

Perth and Kinross Council
Development Management Committee – 12 April 2017
Report of Handling by Development Quality Manager

Alterations and extension to Balhousie Luncarty Care Home
Sandeman Place
Luncarty

Ref. No: 17/00244/LBC
Ward No: N5 - Strathtay

Summary

This report recommends approval of the application for the alterations and extension to the Care Home at Luncarty House, Sandeman Place, Luncarty as the development is considered to comply with the Development Plan.

BACKGROUND AND DESCRIPTION

- 1 Luncarty House is run as a residential care home which falls under Class 8 of the Town and Country Planning (Use Classes) (Scotland) Order 1997. The proposal under consideration is for internal alterations and the erection of an extension to the west of the Category C(s) Listed Building.
- 2 The existing layout provides a total of 29 bedrooms within the property. The proposal involves internal alterations and the removal of mainly modern partitions to improve the space standards in the existing house and this reduces the numbers of bedrooms to 19 (thus losing 10 bedrooms). This loss of bedrooms is offset by the inclusion of a wing to the west of the building which would provide 17 additional bedrooms with a lounge area to the lower ground floor. This result in the provision of a further 7 bedrooms on the site overall.

NATIONAL POLICY AND GUIDANCE

- 3 **Scottish Historic Environment Policy (SHEP):-** sets out Scottish Ministers' policies, providing direction for Historic Scotland and a policy framework that informs the work of a wide range of public sector organisations.

DEVELOPMENT PLAN

- 4 The Development Plan for the area comprises the TAYplan Strategic Development Plan 2012-2032 and the Perth and Kinross Local Development Plan 2014.

TAYplan Strategic Development Plan 2012 – 2032 - Approved June 2012

- 5 Whilst there are no specific policies or strategies directly relevant to this proposal the overall vision of the Tay Plan should be noted. The vision states *"By 2032 the TAYplan region will be sustainable, more attractive, competitive and vibrant without creating an unacceptable burden on our planet. The quality of life will make it a place of first choice, where more people choose to live, work and visit and where businesses choose to invest and create jobs."*

Perth and Kinross Local Development Plan 2014

- 6 The Local Development Plan (LDP) was adopted by Perth and Kinross Council on 3 February 2014. It is the most recent statement of Council policy and is augmented by Supplementary Guidance.
- 7 The principle relevant policy is, in summary:

Policy HE2 - Listed Buildings

- 8 There is a presumption in favour of the retention and sympathetic restoration, correct maintenance and sensitive management of listed buildings to enable them to remain in active use. 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 building's character, appearance and setting.

OTHER POLICIES

- 9 Historic Scotland's Technical Guidance Notes.

SITE HISTORY

- 10 92/01878/FUL Installation of a lift 13 January 1993 Application Permitted under delegated powers.
- 11 93/00277/FUL Installation of a lift and provision of wc compartments 12 May 1993 Application Permitted under delegated powers.
- 12 93/01558/FUL Alterarions 12 January 1994 Application Permitted under delegated powers.
- 13 94/01184/FUL Alteration to residential home for the elderly 7 October 1994 Application Permitted.
- 14 00/00141/PPLB Alterations to form additional fire exit and rooms in basement at 17 March 2000 Application Refused under delegated powers.
- 15 00/00142/PPLB Formation of a link corridor at 17 March 2000 Application Permitted under delegated powers.
- 16 09/00434/FUL Alterations and extension to nursing home 28 April 2009 Application Withdrawn.
- 17 09/00435/LBC Alterations and extension to nursing home, formation of car parking space and ancillary site works 28 April 2009 Application Withdrawn.
- 18 Planning Application 09/01004/FUL and Listed Building Application 09/01005/LBC were submitted and refused by Development Control Committee on the 26 August 2009. The Appeals to the Directorate for Planning and Environmental Appeals were unsuccessful P/PPA/340/2008 and P/LBA/340/35 refers.

- 19 10/00685/LBC Alterations and extension 26 July 2010 Application Permitted by Development Control Committee.
- 20 10/00688/FLL Alterations and extension 26 July 2010 Application Permitted by Development Control Committee.
- 21 13/01109/FLL Variation of condition 1 (10/00688/FLL) to allow a further three years for development to commence 12 July 2013 Application Permitted under delegated powers.
- 22 13/01117/LBC Variation of condition 1 (10/00685/LBC) to allow a further three years for development to commence 12 July 2013 Application Permitted under delegated powers.
- 23 15/01764/FLL Formation of access ramp and erection of fencing 8 December 2015 Application Permitted under delegated powers.
- 24 15/01765/LBC Alterations and formation of access ramp 8 December 2015 Application Permitted under delegated powers.
- 25 16/02092/FLL Alterations and extension 31 January 2017 Application Withdrawn.
- 26 16/02093/LBC Alterations and extension 31 January 2017 Application Withdrawn.
- 27 17/00243/FLL Alterations and extension, relates to the same proposals as the listed building application subject to this report being considered at part of this agenda.

CONSULTATIONS

EXTERNAL

- 28 Scottish Water – No objection.

INTERNAL

- 29 None.

REPRESENTATIONS

- 30 One letter of representation was received during the advertisement period for this application raising the following issues: -
- Adverse effect on visual amenity
 - Inappropriate landuse
 - Light pollution

- Loss of open space
- Loss of sunlight and daylight
- Loss of trees
- Noise pollution
- Traffic congestion and road safety concerns
- Issues with drains and flooding
- Overlooking
- Concerns with bin access arrangements
- Concerns with access to services (fuel storage)
- Workers smoke in close proximity to the boundary of the site
- Precedent, smaller extensions on bungalows have been refused in the surrounding area

31 The above matters are addressed in the Appraisal section of the associated planning application as they are not matters that are applicable to the assessment of this listed building application.

32 The issues detailed below are applicable to the assessment of the listed building application and these are addressed under the appraisal section of this report:-

- Out of character with the area
- Over intensive development
- Contrary to development plan
- Excessive height

33 The following matter is best addressed at this stage:-

- Inaccuracies in the plans and supporting statement. – There are minor omissions in the plans and planning statement referencing the earlier withdrawn scheme. They do not affect my assessment of the application as the plans satisfactorily delineate the applicant's proposals and the number of bedrooms associated with the scheme. Notwithstanding this the agent has provided clarity and updated the minor referencing issues.

34 **ADDITIONAL STATEMENTS**

Environment Statement	Not required
Screening Opinion	Not required
Environmental Impact Assessment	Not required
Appropriate Assessment	Not required
Design Statement / Design and Access Statement	Submitted
Reports on Impact or Potential Impact	Submitted

APPRAISAL

Policy Appraisal

- 35 This report deals with the assessment of proposed alterations and extension to Luncarty House a Category C(s) Listed Building. A separate planning application has been submitted which is assessed under application 17/0243/FLL.
- 36 The determining issues in this case are:- the statutory requirement under Section 14 and 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 which requires the planning authority to have special regard to the desirability of preserving the building or its setting or any features of special architectural historic interest which it possesses; how the proposal sits with National Policy; how the proposal relates to the adopted development plan and where other considerations outweigh the desirability of retaining these listed buildings.
- 37 In accordance with Regulation 5 of the Town and Country Planning (Listed Buildings and Buildings in Conservation Areas) (Scotland) Regulations 1987 the listed building application has been advertised in the Local Press, Edinburgh Gazette and a site notice was posted

Impact on Internal Alterations:

- 38 The internal alterations remove partition walls that were not original to the Listed Building. This is considered to be a significant improvement and returns the building closer to the original form which is supported in supplementary planning guidance. It is necessary to condition internal works to ensure the retention of architectural mouldings and detailing.

Impact on the setting of the Listed Building:

- 39 While the word setting is not defined in planning legislation Historic Scotland's Technical Guidance Notes (formerly part of the Memorandum of Guidance on Listed Buildings and Conservation Areas 1998) specifies that authorities are firmly encouraged not to interpret the word narrowly. It highlights at all times the listed building should remain the focus of its setting. Attention must never be distracted by the presence of any new development whether it be within or out with the curtilage. In this instance I consider the appropriate factors to take into account is the principal view either of or from Luncarty House as well as the potential effect on the main approach to the building.
- 40 Luncarty House has been developed in phases. The earliest element which includes the principal two storey elevations and entrance are situated to the south with a later one and half storey wing attached to the north. The proposed extension is set behind the principal elevations and entrance.
- 41 It should be noted that this proposed scheme has been reduced in scale and massing since the refusal at appeal. Taking account of this factor and the history associated with the Appeal decisions I am content that this revised scheme does not detract from the character or setting of the listed building and complies with policy HE2 of the LDP.

- 42 Having considered the supporting statement lodged with the application I am content that the extension is an acceptable in terms of layout, massing and design and would not have a detrimental impact on the character and appearance or setting of this listed building.
- 43 This stance is also supported by my conservation colleagues who note that the current application follows a withdrawal of a more recent application (16/02093/LBC) and includes changes to the footprint of the extension and fenestration. The proposed revisions have no additional adverse impact on the listed building they note that the relevant conditions attached to the original consent (10/00685/LBC) should also be applied to this application.

Economic Impact

- 44 The construction of the development would provide opportunities for local trades and tradesmen to become involved in the construction phase. Additionally there would likely be a positive economic impact on the local area associated with the increase in accommodation for specialist housing needs.

LEGAL AGREEMENTS

- 45 None required

DIRECTION BY SCOTTISH MINISTERS

- 46 Under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, regulations 30 – 33 there have been no directions by the Scottish Government in respect of an Environmental Impact Assessment screening opinion, call in or notification relating to this application.

CONCLUSION AND REASONS FOR RECOMMENDATION

- 47 Taking the above into account I consider that the proposed alterations and extension to Luncarty house comply with the requirements set out in legislation to preserve the special architectural historic interest which the building possesses. Additionally I consider it to comply with Policy HE2 of the LDP which has a presumption in favour of consent for development involving the sympathetic restoration of Listed Buildings. I have taken account of advice contained within Historic Scotland's Technical Guidance Notes (formerly part of the Memorandum of Guidance on Listed Buildings and Conservation Areas 1998) and Scottish Government's Scottish Planning Policy and consider the proposal is acceptable and it is therefore recommended for approval subject to conditions.

RECOMMENDATION

- A Approve the application subject to the following conditions:**

1. The development hereby approved must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed by this decision notice.

Reason - To ensure the development is carried out in accordance with the approved drawings and documents.

- 2 Prior to the commencement of the development hereby approved, details of the specification and colour of the proposed external finishing materials to be used shall be submitted to and agreed in writing by the Council as Planning Authority. The scheme as agreed shall be implemented prior to the completion or bringing into use of the development, whichever is the earlier.

Reason - In the interests of visual amenity; to ensure a satisfactory standard of local environmental quality.

- 3 Precautions shall be taken to secure and protect the interior features of Luncarty House against accidental loss or damage, or theft during the building work. No such features shall be disturbed or removed temporarily or permanently except as indicated on the approved drawings or with prior approval in writing of the Council. Particular regard should be given to the existing chimneypieces, door sets and ornamental mouldings.

Reason - In order to safeguard the special architectural or historic character of the building.

- 4 All new partitions shall be scribed around the existing ornamental mouldings all to the reasonable satisfaction of the Planning Authority.

Reason - In order to safeguard the special architectural or historic character of the building.

- 5 All new external and internal works and finishes and works of making good to the retained fabric, shall match the existing adjacent work with regard to the methods used and to material, colour, texture and profile, unless shown otherwise on the drawings or other documentation hereby approved or required by any condition(s) attached to this consent.

Reason -In order to safeguard the special architectural or historic character of the building.

Justification

- 1 The proposal is in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

Informatives

- 1 This listed building consent will last only for three years from the date of this decision notice, unless the development has been started within that period (see section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).
- 2 No work shall be commenced until an application for building warrant has been submitted and approved.
- 3 This is approval of your application Ref no (17/00244/LBC) for Listed Building Consent only. It does not include any approval for your related planning permission Ref no (17/00243/FLL). No work should commence until planning permission is granted.

Background Papers: One letter of representation.

Contact Officer: John Russell – Ext 475346

Date: 29 March 2017

NICK BRIAN
Interim Head of Planning

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