building. The horse feed recesses in the southern flank of the building would be retained and the steading cleared of debris with new internal walls to accommodate the three new dwellings proposed. The internal subdivisions would change the original floor plan of the building and would alter its character. However, some alteration is inevitable in order to accommodate a new and beneficial use that secures the long-term future of the building. Detailing of the new timber windows to be installed is not provided but a conditions is proposed to secure the finer detail of these works to ensure that the works preserve and enhance the building.
- 8.7 Legislation requires that in considering whether to grant listed building consent for any works, special regard shall be had to the desirability of preserving the building or its setting and any features of special architectural or historic interest which it possesses. The proposal is very similar to that which was approved previously. I am satisfied that it would return the steading back to its original U plan and the interventions would be undertaken in a way which would respect the remaining character and appearance of the building. The special interest of the building would not be adversely affected by the proposal, subject to the conditions proposed.

9. OTHER MATTERS

HUMAN RIGHTS IMPLICATIONS

The decision to grant permission/consent, subject to conditions, has potential implications for neighbours in terms of alleged interference with privacy, home or family life (Article 8) and peaceful enjoyment of their possessions (First Protocol, Article 1). For the reasons referred to elsewhere in this report justifying this decision in planning terms, it is considered that any actual or apprehended infringement of such Convention Rights, is justified. The conditions constitute a justified and proportional control of the use of the property in accordance with the general interest and have regard to the necessary balance of the applicant's freedom to enjoy his property against the public interest and the freedom of others to enjoy neighbouring property/home life/privacy without undue interference.

EQUALITIES IMPLICATIONS

The issues contained in this report fall within an approved category that has been confirmed as exempt from an equalities perspective.

10. CONCLUSION

It is recommended that application be approved for the following reason and subject to the following condition:

Condition:

1. Prior to the commencement of works to the steading building, the following shall be submitted to and approved in writing by the planning authority:-

- (i) details of proposed windows and doors to be used in the steading building including method of opening and astragal specifications (where appropriate);
- (ii) details of external finishing materials and repairs to the steading building including specifications of any external renders or mortars to be used;
- (iii) details of any ventilation or extraction to be installed in the steading building;
- (iv) details of any services and aerials/satellite dishes to be installed on or in the steading building; and
- (v) details of the finish of the retained horse feed recesses in the southern flank of the building.

Thereafter the works shall be undertaken in full accordance with the details as approved by the planning authority prior to the occupation of any of the steading (units 5, 6 & 7 inclusive).

Reason: In order to ensure that the works required and materials to be used safeguard the historic interest of the building.

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.

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APPENDIX 1 – RELEVANT DEVELOPMENT PLAN POLICIES

TAYPLAN (2012)

DEVELOPMENT PLAN POLICIES AGAINST WHICH THE PROPOSAL HAS BEEN ASSESSED

TAYplan Strategic Development plan

Policy 3D : Natural and Historic Assets

Understanding and respecting the regional distinctiveness and scenic value of the TAYplan area through:-

- ensuring development likely to have a significant effect on a designated or proposed Natura 2000 sites (either alone or in combination with other sites or projects), will be subject to an appropriate assessment. Appropriate mitigation requires to be identified where necessary to ensure there will be no adverse effect on the integrity of Natura 2000 sites in accordance with Scottish Planning Policy;
- safeguarding habitats, sensitive green spaces, forestry, watercourses, wetlands, floodplains (in-line with the water framework directive), carbon sinks, species and wildlife corridors, geo-diversity, landscapes, parks, townscapes, archaeology, historic buildings and monuments and allow development where it does not adversely impact upon or preferably enhances these assets; and,
- identifying and safeguarding parts of the undeveloped coastline along the River Tay Estuary and in Angus and North Fife, that are unsuitable for development and set out policies for their management; identifying areas at risk from flooding and sea level rise and develop policies to manage retreat and realignment, as appropriate.

Angus Local Plan Review 2009

Policy ER15 : Change of Use, Alterations and Extensions to Listed Buildings

Change of use, or alterations and extensions to a listed building will only be permitted where they are in keeping with the fabric, character and appearance of the building or its setting.