

Reference Number: 08/00313/LIB
Applicants Name: United Church of Bute
Application Type: Listed Building Consent (application under the voluntary scheme)

Application Description: Demolition of extension and erection of replacement extension
Location: United Church of Bute, High Street, Rothesay

(A) THE APPLICATION

(i) Works Requiring Listed Building Consent

Churches in ecclesiastical use are exempt from the statutory requirement for listed building consent. Whilst there is no enforceable statutory Listed Building control in this instance, the Church of Scotland are members of the Scheme to Apply Listed Building Control to Exteriors of Churches in Ecclesiastical Use and, accordingly, this proposal is the subject of an application to the Council for listed building consent. The Church of Scotland are not exempt from planning control and a corresponding planning application (ref: 08/00311/DET) has also been made.

The application seeks consent for the erection of an extension to the north wall of the main church building.

(B) RECOMMENDATION

That listed building consent be granted subject to:

- (i) notification to Scottish Ministers, and
 - (ii) the imposition of conditions as set out in this report.
-

(C) SUMMARY OF DETERMINING ISSUES AND MATERIAL CONSIDERATIONS

(i) Development Plan Context:

Under the adopted Bute Local Plan, the site falls within the settlement of Rothesay which is identified as a Main Town in the approved Argyll and Bute Structure Plan.

Under the Modified Finalised Argyll and Bute Local Plan, the site lies within the Settlement Zone at Rothesay where Policy LP COM 1 sets a presumption in favour of community facility development where its form, location and scale is consistent with the approved Argyll and Bute Structure Plan Policy STRAT DC 1, subject also to compliance with other development plan policy.

It is considered that the proposed development is of an appropriate design that will preserve the Category B Listed church building, the settings of the adjacent St Mary's Chapel and the Category A Listed Bute Mausoleum, whilst realising the adaption of the building in accordance with the needs and desires of the congregation. The proposed development will enable the building to better serve the congregation's requirements and will promote the retention of the building in the use for which it was constructed.

(ii) Representations:

Following advertisement of the corresponding listed building application in the Edinburgh Gazette, one representation has been received from the Commonwealth War Graves Commission.

(iii) Consideration of the Need for Non-Statutory or PAN 41 Hearing:

The proposed development is considered to accord with the development plan provisions for the site and no objections have been received in respect of the proposed development. Consequently there is no requirement or need for a hearing.

(iv) Reasoned Justification for a Departure from the Provisions of the Development Plan.

Not applicable.

(v) Is the Proposal a Schedule 1 or 2 EIA development:

No

(vi) Does the Council have an interest in the site:

At the time of application, Argyll and Bute Council owned part of the site required for the development. The application indicates that the transfer of ownership to the Church of Scotland is underway.

(vii) Need and Reason for Notification to Scottish Ministers.

Applications under the Voluntary Scheme are treated in the same manner as applications for listed building consent which are required by statute. In this instance, as the application affects a Category B Listed Building, the Scottish Ministers should be given formal notification of Council's proposed decision if it is minded to grant Listed Building Consent.

(viii) Has a sustainability Checklist Been Submitted:

None requested.

Angus J Gilmour
Head of Planning
23 May 2008

Author: Charles Tibbles
Reviewing Officer: David Eaglesham 01369 708608

Date: 15 May 2008
Date: 23 May 2008

NOTE: Committee Members, the applicant, agent and any other interested party should note that the consultation responses and letters of representation referred to in Appendix A, have been summarised and that the full consultation response or letter of representations are available on request. It should also be noted that the associated drawings, application forms, consultations, other correspondence and all letters of representations are available for viewing on the Council web site at www.argyll-bute.gov.uk

CONDITIONS AND REASONS RELATIVE TO APPLICATION: 08/00313/LIB

1. That the works to which this permission relates must be begun within five years from the date of this permission.

Reason: to comply with Section 16 of the Planning (Listed Buildings) and Conservation Areas (Scotland) Act 1997.

APPENDIX A – RELATIVE TO APPLICATION NUMBER: 08/00313/LIB

MATERIAL CONSIDERATIONS AND ADVICE

(i) POLICY OVERVIEW AND MATERIAL ADVICE

Argyll & Bute Structure Plan

Identifies Rothesay as a Main Town. Policy STRAT DC 1 encourages development within the Main Towns of development serving a wide community of interest. STRAT DC 9 states that development which damages or undermines the historic, architectural or cultural qualities of the historic environment (including Listed Buildings) will be resisted.

Adopted Bute Local Plan

Located within the settlement boundary of Rothesay. The Local Plan settlement strategy seeks to consolidate development within the existing settlements.

Policy POL BE 15 seeks to achieve a high standard of design and layout where new developments are proposed.

Argyll & Bute Modified Finalised Draft Local Plan

Located within the Settlement Zone at Rothesay.

Policy LP COM 1 presumes in favour of new or improved community facilities within the settlements where development is of a form location and scale consistent with Policy STRAT DC 1.

Policy LP ENV 13(a) requires that development affecting a listed building or its setting shall preserve the building or its setting, and any features of architectural or historic interest that it possesses.

Policy LP ENV 16 seeks to retain, protect and preserve Scheduled Ancient Monuments and provides that developments which have an adverse impact on Scheduled Ancient Monuments and their settings will not be permitted unless there are exceptional circumstances.

Policy LP ENV 19 requires a high standard of appropriate design in accordance with the design principles set out at Appendix A of the Plan.

Note (i): **The applicable elements of the above Policies have not been objected too or have no unresolved material planning issues and are therefore material planning considerations.**

Note (ii): **The Full Policies are available to view on the Council's Web Site at www.argyll-bute.gov.uk**

National Guidance

Memorandum of Guidance on Listed Buildings and Conservation Areas

In considering applications for alteration or extension of listed buildings, the Memorandum of Guidance requires planning authorities to satisfy themselves that no unnecessary damage to historic structures will be caused, that additions are in keeping with other parts of the building and that any new internal or external features harmonise with their surroundings.

(ii) SITE HISTORY

No previous planning applications recorded at this site.

(iii) CONSULTATIONS

Historic Scotland (Response dated 22.05.2008) Understand the applicant's desire to have an integrated building and therefore accept, though with some regret, the principle of an extension at the chosen location.

We remain concerned by the proposed extension - its form and its interaction with the church, and believe that improvements could be made. We therefore suggest that your council seeks improvement to the design. It is unfortunate that the applicant chose not to involve us at an earlier stage as we could have offered suggestions before now. We understand that the Committee on Church Art and Architecture have not seen these proposals yet and that they may also wish to provide advice.

We believe that a more sensitive interface between the two builds could be achieved by retaining the vestry or by creating a glazed link. One characteristic of the site is that it is dominated by the church but has a collection of smaller structures around it. This grouping arrangement could continue if the extension was scaled down and separated slightly from the church. A link would also help make the new build reversible, it would reduce the bulk of the extension, it would help to retain legibility of this prominent elevation and illustrate the different phases of development. Something similar was achieved at Dunbar Parish Church in East Lothian which the applicant might find useful to refer to.

We therefore query whether the new build needs to be so large and recommend that it be reduced in size and amended in design so that it responds better to the church and its 'satellite structures', for instance a pavilion type building with pitched roofs on each angle is one suggestion.

(iv) PUBLICITY AND REPRESENTATIONS

The application was advertised as affecting a listed building (closing date 28 March 2008). Representation from Commonwealth War Graves Commission (dated 27 March 2008) highlighting war graves at North Bute Parish Church.

- The proposed works do not affect any graves.

PLANNING LAND USE AND POLICY ASSESSMENT

A. Location, Nature and Design of Proposed Development

In terms of Policy LP ENV 19 and APPENDIX A, the proposed development would seem to occupy an optimal setting within the existing church site. It would not be visible from St Mary's Chapel which is a Scheduled Ancient Monument lying on the other side of the main church building and it is not considered that it would have any significant adverse effect upon its setting. As a replacement for the existing church extension, it is not considered that it would have any significant effect upon the existing settling of the category A Listed Bute Mausoleum to the west of the church building. It would also respect the existing main east entrance extension which was a 19th Century addition to the building and can be considered as an attractive feature of the building.

The existing extension that would be removed is not considered to hold the same merit as other features of the church and its site which the new extension respects. The existing extension is a plain addition to the building.

By exploiting the change in levels at the site, the proposed extension would allow the addition of a church hall facility, providing a significant extension to the useable space and facilities available at the church with a minimum of change to the form and scale of buildings at the site. The form of the building would be simple as with the existing extension and would incorporate a modest bell tower structure across part of the proposed ridge line to utilise and disguise the roof projection that will be required to house lift equipment. Lift equipment is required if full disabled access is to be provided throughout the church buildings and the roof feature will allow this to happen whilst minimising the mass and height of the required extension. The proposed materials and finishes are considered sympathetic to the existing building (grey roughcast walls to match existing, timber and aluminium windows and a natural slate roof are proposed).

It is considered that the resulting structure would represent a sympathetic and appropriate extension of the building given the need to adapt the site for contemporary and anticipated needs and in the interests of retaining the building in its original use.

B. Built Environment

Policy LP ENV 13(a) requires that development affecting a listed building or its setting shall preserve the building or its setting, and any features of architectural or historic interest that it possesses and that developments must be of a high quality and conform to Historic Scotland's Memorandum of Guidance on Listed Buildings and Conservation Areas. In addition to the discussion above on the siting and features of the building, the following paragraphs give particular consideration to the requirements of the Memorandum of Guidance.

It is considered that the proposals respect and avoid alterations to the features and elements of the building that are of principal interest and will avoid any unnecessary damage the historic structure.

The proposed replacement extension is considered to be in keeping with other parts of the building with the use of sympathetic materials and finish. The window type and opening method in the existing extension (timber sash and case) differs from the main part of the church building which principally contains fixed stained glass windows to the main sanctuary of the church. In viewing the exterior of the building, it is apparent that the current extension is an ancillary structure given its subservience to the main part of the church building and the different window type provides a further cue. These differences would be maintained with the new extension which, although larger in size sufficient to accommodate the required facilities, would remain subservient to the main structure and would contain tilt and turn windows. It is considered that the proposed windows represent an appropriate solution to glazing the simple window arrangement that is proposed. As a recessive colour, the proposed grey colour of the window frames is considered appropriate. Whilst the proposed extension

would be an apparent modern addition to the building, it is considered that the specified form, materials and finishes would ensure that it sits in harmony with its surroundings.

It is considered that the proposed development is sited to minimise its effect upon the building and its associated features of historic value and interest. The proposal can be judged to comply with the requirements of the Memorandum of Guidance on Listed Buildings and Conservation Areas.

C. Archaeological Matters

Policy LP ENV 16 seeks to retain, protect and preserve Scheduled Ancient Monuments and provides that developments which have an adverse impact on Scheduled Ancient Monuments and their settings will not be permitted unless there are exceptional circumstances.

The church grounds contain St Mary's Chapel which is a scheduled ancient monument.

As already described at B above, it is considered that the proposed development is sited to minimise its effect upon the building and its associated features of historic value and interest. It is not considered that the proposed development would adversely affect the setting of the nearby Scheduled Ancient Monument .

CONCLUSION

It is considered that the proposed development is of an appropriate design that will preserve the Category B Listed church building, the settings of the adjacent St Mary's Chapel and the Category A Listed Bute Mausoleum, whilst realising the adaption of the building in accordance with the needs and desires of the congregation. The proposed development will enable the building to better serve the congregation's requirements and will promote the retention of the building in the use for which it was constructed.