

ANGUS COUNCIL

DEVELOPMENT STANDARDS COMMITTEE – 10 DECEMBER 2019

**LISTED BUILDING CONSENT APPLICATION – STABLEMANS COTTAGE, PANBRIDE HOUSE,
PANBRIDE, CARNOUSTIE**

GRID REF: 357857 : 735353

SERVICE LEADER – PLANNING & COMMUNITIES

Abstract:

This report deals with listed building consent application No. 19/00814/LBC which seeks consent for alterations to an existing cottage at Stablemans Cottage, Panbride House, Panbride, Carnoustie for Mr B. Boyd & Mr M. Sothern. This application is recommended for conditional approval.

1. RECOMMENDATION

It is recommended that the application be approved for the reason and subject to the condition given in Section 10 of this report.

2. ALIGNMENT TO THE ANGUS LOCAL OUTCOMES IMPROVEMENT PLAN/CORPORATE PLAN

This report contributes to the following local outcome(s) contained within the Angus Local Outcomes Improvement Plan and Locality Plans:

- Safe, secure, vibrant and sustainable communities
- A reduced carbon footprint
- An enhanced, protected and enjoyed natural and built environment

3. INTRODUCTION

3.1 Listed building consent is sought for alterations to the existing cottage within the grounds of Panbride House. The cottage forms part of a complex of buildings that were formerly used as stables and that is designated as a category B listed building. A plan showing the location of the site is provided at Appendix 1.

3.2 The application proposes the formation of a new section of roof linking the existing cottage roof with the roof of the building to the north. The alterations would allow for the formation of accommodation within the roofspace of the building. It is indicated that reclaimed slate from the existing roof would be used on the new sections of roof. Alterations are proposed to the size of existing window and door openings, and a flue and rooflights would be installed. New timber windows would also be installed. Internal alterations would be made to the building to alter room configurations and to create accommodation at an upper floor level.

3.3 The application has been advertised in the press as required by legislation.

3.4 The application requires determination by Committee as it has been submitted by an elected member of Angus Council.

4. RELEVANT PLANNING HISTORY

4.1 Planning Application 19/00813/FULL for 'Alterations to Existing Cottage' is currently being considered alongside the current listed building consent application and is subject of a separate report to this committee (Report 411/19 refers).

- 4.2 Planning permission ([17/00590/FULL](#)) and listed building consent ([17/00591/LBC](#)) were granted by the Development Standards Committee at its meeting on 3 October 2017 (Reports 338/17 and 339/17 refer). Amongst other things those provided for the change of use of the building subject of the current application from a physiotherapy suite to a house and associated alterations.

5. APPLICANT'S CASE

The applicant has submitted a Panbride House Bat Survey and an Access Statement in support of the application. Those documents can be viewed on the council's [Public Access](#) system. The bat survey concludes that the proposed conversion works, including the proposed roof alteration are unlikely to have a significant adverse impact on bats. The Access Statement concludes that the proposals aim to improve accessibility to the property by introducing level access to the ground floor and providing an accessible route from the designated parking area. It suggests that the alterations will improve overall access for people with a range of disabilities and mobility issues.

6. CONSULTATIONS

- 6.1 **Scottish Water** – No response was received at the time of report preparation.
- 6.2 **Community Council** – No response was received at the time of report preparation.
- 6.3 **Angus Council – Roads (Traffic)** – No objections.
- 6.4 **Historic Environment Scotland** – No objections.

7. REPRESENTATIONS

No letters of representation have been 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 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 In this case the development plan comprises:-
- [TAYplan](#) (Approved 2017)
 - [Angus Local Development Plan](#) (ALDP) (Adopted 2016)
- 8.3 The application is not of strategic significance and the policies of TAYplan are not referred to in this report. The ALDP forms the main basis for the consideration of the proposal and the relevant policies are reproduced at Appendix 2.
- 8.4 The building forms part of a larger category B listed building that was formerly a stable block. Planning legislation and development plan policy require regard to be paid to the impact of the development on its special interest and on the setting of other listed buildings in the area.
- 8.5 The listed building (comprising the entire former stable block) has been subject of fairly significant alteration over the years which is not uncommon for ancillary buildings of this nature. Window and door openings have been altered in size but works have been undertaken in recent years to improve the condition of the building, in particular the northern extent, and modern additions have been removed. The general appearance of the building has been improved and in particular the west elevation with its arched entrance and crowstepped flank gables has been reinstated.
- 8.6 The application site comprises a small element of the larger listed building. It has the appearance of a small bothy or coachmans cottage of fairly simple design attached to the more elegant stable building. The alteration to the roof would change the appearance of this element of the building and introduce a section of flat roof. However, that flat roofed section

would generally be screened from view by pitched and slated sections of roof that would form its perimeter. Those pitched sections would be covered in slates salvaged from works to the building. The existing roof structure which would be altered by the works is not of any special significance. The roof alteration would not significantly affect the apparent symmetry of the main west elevation and would not materially alter the appearance of the stables when viewed from Panbride House. The alteration to the roof would not significantly adversely affect the special interest of the listed building.

- 8.7 Previous alterations to the building have resulted in a variety of window and door openings in the building. Given the nature and extent of previous alterations to those openings the current proposals would have a neutral impact on the special interest of the building. However, the replacement of the existing poorly detailed windows and doors would have a positive impact. A condition is proposed that requires precise details of the replacement windows and doors. New rooflights would be introduced in the east and west facing roof planes and again the detail of those can be controlled by a condition to ensure that they do not adversely affect the buildings special interest.
- 8.8 A new flue was approved in the roof under the terms of listed building consent 17/00591/LBC and the current application proposes its relocation to the west facing roof plane. That alteration would have a neutral impact.
- 8.9 The interior of the building has been subject of significant alteration over a period of time and it is of little special interest. The proposed alterations to the interior of the building would have no significant impact on its special interest.
- 8.10 Historic Environment Policy for Scotland (HEPS) and Historic Environment Scotland's (HES) Managing Change in the Historic Environment Guidance Notes have been considered in the assessment of the application. The proposal does not conflict with that policy or guidance subject to the proposed conditions. It is relevant to note that Historic Environment Scotland has offered no objection to the application.
- 8.11 A bat survey has been submitted and it indicates that the proposals are unlikely to have any significant impact on bats or their habitat. Accordingly it is unlikely that European protected species would be affected by the proposal.
- 8.12 The proposed works would not have a significant adverse impact on the special interest of the listed building or its setting. The proposal is compatible with relevant development plan policy subject to the stated condition. There are no material considerations that justify refusal of the application.

9. OTHER MATTERS

HUMAN RIGHTS IMPLICATIONS

The recommendation in this report for grant of listed building 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 recommendation 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):

Conditions:

1. That before works take place the following shall be submitted to and approved in writing by the planning authority: -

- a. full details of all new windows and doors which shall be constructed from timber (including glazing configuration, method of opening and final paint colour).
- b. full details of the rooflights which shall be of conservation style.

Thereafter only windows, doors and rooflights that are in accordance with the approved details shall be installed.

Reason: In order to ensure that the windows, doors and rooflights are appropriate for the listed buildings and do not adversely affect their special interest.

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.

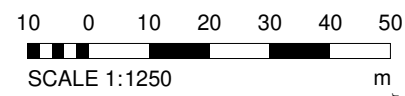
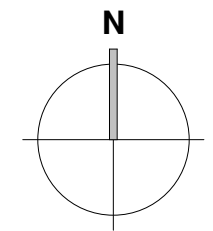
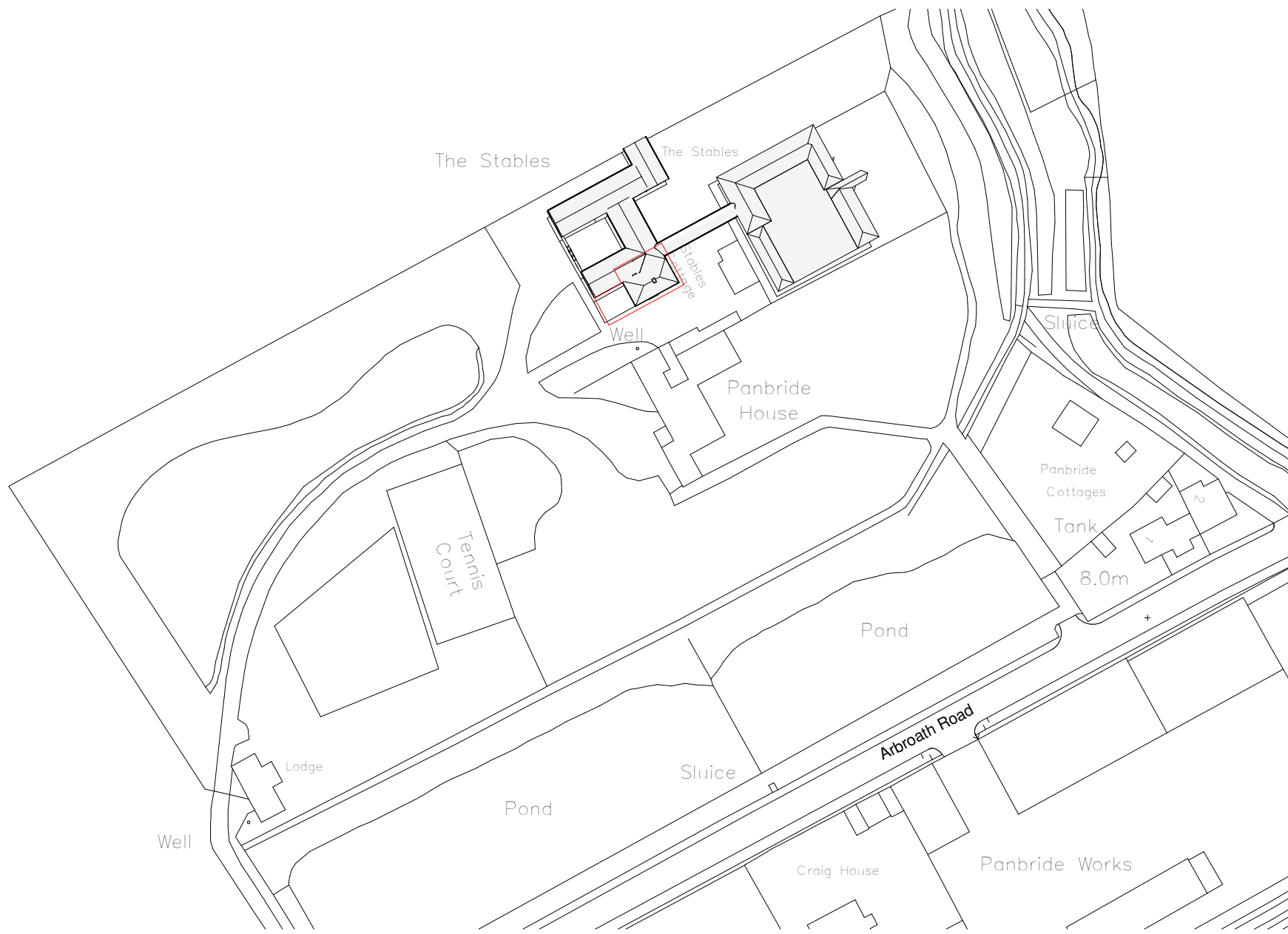
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DATE: 3 DECEMBER 2019

APPENDIX 1: LOCATION PLAN

APPENDIX 2: DEVELOPMENT PLAN POLICIES



REV	Description	Date
A	red line amended to take in roof alterations also	06/11/19

Client:
Boyd & Sothern

Project:
 Conversion of Outbuilding to Holiday Let
 Panbride House, DD7 6JR

Sheet Name:
 Location Plan

Drawing Number:
2303_S_001 A

Location Plan

1 : 1250

Appendix 2: Development Plan Policies

Angus Local Development Plan 2016

Policy PV5 : Protected Species

Angus Council will work with partner agencies and developers to protect and enhance all wildlife including its habitats, important roost or nesting places. Development proposals which are likely to affect protected species will be assessed to ensure compatibility with the appropriate regulatory regime.

European Protected Species

Development proposals that would, either individually or cumulatively, be likely to have an unacceptable adverse impact on European protected species as defined by Annex 1V of the Habitats Directive (Directive 92/24/EEC) will only be permitted where it can be demonstrated to the satisfaction of Angus Council as planning authority that:

- o there is no satisfactory alternative; and
- o there are imperative reasons of overriding public health and/or safety, nature, social or economic interest and beneficial consequences for the environment, and
- o the development would not be detrimental to the maintenance of the population of a European protected species at a favourable conservation status in its natural range

Other Protected Species

Development proposals that would be likely to have an unacceptable adverse effect on protected species unless justified in accordance with relevant species legislation (Wildlife and Countryside Act 1981 and the Protection of Badgers Act 1992) subject to any consequent amendment or replacement.

Further information on protected sites and species and their influence on proposed development will be set out in a Planning Advice Note.

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.