

ANGUS COUNCIL

DEVELOPMENT STANDARDS COMMITTEE – 30 MAY 2017

PLANNING APPLICATION – 7 ACADEMY COURT, FORFAR, DD8 2EW

GRID REF: 345911 : 750657

REPORT BY HEAD OF PLANNING AND PLACE

Abstract:

This report deals with listed building consent application No 17/00239/LBC for alterations to the external appearance of the north elevation, including blocking up 3 windows and the application of render, at 7 Academy Court, Forfar, DD8 2EW. This application is recommended for conditional approval.

1. RECOMMENDATION

It is recommended that the application be approved for the reasons and subject to the conditions given in 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 communities are developed in a sustainable manner
- Our natural and built environment is protected and enjoyed

3. INTRODUCTION

3.1 The applicant seeks listed building consent to block up 3 windows and to rebuild and render an area of external wall on the north elevation of the Category B listed former school.

3.2 The application site is currently being redeveloped to accommodate 29 affordable housing units as part of planning permission 15/00175/FULL. The site is located to the north of Academy Street and comprises the former Chapelpark School. This application relates to the main school building. The site has an existing vehicular access from Academy Street and pedestrian accesses to East High Street to the north and Coutties Wynd to the west.

3.3 The application seeks to block up 3 existing windows with a recessed masonry in-fill to replicate the surrounding building and to remove and rebuild a defective, newly exposed, wall in blockwork finished in a smooth render. The works would alter a small section of the north (rear) elevation of the listed building.

3.4 The application has not been subject of variation.

3.5 The application was advertised in the Edinburgh Gazette and the Dundee Courier as required by legislation.

3.6 This application requires to be determined by the Development Standards Committee due to the recommendation of approval, where Angus Council owns the application site and the proposal has attracted an objection from the Community Council.

4. RELEVANT PLANNING HISTORY

4.1 Planning permission (ref: 15/00175/FULL) was granted in July 2015 for the redevelopment of the former school site to provide a total of 29 residential units. This included conversion of the school building to dwellings and the erection of four new build units.

- 4.2 Listed Building Consent was granted in April 2015 (ref: 15/00176/LBC) for works involving the removal of part of the rear elevation of the Academy Building and the central staircase and northern classroom wing of the Annexe Building. The works were required to facilitate the wider redevelopment of the site and conversion of the school building to housing.
- 4.3 The proposed alterations were accepted as a non-material variation to planning permission 15/00175/FULL. However the current LBC application is required to amend the former listed building consent ref: 15/00176/LBC as this cannot be varied in the same way.

5. APPLICANT'S CASE

A Supporting Statement was submitted alongside the application. The submitted document notes the proposed works are to the rear of the former Academy Building, where a small extension was removed under Listed Building Consent 15/00176/LBC. The condition of the external walling behind the extension was unknown at the time of the original Listed Building Consent application, and following its removal it was discovered that the exposed wall consisted of a mixture of stone, timber and brick – all in various state of condition. The Stonemason working on the development confirmed that the previously agreed repair method would not provide a good standard of external finish. Following this advice, the decision was taken to demolish the entire section of affected wall with the intention to rebuild with brick, externally finished with coursed masonry. However it transpired that there was an insufficient supply of good quality masonry recovered from down-takings to complete this area in addition to the works to the Annexe Building, Communal Bin Stores and other external features. It was noted the other more prominent site features remain the priority for reuse of salvaged masonry, and that as the rear elevation of the Academy Building is generally hidden from public view (other than from adjoining properties to the north), the proposal is to rebuild in all salvaged masonry corner quoins, rybatts, cills, etc., and finish the general wall area in a complimentary smooth cement render. This render would match that specified for the new build Townhouse rear elevations providing consistency of material use.

6. CONSULTATIONS

- 6.1 **Angus Council Roads** – has no objections to the proposal.
- 6.2 **Forfar Community Council** – objects to the blocking up of the 3 windows as the building is listed.
- 6.3 **Scottish Water** – there was no response from this consultee at the time of report preparation.
- 6.4 **Historic Environment Scotland** – has no objections to the proposal.

7. REPRESENTATIONS

There were no letters of representation received.

8. PLANNING CONSIDERATIONS

- 8.1 In considering whether to grant Listed Building Consent for the present application, the Council is required in terms of Section 14(2) of the Planning (Listed Building 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 In this case the development plan comprises:-
- TAYplan (Approved 2012)
 - Angus Local Development Plan (ALDP) (Adopted 2016)
- 8.3 The development plan policies relevant to consideration of this application are provided in Appendix 2 and have been taken into account in the preparation of this report.
- 8.4 Policy PV8 of the ALDP refers to development affecting listed buildings and states that development proposals will only be supported when the proposed development would not adversely affect the integrity of the site or the reasons for which it was designated; any

significant adverse effects on the site or its setting are significantly outweighed by social, environmental and/or economic benefits; and appropriate measures are provided to mitigate any identified adverse impacts. The application proposes to make external alterations to the Category B Listed former school.

- 8.5 The proposal to rebuild a section of the north wall is required as this section has recently been exposed, due to the removal of a former extension, and the wall was discovered to be in a very poor condition and constructed of a mixture of materials. It is proposed to rebuild this section in blockwork and finish it in a smooth render in a complimentary colour to the wider development. The use of smooth render is acceptable and a condition requires the exact finish colour to be agreed. The render would be a contrast to the existing stonework and would allow the alterations to be read as a modern intervention in this elevation. The application also proposes to finish the window & door surrounds in stone sourced from down-takings in other part of the redevelopment, or reconstituted stone with a profile to match the existing if there is an insufficient supply of salvaged stone. Historic Environment Scotland has advised that it offers no objection to the proposal.
- 8.6 The proposal to block up 3 of the existing windows is retrospective. This alteration is required to facilitate the approved internal layout. The windows have been in-filled with 'checked back' masonry down-takings and allows the form of the openings and the integrity of the building to be retained. The proposal would not detrimentally impact upon the buildings original character or special features.
- 8.7 Forfar Community Council has raised concern in relation to the blocking-up of the 3 existing windows. However, the method used to block the windows ensures that the original window pattern of the building is still evident and the materials used to infill the windows are appropriate. Whilst the building is listed, that does not mean that it cannot be altered or adapted to make it fit for an alternative use provided the alterations do not adversely affect its special interest. In this case the alterations to the building are relatively minor, are appropriately detailed and do not have any significant impact on the overall special interest of the building. As noted above, Historic Environment Scotland has offered no objection.
- 8.8 In conclusion, the proposed works are necessary to help facilitate the reuse of the building. They represent fairly minor alterations to the building and the detailing is such that the original character of the building will be retained. The works do not have a significant adverse impact on the special interest of the building or its setting. The application is compatible with relevant development plan policy and with the legislative requirement to preserve the building, its setting and its features of special architectural or historic interest. There are no material considerations that justify refusal.

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 the application be approved for the following reason, and subject to the following condition(s):

Reason(s) for Approval:

The works are compatible with relevant development plan policy and do not have an adverse impact on the special interest of the listed building subject to the stated condition. There are no material considerations that justify refusal of the application.

Conditions:

1. That the smooth render shall not be applied to the building until precise details of that render, including its finish colour have been approved in writing by the Planning Authority. Thereafter the smooth render shall be applied in accordance with the approved details.

Reason: In order that the planning authority may confirm the acceptability of the render in the interests of safeguarding the special interest of the listed 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 : Location Plan
Appendix 2 : Relevant Development Plan Policies

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Appendix 2 : Relevant Development Plan Policies

Angus Local Development Plan

Policy PV8 Built and Cultural Heritage

Angus Council will work with partner agencies and developers to protect and enhance areas designated for their built and cultural heritage value. Development proposals which are likely to affect protected sites, their setting or the integrity of their designation will be assessed within the context of the appropriate regulatory regime.

National Sites

Development proposals which affect Scheduled Monuments, Listed Buildings and Inventory Gardens and Designed Landscapes will only be supported where:

- the proposed development will not adversely affect the integrity of the site or the reasons for which it was designated;
- any significant adverse effects on the site or its setting are significantly outweighed by social, environmental and/or economic benefits; and
- appropriate measures are provided to mitigate any identified adverse impacts.

Proposals for enabling development which is necessary to secure the preservation of a listed building may be acceptable where it can be clearly shown to be the only means of preventing its loss and securing its long term future. Any development should be the minimum necessary to achieve these aims. The resultant development should be designed and sited carefully in order to preserve or enhance the character and setting of the listed building.

Regional and Local Sites

Development proposals which affect local historic environment sites as identified by Angus Council (such as Conservation Areas, sites of archaeological interest) will only be permitted where:

- supporting information commensurate with the site's status demonstrates that the integrity of the historic environment value of the site will not be compromised; or
- the economic and social benefits significantly outweigh the historic environment value of the site.

Angus Council will continue to review Conservation Area boundaries and will include Conservation Area Appraisals and further information on planning and the built and cultural heritage in a Planning Advice Note.