

Planning Application Report and Report of Handling as required by Schedule 2 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 relative to applications for Planning Permission or Planning Permission in Principle

Reference No: 23/00688/PP
Planning Hierarchy: Local
Applicant: Oban Baptist Church
Proposal: Demolition of existing buildings and erection of new church/community building with associated landscaping works
Site Address: Oban Baptist Church, Albany Street, Oban

DECISION ROUTE

- Delegated - Sect 43 (A) of the Town and Country Planning (Scotland) Act 1997
- Committee - Local Government Scotland Act 1973
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(A) THE APPLICATION

(i) Development Requiring Express Planning Permission

- Erection of church/community building

(ii) Other specified operations

- Demolition of existing buildings
 - Connection to public water network
 - Connection to public drainage network
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(B) RECOMMENDATION:

Having due regard to the Development Plan and all other material considerations, it is recommended that planning permission be granted subject to the conditions and reasons appended to this report.

(C) CONSULTATIONS:

Argyll and Bute Council - Roads Authority

Report dated 16/05/23 advising no objection to the proposed development but noting that a Traffic Management Plan will be required during the construction period.

Argyll and Bute Council - Environmental Health Service (EHS)

Memo dated 05/06/23 advising no objection to the proposed development but providing advisory comments with regards to the operation of the development should permission be granted.

Argyll and Bute Council – Environmental Health Service (Contaminated Land)

Memo dated 08/06/23 advising that as there is potential for asbestos to be contained within the existing structures, the Applicant will be responsible for undertaking an asbestos survey prior to any building works should permission be granted. An informative will be added to the grant of permission advising the Applicant of this advice.

Argyll and Bute Council - Conservation Officer

E-mail dated 01/06/23 advising, in summary, that the preferred option would be to demolish the 2 buildings to the east of the church and design a new extension to the church to replace these – thereby retaining the historic building that has for over a century been a landmark building in the town, and providing a compromise in terms of creating one large building that is suited to the congregation's requirements but reduces the demolition requirement. A less preferred but second option would be to re-use the existing stone of the church into the new design, rather than disposing of this and bringing in a new stone cladding as proposed. The comments from the Conservation Officer, and the subsequent discussions with the Applicant, are discussed in more detail in the assessment of the proposal in Appendix A of this report.

Oban Community Council (OCC)

Letter dated 08/06/23 advising, in summary, that they have tried to balance the needs of an expanding and active church congregation, and the undoubted and desirable benefits that it brings and will continue to bring to the community, against the desirability to preserve an old building. The OCC discussed the potential to retain the church building and erect a new building either as an extension to the church or a separate building but advised that they are not qualified to comment on such a proposal without sight of plans. The OCC also advised that they are not qualified to comment on the potential reuse of materials that might be salvaged from the existing church building. The OCC noted the concerns of third parties regarding other disused church buildings currently empty with no indication that they will be preserved or put into new uses in the foreseeable future. However, the OCC advised that consensus view was that the needs of the church congregation should be afforded the higher priority therefore confirmed their support of the proposed development.

Historic Environment Scotland (HES)

Letter dated 07/07/23 advising that they do not find the church building to be a building of special architectural or historic interest and accordingly they declined the request by third parties to have the building Listed.

Scottish Water

Letter dated 03/05/23 advising no objection to the proposed development which will be serviced from the Tullich Water Treatment Works and the Oban Waste Water Treatment Works. Scottish Water do however advise that further investigations may be required once formal application for connection are submitted to them for consideration.

Health and Safety Executive

E-mail dated 02/05/23 advising no objection to the proposed development.

Consultation responses are published in full on the planning application file and are available to view via the [Public Access](#) section of the Council's website.

(D) HISTORY:

96/00028/DET

Proposed parking and access amendment – Granted: 16/04/96

(E) PUBLICITY:

The proposal has been advertised in terms of Regulation 20 and Neighbour Notification procedures, overall closing date 01/06/23.

(F) REPRESENTATIONS:

- (i) 12 objections, 1 representation and 48 expressions of support have been received to the application.**

OBJECTIONS

Mr David Sclater, 13A Argyll Street, Oban, PA34 5SG (23/06/23)
Oban and Ganavan Heritage – by e-mail only (07/06/23 & 09/11/23)
Edna Price – by e-mail only (08/06/23 & 11/09/23)
Ms Jane Terris, Portlea, Gallanach Road, Oban, PA34 4LS (08/06/23)
Mr Jack Tait Westwell, 1/2 634 Alexandra Parade, Glasgow, G31 3BT
(07/06/23 & 04/09/23)
Mr Andrew Thornton, Flat 1, Laroach House, Ballachullish, PH49 4JE
(06/06/23 & 09/09/23)
Mr A. Gordon, Teven Cottage, Ganavan Road, Oban, PA34 5TU (05/06/23)
Miss Ann Terris, Teven Cottage, Ganavan Road, Oban, PA34 5TU
(25/05/23)
Mr Robin Russell, Flat 1/1, 1 Glenshellach Terrace, Oban, PA34 4BH
(24/05/23)
K. McCusker, 3d Cawdor Terrace, Oban
Ms Catherine MacGillvray, 9 Lorn Road, Dunbeg, PA37 1QG (23/05/23)
Lorna Tait – by e-mail only (22/05/23)

REPRESENTATIONS

Oban District Access Panel – e-mail only (04/06/23)

SUPPORT

Mrs Morag Head, 1 Orchy Gardens, Oban, PA34 4JR (08/06/23)
Mrs Fiona Leadbeater, Sidhean Mhor, Kilmore, PA34 4XX (08/06/23)
Dr Philip Toms, Treshnish, Glenmore Road, Oban, PA34 4PG (08/06/23)
Mr Stephen Dangana, 1A Dalintart Drive, Oban, PA34 4EE (07/06/23)
Mrs Favour Dangana, 11A Dalintart Drive, Oban, PA34 4EE (-7/06/23)

Mr Daniel Rimmer, Kilchurn, Soroba House, Mews, Oban, PA34 4SB (07/06/23)
Mrs Rachel Heald, 6 Pendean, Burgess Hill, RH15 0DW (07/06/23)
Mr Andrew Heald, 6 Pendean, Burgess Hill, RH15 0DW (07/06/23)
Mr Russell Daniels, 12 Lonan Drive, Oban, PA34 4NN (07/06/23)
Mr John Durat MacRae of Kergord, 1 Ford Spence Court, Benderloch, PA37 1PY (07/06/23)
Mr David O'Brien, Schiehallion, Rowan Road, Oban, PA34 5TQ (07/06/23)
Mrs Sandra MacColl, 12 Aros Close, Oban, PA34 4RN (07/06/23)
Mr Christopher Farley, Lochnell Cottage, North Connel, PA37 1RW (07/06/23)
Mrs Lismore Farley, Lochnell Cottage, North Connel, PA37 1RW (07/06/23)
Miss Mary Black, 5A Albany Street, Oban, PA34 4AR (07/06/23)
Mrs Beryl Carmichael, 5 Orchy Gardens, Oban, PA34 4JR (07/06/23)
Mr David Valentine, Burnside, Kilmore, PA34 4XT (06/06/23)
Mrs Carol Chalmers, Fearnoch View, North Connel, PA37 1QX (06/06/23)
Mr William Stuart Kennedy Chalmers, Fearnoch View, North Connel, PA37 1QX (06/06/23)
Mr David Vandervoorde, 23 Java Houses, Craignure, Mull, PA65 6BE (06/06/23)
Miss Marianne Fell, 8 Park Road, Oban, PA34 4GZ (06/06/23)
Mr George Gray, Sonas, Ardentallen, Oban, PA34 4SF (06/06/23)
Mrs Patricia Morrison, 3 Creran Gardens, Oban, PA34 4JU (06/06/23)
Mr C.E. Morrison, 3 Creran Gardens, Oban, PA34 4JU (06/06/23)
Ms Isla Farley, 23 Java Houses, Craignure, Mull, PA65 6BE (05/06/23)
Ms Margaret Taylor, 15 Inverbhreac Cottages, Barcaldine, PA37 1AH (05/06/23)
Mr Ewan Stuart – by e-mail only (05/06/23)
Mrs Susan Windram, Taigh Nam Faclan, Kilchrenan, PA35 1HD (05/06/23)
Mrs Claire Keen, Ben Alder, Ardconnel Road, Oban, PA34 5DR (05/06/23)
Mrs Elizabeth Deverill, 8 Lonan Drive, Oban, PA34 4NN (05/06/23)
Maureen O'Brien, Schiehallion, Rowan Road, Oban, PA34 5TQ (05/06/23)
Mrs Sue Turner, Ealachan Bhana, Clachan Seil, Oban, PA34 4TL (05/06/23)
Miss Jenny Low, 4 Campbell Crescent, Oban, PA34 4DE (05/06/23)
Mrs Aimie Baker, 9 Tynribbie Place, Appin, PA34 4DS (05/06/23)
Miss Karen Campbell, Flat B, 13 Corran Brae, Oban, PA34 5AJ (05/06/23)
Mrs Dawn Singleton, Tigh na Ros Bhain, Clachan Seil, Oban, PA34 4TL (05/06/23)
Miss Wendy Whyte, 25 Camus Road, Dunbeg, PA37 1QD (05/06/23)
Miss Hannah Stevenson, 27B Glencruitten Drive, Oban, PA34 4EQ (05/06/23)
Mrs Kathryn Sadler, The Manse, Ganavan Road, Oban, PA34 5TU (05/06/23)
Mrs Carole Gatward, Camu Darach, Ganavan Road, Oban, PA34 5TU (05/06/23)
Mrs Helen Daniels, 12 Lonan Drive, Oban, PA34 5NN (05/06/23)
Melissa Van Eck, 25D Kerrera Terrace, Oban, PA34 5AT (05/06/23)
Mrs Susan C. Hamilton, Innishmore, Ellenabeich, Isle of Seil, PA34 4RQ (05/06/23)
Mrs Jade Brown, 20 Castle Road, Dunbeg, PA37 1QH (05/06/23)
Ms Caroline Sharp, Sonas, Dalmally, PA33 1AE (05/06/23)
Linda Hill – by e-mail (29/05/23)
Miss Heather Morrison, Tigh a Mhonaigh, North Connel, PA37 1QZ (25/05/23)

Miss Sara Hiam, Tigh a Mhonaigh, North Connel, PA37 1QZ (25/05/23)

Representations are published in full on the planning application file and are available to view via the [Public Access](#) section of the Council's website.

(ii) Summary of issues raised:

OBJECTION

Historic Importance of the Building

- The building is a local landmark and is in keeping with the style of a lot of the older buildings and monuments in Oban which give the town its unique distinctive character.
- The church is a building of architectural, historical and cultural importance by the well-known Scottish architect Alexander Shairp.
- Historical and cultural heritage is of huge importance to the tourism industry and local business.
- Once these old buildings are destroyed they can never be brought back.
- All buildings like this church should be listed by default.
- The robust, simple church building is in remarkably good condition and has been well maintained.
- The church building is worthy of protection, it has recently been re-roofed and could sustain a life span of another 100 years.
- The church is an important feature of our local and Scottish heritage, built with local Bonawe granite by skilled craftsmen, this cannot be repeated or replaced.
- The building was purpose built as a Baptist Church and has continued in this use for nearly 120 years, as such it is part of the wider Baptist Church Heritage, both in Oban and across the UK.
- Many local people in Oban regard Oban Baptist Church with great affection and its absence will be held with much regret.

Officer Comment: *Whilst these comments are noted, the church building is not listed, nor is it within an area benefiting from a statutory designation which affords it protection. Whilst the church is a historic building, as detailed by HES, the building does not demonstrate special design quality within its common building type or for its building date.*

The demolition of the building to facilitate the redevelopment of the site to serve the Oban Baptist Church is considered to be an appropriate development which is discussed in more detail in the assessment of the application within Appendix A of this report.

Alternative Scheme without Demolition of Existing Building

- There is no requirement from an architectural perspective to demolish the church when there are two additional buildings that could provide an area for further extension.
- A conversion that retains and utilises the existing stone church with modern upgrades would be acceptable if the old church walls are still at least partially on display for people to enjoy.
- The demolition of the building is unnecessary as there is potential within the site for further sensitive development to accommodate the growing needs of the church.
- The current church building could easily be retained and extended to offer a panoramic view whilst accommodating the expressed needs of a growing church and maximising the opportunity that the site offers.
- Retention, extension and adaption of the existing building is more environmentally sustainable than demolition and rebuild.
- An extension to the west would also provide ancillary accommodation below the church since the site has a substantial change in level in this direction.
- The adjacent 1960s buildings could be demolished to accommodate all the requirements of the new church. The areas are approximately the same as the proposed building.
- Alternative more satisfactory options can be considered on the same site without the need for demolition of one of Oban's finest buildings.

Officer Comment: *Whilst these comments are noted, the building is not listed, nor is it within an area benefiting from a statutory designation which affords it protection. Notwithstanding this, the proposal for the demolition of the building and redevelopment of the site is fully assessed against the relevant National and Local Policies within Appendix A of this report.*

Design/Function of Proposed Development

- Anything that would replace this historic building would only ever be a poor, short lived substitute for a building that has stood for decades.
- The proposal is to provide a larger place for worship, this is not evident in the proposal. The proposed plans in the new space for worship is virtually the same size as the existing church.

Officer Comment: *The design of the proposed replacement church/community building is considered to represent an acceptable design solution which is discussed in more detail in the assessment in Appendix A of this report.*

The proposed development is not just about the area to be provided for worship, it is to provide a facility that serves the ever increasing needs of the church, its congregation and its numerous associated community based activities.

Existing Built Heritage

- The existing church enhances and complements the surrounding built heritage much of which is listed, and protected.
- The building is currently being considered for Listed Building status by HES.

Officer Comment: *It is noted that there are some Listed Buildings in the vicinity of the site, details of which are discussed in more detail in the assessment of the proposal in Appendix A of this report. There are also a number of modern, unlisted buildings of no particular architectural merit in the vicinity of the site.*

HES did not find the building to be a building of special architectural or historic interest and accordingly they decided not to designate the building as a LB. This is discussed in more detail in the assessment of the proposal in Appendix A of this report.

Sustainability/Re-Use of Materials

- Demolition is a topical subject in the construction world and the effects on global warming are increasingly realised to be most significant.
- The church is built of solid stone granite, with thick walls all built in lime mortar the demolition of which will result in substantial loss of resources, energy and material.
- Reusing the granite for a new building would be difficult as it is hard to dress and modern buildings have much thinner walls. A new building would almost certainly use cement mortars which would add further complications.
- Reusing the material is not an option due to the loss of embodied energy and loss to timber, slate etc.
- The financial costs alone make demolition an unsustainable option.
- In an era of upcycling and recycling, the environmental impact of a new build would be a lot more damaging than the repurposing and altering of the existing building.

Officer Comment: *These comments are noted by the Planning Authority and are fully considered in the assessment of the application within Appendix A of this report.*

Compliance with Planning Policy

- It is important the Argyll and Bute Council make their decision based on their own promises and policies set out clearly in their own words to their electorate and do not become distracted by any emotional arguments on either side.
- Planning policies do not support this application and they should be vigorously applied in the consideration of this application.
- Argyll and Bute Council made a commitment to ensure the protection of its historic environment the scope of which the church falls within.

- The proposal does not support the protection, conservation and enhancement of the historic building environment and does not enhance the cultural heritage.
- What evidence do the Council have to demonstrate that all alternatives have been explored before approving the planning application.
- The application should not be determined until a decision on proposed Local Development Plan 2 is made.

Officer Comment: *The proposal subject of this application is assessed against the relevant National and Local Policies in Appendix A of this report.*

The building is not subject of any statutory protection and accordingly there is no need for evidence of alternatives to be submitted in support of the application.

The policies of Local Development Plan 2 have been considered in the proposal, details of which are set out in the assessment of the application in Appendix A.

Impact of the Loss of the Building on the Community

- The effect of demolition of the building on local people who value their townscape is unfair and disrespectful.
- Such loss is known to lower self-esteem and identity, with many local people experiencing this and recognising the loss of previous demolitions of finer examples of Oban's architecture e.g. Railway Station, Oban High School and many others.

Officer Comment: *Local people have had the opportunity to submit their views on the proposal during the consultation period of the planning application with all comments fully considered during the application process.*

The Planning Authority is not suitably qualified to comment on the impact that demolition of a building can have on the self-esteem of individuals.

General

- The application in our current economic climate is an extreme and unusual approach from a religious denomination which divides the community.
- The application does not justify the need for the proposed development.
- Despite requests from the Planning Authority, the Applicant has not provided an Options Appraisal, Conditions Assessment or Sustainability Statement.

Officer Comment: *The application has been submitted with information from the Applicant demonstrating the approach behind the proposal for the demolition and redevelopment of the site in order to provide suitable accommodation for the various activities currently undertaken by the church.*

It's not clear why it is thought that the proposal is an unusual approach from a religious denomination.

It is not considered that the proposal has divided the community, whilst objections from 12 individuals have been received, none of whom are members of the congregation, 48 expressions of support have been received for the proposed development, with many of these being from members of the congregation who regularly use the existing facilities.

The Planning Authority is satisfied with the level of information submitted in the application which is discussed in more detail in the main assessment of the application in Appendix A of this report.

Traffic, Parking Provision and Impact During Construction

- There is no allowance for sufficient parking and there has been no Traffic Impact Analysis submitted.
- At least two planning applications have been knocked back at that end of town for private dwellings, the reasons given were that they weren't in keeping with surrounding buildings, and extra houses mean more traffic.
- If, as claimed, this congregation has outgrown their building, surely a larger, modern style of building, would attract more traffic, and not be in keeping with surrounding buildings. This would highlight inconsistencies in the way applications are dealt with.
- If the project was to go ahead the building works would cause chaos for the people that live on Albany Street, Gallanach Road and Shore Street. This type of chaos is already being seen with wide lorries crawling their way along these roads with chalets on the back of them, often with no warning, and at inconvenient times, resulting in people knocking on doors, demanding cars get moved to let them through.

Officer Comment: *The premises as existing do not provide for on-site parking and turning.*

The proposal to redevelop the site to provide improved facilities for the church and will continue to utilise existing town centre parking provision. The Council's Roads Engineer raised no objection to the proposed development in this regard.

It is not clear what exactly the statements regarding the two planning applications which were 'knocked back' are alluding to. Without details of the applications referenced, the Planning Authority is unable to provide a comment on this statement.

The Council's Roads Authority has detailed the need for a Traffic Management Plan for the construction period of the proposed development. Such details will be sought by condition imposed on the grant of permission which will require to be agreed by the Planning Authority, in consultation with the Roads Authority, prior to any works starting on site.

Setting a Precedent

- Granting of permission for demolition of this historic building will set a precedent for owners of similar buildings who no longer want to maintain them and seek an easy way out of their obligations.

Officer Comment: *The granting of permission for the demolition of the building subject of this application in no way infers that any future applications for demolition will necessarily be supported. Each planning application submitted is considered on its own merits in accordance with the Development Plan in force at the time along with all other material planning considerations.*

SUPPORT

- The people of the church have spent many years looking for alternative accommodation in the town to cater for an expanding congregation. The church has given so much thought and consideration to all the options available to them to create a space that is fit for purpose, including keeping/extending/refurbishing the current building. Unfortunately no suitable solution has been found which allows expansion of the community based work.
- The church leadership has been diligent in consulting the community about the proposals, even changing the original aspect in the plans to accommodate neighbours' concerns about losing their views.
- The church has spent 7/8 years to come to the conclusion that a new building is the only solution if the congregation want to continue to gather on this site. 5 different architects were engaged to draw up plans for both a new build and a building integrating the existing church on site. Various options were considered, including moving to other church buildings, none of which were viable. Members, adherents and friends have been consulted continuously throughout the process and, as a body, the overwhelming decision was to take the current route.
- The church has a clear vision to serve the people of Oban and increase its positive social impact, continuing to welcome and support all members of the local community.
- The church building is no longer fit for purpose suffering from damp, mould and poor heating. There is a need to replace it with an energy saving, well insulated building that is economical, protects the environment and the health of the people who use it.
- Due to the expanding numbers of the congregation, and the increased opportunity to engage with the local community the existing building is not fit for purpose and new premises are required.
- Sadly, and importantly, more often than not the church is unable to host major life events normally expected of a church, such as funerals, weddings and baptisms due to size and facility restrictions, resulting in the Minister having to conduct such services at other churches in order to cater for large gatherings.
- When the church opened in 1904 the population of Oban was around 5000. The current population of Oban and Lorn has more than doubled since then rising to around 25000 in the summer months.

- In 1904 the church held 3 services per week and was used for approximately 4/5 hours per week. Today the work of the church spans 7 days per week in a variety of spiritual/social support/educational facilities.
- It is evident that the church community is growing, already having to host meetings elsewhere because the current buildings are not fit for the current purpose. When church attendance and membership is declining countrywide the Oban Baptist Church is bucking the trend.
- The current building is too small for the existing congregation, let alone newcomers. Sunday morning services are currently being held in Oban High School due to lack of capacity within the church.
- The church serves the religious community and other valued social activities such as the free school uniform exchange, the mother and toddler group and activities for young people. The new church building will not only be used on a Sunday, the plan is to open all week to serve the community.
- The church seeks to be able to provide a safe, all access facility, not just for regular church goers but also to the many outside groups who already use the buildings on a regular basis.
- What is the lost opportunity, or even social damage that could occur if the church's proposals are not accepted.
- The church is often overcrowded and has very poor toilet and catering facilities with no disabled facilities.
- The new project took into consideration its impact on the neighbouring properties.
- The design of the proposed building is attractive and will add to the beauty of the environment, it also has a lower roof line than the existing church which will allow neighbours of the church an improved sea view.
- The new church building will present a wonderfully welcoming view to everyone who should see it from both land and sea.
- A Christian church's purpose is to serve its neighbouring community and grow. The old church has faithfully served the Baptist Church for many years, but churches are not defined by their buildings, but instead by their congregations.
- The church is a community of people, not a building.
- Likewise, towns like Oban are not defined merely by their architecture, but by the people who call it home and help the community to thrive.
- Old buildings, when they can be repurposed can absolutely be a part of a new Oban, look no further than the redeveloped Rockfield Centre. However, the church building is not suitable for such a proposal.
- The church cannot expect an ever expanding congregation to be forced into such a small building, it is not appropriate.

- Having worshipped in this church for forty years now, with lots of special memories, sadly the building is no longer fit for purpose.
- As a regular visiting member of the congregation, we have witnessed how the existing building constrains the activities and outreach into the community that the church undertakes.
- Working with Hope Kitchen, there is need for supporting community groups for families and individuals.
- Whilst history is important, it is also important to create space for new architectural works that can be remembered and protected by the younger generation.
- The proposal represents a well thought through and sensitively planned new building which blends in with the area and provides facilities for both the church and other organisations to thrive.
- The proposal represents a breath of fresh air to the town.
- Whilst it is important to hear the views of all, the best judges as to the future of the building are those who are part of the church community, not external individuals or groups.
- Whilst heritage is important, it rarely impacts the poor and the disenfranchised and seems to be the preserve of most who have never set foot into the current building.
- There are fake hysterical outbreaks on social media from people who don't live in the area, aren't members of the church and are not impacted by this decision one way or the other.
- If the congregation support the proposal, and the new plans do not impact the neighbours, then they should be allowed to redevelop the site as they see fit.
- It is hoped that the Council will take everything into account from the needs of the community looking to do something innovative and new and of course, any real objections.
- As beautiful as they are, Victorian buildings, such as this one, were never intentionally designed to meet the needs of disabled people, due to most disabled people being institutionalised or hidden away from society during the Victorian era and accordingly disabled access and facilities were not required.
- The Scottish Government has explicit duties to promote, protect and ensure the human rights of disabled people, this includes supporting disabled people to participate fully in society, including access to buildings. It will need more than a ramp for the existing building to meet the varied requirements of different types of disability needs experienced throughout the community. A new modern church building and community space, specifically designed to incorporate such considerations, would be beneficial to both old and young alike.

Officer Comment: *These expressions of support are noted by the Planning Authority.*

REPRESENTATION

- Overall, the Oban and District Access Panel commends the Inclusive Design approach adopted by the architects. Both the accessible toilets meet the BS8300 standard and the folding door is a clever solution; and at the main entrance, the width of just one of the double door leaves will accommodate the largest wheelchair. There appears to be a lift but it is not identified on the plan.

The Panel noted the strong supporting statement and in particular the reference to wheelchair access and hearing loops.

The Panel supports the application subject to:

Ideally, at least 2 accessible parking bays should be provided within 40m of the main entrance to the building, and signed as such.

Whilst noting the 1:50 gradient at the main entrance doors, it is important that the force of any door closing device for each single door leaf is easily usable by an independent wheelchair user.

A passenger lift should be provided between the two floors. To accommodate a wheelchair user and a carer or one other person this should be a minimum of 1100 x 2000mm.

If the seating in the main hall is fixed (as opposed to flexible) at least three wheelchair stances should be provided together with easy access thereto.

An audio loop system should be provided for the main hall area

Officer Comment: *These comments are noted by the Planning Authority and will be provided to the Applicant for review.*

(G) SUPPORTING INFORMATION

Has the application been the subject of:

- (i) **Environmental Impact Assessment Report:** Yes No
- (ii) **An Appropriate Assessment under the Conservation (Natural Habitats) Regulations 1994:** Yes No
- (iii) **A Design or Design/Access statement:** Yes No A Client Statement has been submitted with the application.
- (iv) **A report on the impact of the proposed development e.g.** Yes No

Retail impact, transport impact, noise impact, flood risk, drainage impact etc:

(H) PLANNING OBLIGATIONS

Is a Section 75 Yes No agreement required:

(I) Has a Direction been issued by Scottish Ministers in terms of Regulation 30, 31 or 32: Yes No

(J) Section 25 of the Act; Development Plan and any other material considerations over and above those listed above which have been taken into account in the assessment of the application

(i) List of all Development Plan Policy considerations taken into account in assessment of the application.

[National Planning Framework 4 \(Adopted 13th February 2023\)](#)

Part 2 – National Planning Policy

Sustainable Places

NPF4 Policy 1 – Tackling the Climate and Nature Crises

NPF4 Policy 2 – Climate Mitigation and Adaption

NPF4 Policy 3 – Biodiversity

NPF4 Policy 4 – Natural Places

NPF4 Policy 7 – Historic Assets and Places

NPF4 Policy 9 – Brownfield, Vacant and Derelict Land and Empty Buildings
(*includes provisions relevant to Greenfield Sites*)

NPF4 Policy 12 – Zero Waste

NPF4 Policy 13 – Sustainable Transport

Liveable Places

NPF4 Policy 18 – Infrastructure First

[‘Argyll and Bute Local Development Plan’ Adopted March 2015](#)

LDP STRAT 1 – Sustainable Development

LDP DM 1 – Development within the Development Management Zones

LDP 3 – Supporting the Protection Conservation and Enhancement of our Environment

LDP 8 – Supporting the Strength of our Communities

LDP 9 – Development Setting, Layout and Design

LDP 10 – Maximising our Resources and Reducing our Consumption

LDP 11 – Improving our Connectivity and Infrastructure

Local Development Plan Schedules

Area for Action (AFA) 5/1- Oban – South Pier/Railway

Strategic allocation for town centre/waterfront development and management

[‘Supplementary Guidance to the Argyll and Bute Local Plan 2015’ \(Adopted March 2016 & December 2016\)](#)

Natural Environment

SG LDP ENV 1 – Impact on Habitats, Species and our Biodiversity

Landscape and Design

SG LDP ENV 14 – Landscape

Historic Environment and Archaeology

SG LDP ENV 16(a) – Impact on Listed Buildings

SG LDP ENV 21 – Protection and Enhancement of Buildings

Sport, Leisure, Recreation and Open Space

SG LDP REC/COM 1 – Sport, Recreation and Community Facilities

Sustainable Siting and Design

SG LDP Sustainable – Sustainable Siting and Design Principles

Resources and Consumption

SG LDP SERV 2 – Incorporation of Natural Features / SuDS

SG LDP SERV 5(b) – Provision of Waste Storage & Collection Facilities within New Development

Transport (Including Core Paths)

SG LDP TRAN 2 – Development and Public Transport Accessibility

SG LDP TRAN 4 – New & Existing, Public Roads & Private Access Regimes

SG LDP TRAN 6 – Vehicle Parking Provision

(ii) List of all other material planning considerations taken into account in the assessment of the application, having due regard to Annex A of Circular 3/2013.

- Third Party Representations
- Consultation Responses
- [ABC Technical Note – Biodiversity \(Feb 2017\)](#)

[Argyll and Bute proposed Local Development Plan 2 \(November 2019\)](#) – The Examination by Scottish Government Reporters to the Argyll and Bute Local Development Plan 2 has now concluded and the [Examination Report](#) has been published (13th June 2023). The Examination Report is a material consideration of significant weight and may be used as such until the conclusion of the LDP2 Adoption Process. Consequently, the Proposed Local Development Plan 2 as recommended to be modified by the Examination Report and the published Non Notifiable Modifications is a material consideration in the determination of all planning and related applications.

Spatial and Settlement Strategy

Policy 01 – Settlement Areas
Policy 04 – Sustainable Development

High Quality Places

Policy 05 – Design and Placemaking
Policy 08 – Sustainable Siting
Policy 09 – Sustainable Design
Policy 10 – Design – All Development
Policy 15 – Protection, Conservation and Enhancement of Our Historic Environment

Connected Places

Policy 35 – Design of New and Existing, Public Roads and Private Access Regimes
Policy 40 – Vehicle Parking Provision

Sustainable Communities

Policy 49 – Sport, Recreation and Community Facilities
Policy 61 – Sustainable Urban Drainage Systems (SUDS)
Policy 63 – Waste Related Development and Waste Management

High Quality Environment

Policy 73 – Development Impact on Habitats, Species and Biodiversity

Local Development Plan 2 Schedules

Area for Action A4004 – Oban-South Pier/Railway

(K) Is the proposal a Schedule 2 Development not requiring an Environmental Impact Assessment: Yes No

(L) Has the application been the subject of statutory pre-application consultation (PAC): Yes No

(M) Has a Sustainability Checklist been submitted: Yes No

(N) Does the Council have an interest in the site: Yes No

(O) Requirement for a pre-determination hearing

In deciding whether to hold a discretionary hearing Members should consider:

- How up to date the Development Plan is, the relevance of the policies to the proposed development, and whether the representations are on development plan policy grounds which have recently been considered through the development plan process.
- The degree of local interest and controversy on material considerations, together with the relative size of community affected, set against the relative number of representations and their provenance.

At the time of writing, representations have been received by the Planning Authority from 61 respondents in relation to this planning application. 12 respondents raise objection, 48 provide support and 1 submits a representation.

In the context of the population of Oban, which is approximately 9000, 12 objections is considered to be a relatively small number.

The main thrust of objection relate to the demolition of the church building. However, as set out in the main assessment of the proposal in Appendix A of this report, the demolition of the building would benefit from 'deemed permission' under the GPDO and therefore this aspect of the proposal is outwith the remit of the Council as Planning Authority.

With regards to the other concerns raised by objectors in relation to the access and infrastructure arrangements to serve the proposed development, it should be noted that the site is already operating a similar development to that proposed in the application. Furthermore, in response to the application, consultees did not raise any concerns with regards to the proposed development and its impact on existing infrastructure arrangements or its impact on the amenity of the area.

As a minor departure to NPF4 Policy 9 with regards to demolition, which can be undertaken without any input from the Planning Authority, the proposal is otherwise consistent with the provisions of both Local and National Policy and it is not considered that a hearing would add anything to the planning process.

(P)(i) Key Constraints/Designations Affected by the Development:

- N/A

(P)(ii) Soils

Agricultural Land Built Up Area
Classification:

Peatland/Carbon Rich Soils Class 1
Classification: Class 2
 Class 3
 N/A
Peat Depth Classification: N/A

Does the development relate to croft land? Yes No
Would the development restrict access to croft or better quality agricultural land? Yes No N/A
Would the development result in fragmentation of croft / better quality agricultural land? Yes No N/A

(P)(iii) Woodland

Will the proposal result in loss of trees/woodland? Yes
(If yes, detail in summary assessment) No
Does the proposal include any replacement or compensatory planting? Yes
 No details to be secured by condition
 N/A

(P)(iv) Land Status / LDP Settlement Strategy

Status of Land within the Application Brownfield
(tick all relevant boxes) Brownfield Reclaimed by Nature
 Greenfield

ABC LDP 2015 Settlement Strategy
LDP DM 1 (tick all relevant boxes)

Main Town Settlement Area
 Key Rural Settlement Area
 Village/Minor Settlement Area
 Rural Opportunity Area
 Countryside Zone
 Very Sensitive Countryside Zone
 Greenbelt

ABC pLDP2 Settlement Strategy
(tick all relevant boxes)

Settlement Area
 Countryside Area
 Remote Countryside Area
 Helensburgh & Lomond Greenbelt

ABC LDP 2015
Allocations/PDAs/AFAs
etc:

ABC pLDP2 Allocations/PDAs/AFAs etc:

A4004

AFA 5/1

(P)(v) Summary assessment and summary of determining issues and material considerations

The proposal the subject of this application is seeking to secure planning permission for the demolition of the existing Oban Baptist Church (OBC) and ancillary buildings to allow for the erection of a replacement church/community building.

In terms of the Settlement Strategy set out in the adopted LDP, the application site is situated within the defined Main Town Settlement Zone of Oban where Policies LDP STRAT 1 and LDP DM 1 give general encouragement, up to and including large scale, on appropriate sites. These main policy considerations are underpinned by the SG contained within SG LDP REC/COM 1 and SG LDP ENV 14 which offer further support to new or improved community facilities where such development would have no significant adverse impact upon the character of the landscape and where there is no unacceptable environmental, servicing or access impact.

The application comprises a roughly triangular shaped area of ground situated at the western end of Albany Street at its junction with Shore Street within the main town centre of Oban.

Albany Street forms the southern boundary of the application site with Shore Street forming its southern and western boundaries. The northern boundary of the site is delineated by a long established dental practice building and parking area. The site slopes down from Albany Street to Shore Street.

The site is currently occupied by three buildings, the main OBC building, the church hall and a detached bungalow, all of which are in use by the OBC for its various functions.

The proposal is seeking to secure planning permission for the demolition of the OBC building and the two associated ancillary buildings to allow for its redevelopment with a new purpose built church/community building to serve the OBC.

Whilst a historical building, the OBC is not covered by any statutory designation nor is it within any area benefiting from statutory protection.

The new building is a contemporary designed, split-level structure which presents as a single storey mono-pitched roof structure to Albany Street with a two storey pitched roof element presenting to Shore Street. As the ground slopes down from Albany Street to Shore Street, the proposed building sits low in the site with its roof height lower than that of the existing OBC building.

No change to the existing servicing or infrastructure arrangements currently serving the site are proposed as part of this application which comprise utilisation of town centre parking provision and public water and drainage connections.

The proposal has elicited 12 objections, 1 representation and 48 expressions of support.

The Oban Community Council recognise that the needs of the church congregation should be afforded a higher priority than the concerns regarding the loss of the building, both on historic and sustainability grounds.

A key factor in the assessment of this application is whether or not the demolition of the existing three buildings to allow for the redevelopment of a new purpose built facility to serve the needs of the OBC is consistent with the provisions of the adopted National Planning Policy as underpinned by the LDP and whether the issues raised by third parties raise material considerations of sufficient significance to withhold planning permission.

Whilst there is a clear expectation set out in NPF 4 policy 9 (d) that demolition is the least preferred option the decision maker must also have regard to the fact that the demolition of the building is development which, on its own, would benefit from 'deemed permission' under the provisions of Class 70 of the Town and Country Planning (General Permitted Development (Scotland) Order 1992 (as amended) (GPDO), and as such is a matter outwith the direct control of the Council as Planning Authority.

The applicant has been provided with additional opportunity to demonstrate that there is appropriate justification within the context of NPF 4 Policy 9(d) to support the demolition proposed. Whilst the applicant has failed to satisfactorily demonstrate this case it must also be acknowledged that the proposal to redevelop the site is otherwise viewed to be consistent with all other relevant provisions of the Development Plan, and on the basis that the applicant does not in this instance require express permission from the Council in order to undertake demolition works, it is considered that it would be unreasonable to withhold permission solely on the basis of failure to satisfy NPF 4 Policy 9(d).

Taking account of the above, it is recommended that planning permission be approved subject to conditions.

A full report is provided in Appendix A.

(Q) Is the proposal consistent with the Development Plan: Yes No

(R) Reasons why Planning Permission Should be Granted:

Subject to a minor departure to NPF4 Policy 9, as detailed at Section S below, the proposal is considered to be consistent with the relevant provisions of the Development Plan and National Planning Framework 4 and there are no other material considerations of sufficient significance, including issues raised by third parties, to indicate that it would be appropriate to withhold planning permission having regard to Section 25 of the Act.

(S) Reasoned justification for a departure to the provisions of the Development Plan

Whilst there is a clear expectation set out in NPF4 Policy 9(d) that demolition is the least preferred option, it is neither expressly presumed against nor has the Scottish Government made any legislative change to the Town and Country Planning (General Permitted Development (Scotland) Order 1992 (as amended) (GPDO) which would preclude the demolition work benefiting from 'deemed permission' under Class 70.

In this instance the demolition of the existing buildings does not require express permission from the Council as Planning Authority and, given that the proposal is otherwise considered to be consistent with all other relevant provisions of the Development Plan, it is considered that it would be unreasonable for the Council to withhold planning permission solely on the basis that the applicant has failed to satisfy the requirements of NPF 4 Policy 9(d).

The proposal is considered to be acceptable subject to being recognised as a minor departure to the provisions of NPF4 Policy 9(d).

(T) Need for notification to Scottish Ministers or Historic Environment Scotland:
 Yes No

Author of Report: Fiona Scott **Date:** 25/10/23

Reviewing Officer: Peter Bain **Date:** 06.11.2023

Fergus Murray
Head of Development & Economic Growth

CONDITIONS AND REASONS RELATIVE TO APPLICATION REF. NO. 23/00688/PP

Standard Time Limit Condition (as defined by Regulation)

Standard Condition on Soil Management During Construction

Additional Conditions

1. **PP - Approved Details & Standard Notes – Non EIA Development**

The development shall be implemented in accordance with the details specified on the application form dated 31/03/23, supporting information and, the approved drawings listed in the table below unless the prior written approval of the planning authority is obtained for an amendment to the approved details under Section 64 of the Town and Country Planning (Scotland) Act 1997.

Plan Title.	Plan Ref. No.	Version	Date Received
Existing Drawings	01		03/04/23
Location & Block Plans	AL- 001 -A3		21/04/23
Topographical Plan	AL- 002 1-125 A2		03/04/23
Existing Site Plan	AL- 003 A3		03/04/23
Proposed Site Plan	AL- 004 A3		21/04/23
Proposed Floor Plans	AL- 005 A1		03/04/23
Proposed Elevations	AL- 006 A1		03/04/23
Client Statement/Pre-Application Consultation – 24 PAGES			03/04/23

Reason: For the purpose of clarity, to ensure that the development is implemented in accordance with the approved details.

Note to Applicant

Please note the comments in the consultation response from Scottish Water and the comments provided in the submission from the Oban District Access Panel, details of which are available to view on the planning application file via the [Public Access](#) section of the Council's website.

2. **PP – Traffic Management Plan**

Notwithstanding the effect of Condition 1, no development shall commence until a Traffic Management Plan has been submitted for the written approval of the Planning Authority in consultation with the Roads Authority. The Plan shall detail approved access routes, agreed operational practices (including avoidance of convoy movements, specifying conduct in use of passing places, identification of turning areas, reporting of verge damage) and shall provide for the provision of an appropriate Code of Practice to drivers of construction and delivery vehicles. The development shall be implemented in accordance with the duly approved Traffic Management Plan.

Reason: To address potential abnormal traffic associated with the development in the interests of road safety.

3. **PP - Finishing Materials**

Notwithstanding the effect of Condition 1, no development shall commence until samples of materials to be used in the construction of the development hereby approved have been submitted to and approved in writing by the Planning Authority. The development shall thereafter be completed using the approved materials or such alternatives as may be agreed in writing with the Planning Authority.

Reason: In order to integrate the development into its surroundings

4. **PP - Reclamation of Materials**

No demolition works shall commence until a scheme for the reclamation of stone from the Oban Baptist Church building, during or prior to demolition has been drawn up in consultation with, and approved in writing by the Planning Authority. The stone shall be satisfactorily set aside, stored and used within the redevelopment scheme in a manner which shall first be agreed with by the Planning Authority, prior to any demolition taking place.

Reason: In order to protect and save materials and items which can reasonably be retrieved, in the interests of the historical qualities of the building to be demolished.

5. **PP – Sustainable Drainage System**

Notwithstanding the provisions of Condition 1, the development shall incorporate a surface water drainage system which is consistent with the principles of Sustainable urban Drainage Systems (SuDS) compliant with the guidance set out in CIRIA's SuDS Manual C753. The requisite surface water drainage shall be operational prior to the development being brought into use and shall be maintained as such thereafter.

Reason: To ensure the provision of an adequate surface water drainage system and to prevent flooding.

Note to Applicant

Further advice on SuDS can be found in SEPA's Standing Advice for Small Scale Development – www.sepa.org.uk

6. **PP - Waste Management**

Notwithstanding the effect of Condition 1, no development shall commence until a Waste Management Strategy for the development has been submitted to and approved in writing by the Planning Authority.

The Waste Management Strategy shall include details of how much waste the proposal is expected to generate and how it will be managed including:

- i. Details of provisions to maximise waste reduction and waste separation at source;
- ii. Details of measures to minimise the cross-contamination of materials, through appropriate segregation and storage of waste; convenient access for the collection of waste; and recycling and localised waste management facilities.

Thereafter the development shall be undertaken in accordance with the approved Waste Management Strategy unless otherwise agreed in writing with the Planning Authority.

Reason: In order to comply with the requirements of NPF4 Policy 12.

7. **PP - Landscaping and Biodiversity Enhancement**

Notwithstanding the effect of Condition 1, no development shall commence until details of the proposed treatment of the soft landscaping areas within the development has been submitted to and approved in writing by the Planning Authority.

The scheme shall include details of:

- i) Location, design and materials of proposed walls, fences and gates;
- ii) Surface treatment of proposed means of access and hardstanding areas;
- iii) Proposed hard and soft landscape works;
- iv) A biodiversity statement demonstrating how the proposal will contribute to conservation/restoration/enhancement of biodiversity, and how these benefits will be maintained for the lifetime of the development.

The development shall not be occupied until such time as the boundary and surface treatment have been completed in accordance with the duly approved scheme.

All physical biodiversity enhancement measures (bird nesting boxes, 'swift bricks', wildlife ponds, bat and insect boxes, hedgehog homes etc) shall be implemented in full before the development hereby approved is first brought into use.

All biodiversity enhancement measures consisting of new or enhanced planting shall be undertaken either in accordance with the approved scheme of implementation or within the next available planting season following the development first being brought into use.

The biodiversity statement should refer to: [Developing with Nature guidance | NatureScot](#) as appropriate.

Reason: To assist with the integration of the proposal with its surroundings in the interest of amenity, and to comply with the requirements of NPF4 Policy 3.

COMMITTEE REPORT	
APPENDIX A – RELATIVE TO APPLICATION NUMBER:	23/00688/PP
PLANNING LAND USE AND POLICY ASSESSMENT	

1. Introduction

- 1.1. The proposal the subject of this application is seeking to secure planning permission for the demolition of the existing church and ancillary buildings and the redevelopment of the site to provide a replacement church/community building.

2. Location of Development

- 2.1. The application site comprises a roughly triangular shaped area of ground situated at the western end of Albany Street at its junction with Shore Street within the Main Town Settlement Zone of Oban.

Albany Street forms the southern boundary of the application site with Shore Street forming its southern and western boundaries. The northern boundary of the site is delineated by a long established dental practice building and parking area. The site slopes down from Albany Street to Shore Street.

The site is currently occupied by three buildings, the main Oban Baptist Church (OBC) building, the church hall and a detached bungalow.

3. Settlement Strategy

- 3.1 In terms of the Settlement Strategy set out in the adopted LDP, the application site is situated within the defined Main Town Settlement Zone of Oban where Policies LDP STRAT 1 and LDP DM 1 give general encouragement for sustainable developments, up to and including large scale, on appropriate sites. These main policy considerations are underpinned by the SG contained within SG LDP REC/COM 1 and SG LDP ENV 14 which offers further support to new or improved community facilities where such development would have no significant adverse impact upon the character of the landscape and where there is no unacceptable environmental, servicing or access impact.

In terms of pLDP2, the site is identified as being within a 'Settlement Area' where Policy 01 gives a presumption in favour of redevelopment of brownfield sites where the proposed development is compatible with surrounding uses; is of an appropriate scale and fit for the size of settlement in which it is proposed; respects the character and appearance of the surrounding townscape in terms of density, scale, massing, design, external finishes and access arrangements; and is in compliance with all other relevant pLDP2 policies. Accordingly, in this instance, it is not considered that the proposal conflicts with Policy 02 of pLDP2.

In order to address the determining issues, the key considerations in this application are:

- 3.1.1. Compliance with the Development Plan and other relevant planning policy
- 3.1.2. Any other material considerations.

4. Proposal

- 4.1. The proposal is seeking to secure planning permission for the demolition of OBC and the two associated ancillary buildings within its grounds to allow for the redevelopment of the site with a new purpose built church/community building to serve the OBC.

OBC comprises a single storey, pitched roof ecclesiastically designed structure which takes a generally rectangular form with a small pitched roof entrance porch to its southern elevation with a larger pitched roof projection to its southern elevation. OBC incorporates pointed arched windows and is finished in rusticated rubble with red sandstone quoins and dressings with a natural slate roof.

Whilst a historical building, OBC is not covered by any statutory designation nor is it within any area which affords it statutory protection.

The ancillary buildings comprise the church hall which is situated directly adjacent to the OBC with its main frontage facing onto Albany Street. The hall comprises a small, single storey, shallow pitched roof structure finished in a mix of render and stone cladding with a felt roof.

The second ancillary building is situated to the north of OBC and hall comprising a single storey, hipped roof, dorrans style bungalow oriented with its main elevation facing towards Shore Street. The bungalow is finished in white painted render with a concrete roof tile.

Both ancillary buildings are not considered to be of any particular architectural merit.

The demolition of the buildings within the site will allow for the redevelopment of the site with a purpose built church/community building to serve the needs of the church and its congregation.

The new building is a contemporary designed, split-level structure which presents as a single storey mono-pitched roof structure to Albany Street with a two storey pitched roof element presenting to Shore Street. As the ground slopes down from Albany Street to Shore Street, the proposed building sits low in the site with its roof height lower than that of the existing OBC building.

The main entrance into the building is from Albany Street which leads into a reception area with a large foyer with a lounge/soft play area and seating area off of which are toilet facilities, kitchen facilities and an office. Beyond the entrance foyer is the main church area with a capacity for approximately 200 seats. A small triangular covered balcony projects from the side elevation of the main church overlooking the church grounds. Stairs lead down from the main foyer area to a lower foyer area off of which there are a number of meeting rooms and spaces. External access is available to the lower foyer.

The proposed building is to be finished in mix of render, natural stone cladding and timber cladding on a basecourse of smooth brick with the roof finished in an Anthracite grey coloured metal cladding. Whilst the application proposes the use of natural stone cladding, the Planning Authority will seek the stone reclaimed from the existing OBC building is incorporated into the proposed development.

Within the grounds, the application shows a new stone boundary wall extending along the Albany Street frontage to the Shore Street frontage which merges into a boundary fence which continues along the Shore Street frontage. Within the site an area of paving is proposed leading from the Albany Street entrance, via a set of stairs, to a paved area adjacent to the lower foyer area of the building. Small areas of landscaping and external seating are provided within both the upper and lower areas of the site.

No change to the existing access or infrastructure currently serving the OBC are proposed as part of this application which comprise utilisation of existing town centre parking provision and public water and drainage infrastructure.

5. Compliance with National Policy

5.1. NPF4 Policy 1 – Tackling the Climate and Nature Crises

NPF4 Policy 1 seeks to prioritise the climate and nature crises in all decisions; it requires to be applied together with other policies in NPF4.

Guidance from the Scottish Government advises that it is for the decision maker to determine whether the significant weight to be applied tips the balance in favour for, or against a proposal on the basis of its positive or negative contribution to climate and nature crises.

In this case, given the small scale nature of the development proposed and its alignment with all other relevant policies in NPF4 and those supporting policies in the LDP, it is considered that the development proposed would be in accordance with the broad aims of NPF4 Policy 1 as underpinned by LDP Policies STRAT 1, LDP DM 1 and the adopted Sustainability Checklist and Policies 01 and 04 of pLDP2.

5.2. NPF4 Policy 2 – Climate, Mitigation and Adaption

NPF4 Policy 2 seeks to ensure that new development proposals will be sited to minimise lifecycle greenhouse gas emissions as far as possible, and that proposals will be sited and designed to adapt to current and future risks from climate change.

Guidance from the Scottish Government confirms that at present there is no single accepted methodology for calculating and / or minimising emissions. The emphasis is on minimising emissions as far as possible, rather than eliminating emissions. It is noted that the provisions of the Settlement Strategy set out within Policy LDP DM 1 of the 'Argyll and Bute Local Development Plan' 2015 (LDP) 1 promotes sustainable levels of growth by steering significant development to our Main Towns and Settlements, rural growth is supported through identification of Key Rural Settlements and safeguards more sensitive and vulnerable areas within its various countryside designations.

It is considered that the proposed development would be consistent with Policy 2 of NPF4 having had due regard to the specifics of the development proposed and to the overarching planning policy strategy outlined within the adopted LDP, notably Policies STRAT 1, LDP DM 1, LDP DM 10 and the adopted Sustainability Checklist and Polices 01 and 04 of pLDP2.

5.3. NPF4 Policy 3 – Biodiversity

NPF4 Policy 3 seeks to protect biodiversity, reverse biodiversity loss and deliver positive effects from development and strengthen nature networks.

In the case of the development proposed by this application, it is considered that there are no issues of compliance with Policy 3. No material biodiversity impacts have been identified in the assessment of this application by the Planning Authority and whilst no specific proposals for biodiversity improvements have been submitted, unusually for a town centre site an area of soft landscaping has been identified within the site and accordingly it is considered that proportionate measures for biodiversity enhancement

can be delivered by planning condition. Such a condition will be attached to this permission.

With a condition to secure proportionate biodiversity enhancement and creation opportunities the proposed development is considered to be consistent with NPF4 Policy 3 as underpinned by LDP Policy LDP 3 and SG LDP ENV 1 and Policy 73 of pLDP2.

5.4. NPF4 Policy 4 – Natural Places

NPF4 Policy 4 seeks to protect, restore and enhance natural assets making best use of nature-based solutions.

The development proposed by the current planning application is considered appropriate in terms of its type, location and scale such that it will have no unacceptable impact on the natural environment. The proposed development is not within any designated European site of natural environment conservation or protection, it is not located within a National Park, a National Scenic Area a SSSI or RAMSAR site, or a National Nature Reserve. Neither is it located within a site designated as a local nature conservation site or landscape area or within an area identified as wild land.

The proposed development is therefore considered to be in accordance with NPF4 Policy 4 as underpinned by LDP Policies LDP 3 and SG LDP ENV 1 and 71 of pLDP2

5.5. NPF4 Policy 7 – Historic Assets and Places

NPF4 Policy 7 seeks to protect and enhance historic environment assets and places, and to enable positive change as a catalyst for the regeneration of places.

Whilst the OBC is not a Listed Building (LB), during the processing of the current planning application, it came to light that third parties had contacted HES with a request to have the building listed.

In their response to the request for listing, HES advised that they had assessed the property and, from the information available to them, found that the building does not meet criteria for designation and they decided not to designate the building as a LB.

HES advised, in summary, that *“Built in 1903, the OBC is an example of a small church designed in a simple gothic style with a standard rectangular plan form. It has now lost most of its original interior features.*

The design of the church is typical for small churches of the second half of the 19th and early 20th centuries and has some good exterior stonework, however it otherwise has no special architectural details and is very simply laid out to the interior. Its small scale and modest design likely reflect the need to keep construction costs low and the relatively small size of the Baptist community in the area.

The design of the church is similar to many small rural churches across Scotland and is not of special interest in design terms. Later alterations to its interior, including the loss of pews and replacement timber dado panelling, have also further affected its potential special architectural interest.

OBC is a relatively late example of a purpose built Baptist Church with other significant examples in Scotland surviving from an earlier date. We have not found the church to be an early or rare example of its building type or for its particular denomination. We also do

not consider it to be an exceptional example in design terms of a small urban church of the turn of the century.

While the OBC has a good setting, it does not demonstrate special design quality within its common building type or for its building date. It is not a rare or early example of a purpose built Baptist church or chapel”.

The detailed report submitted by HES, and details of listing criteria, is published in full on the planning application file and is available to view via the [Public Access](#) section of the Council's website.

Notwithstanding the above, there are two groups of LBs in relatively close proximity to the application site, Cawdor Place, a terrace of Category B LBs to the north east of the site and Alma Crescent a terrace of Category C LBs to the west of the site. Accordingly the development the subject of this application requires to be assessed for its impact on the setting of the LBs as follows.

Part (a) of Policy 7 seeks to ensure that any proposals which are likely to have a significant impact on historic assets or places are accompanied by an assessment which is based on an understanding of the cultural significance of the historic asset and/or place.

The proposed building will not be viewed within the same visual window as Alma Crescent and therefore it is not considered that it will have any impact on its setting as a LB. With regards to Cawdor Terrace, the proposed building will be viewed in relation to the existing modern buildings surrounding Cawdor Terrace, where it is considered that the sympathetic design of the building, and its siting working with the existing contours, together with the muted palette of finishing materials proposed, will ensure that it will not give rise to any significant adverse impact on the setting of Cawdor Terrace as a LB.

The proposal will introduce a contemporary designed building within the streetscene which is considered to be of an appropriate scale, design and finishes which will fit well within this site which is in an area where there is no distinct architectural style evident with a varied mix of styles and finishes, some traditional and some more modern buildings of no particular architectural merit. It is considered that the key to this development working within this prominent town centre site will be the quality and application of the finishing materials, boundary treatments and landscaping. Accordingly, whilst such details as shown within the application are considered to be acceptable, a condition is proposed on the grant of permission to secure the finer details of the proposed finishing materials, landscaping and boundary treatments for approval prior to works starting on site. A further condition will be imposed on the grant of condition to secure the reclamation of stone from the existing OBC building and details of how it will be incorporated into the proposed development.

It is not considered that the proposed development will have a significant adverse impact on historic assets or places consistent with NPF4 Policy 7 as underpinned by LDP Policies LDP 3 and SG LDP ENV 16(a) and Policy 16 of pLDP2.

5.6. NPF4 Policy 9 – Brownfield, Vacant and Derelict Land and Empty Buildings

NPF4 Policy 9 seeks to encourage, promote and facilitate the reuse of brownfield, vacant and derelict land and empty buildings, and to help reduce the need for greenfield development.

The development proposed by this planning application represents the sustainable reuse of a brownfield site situated within the Main Town Settlement Zone of Oban within the

LDP, where such proposals are directly supported by Policy 9(a) of NPF4 and underpinned by LDP policies STRAT 1 and LDP DM 1.

In terms of pLDP2, the site is identified as being within a 'Settlement Area' where Policy 01 gives a presumption in favour of redevelopment of brownfield sites where the proposed development is compatible with surrounding uses; is of an appropriate scale and fit for the size of settlement in which it is proposed; respects the character and appearance of the surrounding townscape in terms of density, scale, massing, design, external finishes and access arrangements; and is in compliance with all other relevant pLDP2 policies.

However, consideration has to be given to Part (d) of Policy 9 which seeks to secure the reuse of existing buildings, taking into account their suitability for conversion to other uses and the need to conserve embodied energy, with demolition regarded as the least preferred option, but not specifically excluded.

On this basis, consultation was undertaken with the Council's Conservation Officer (CO) who advised that NPF4 Policies 1 and 2 put climate change at the centre of planning decisions, balanced with other relevant policies as appropriate, noting Policy 9(d) which cites demolition as the least preferred option. The CO noted that existing buildings contain a significant amount of embodied energy and adaptation and retrofit options are the preferred option with demolition being the least preferred option, albeit in relation to vacant and derelict buildings. On this basis the CO advised that the preferred option would be to demolish the two buildings to the east of the church and design a new extension to the church to replace these – thereby retaining the historic landmark building in the town, and providing a compromise in terms of creating one large building that is suited to the congregation's requirements but reduce the need for demolition would could be considered to be in accordance with relevant NPF4 Policies.

The CO further stated that a less preferred but second option would be to re-use the existing stone of the church into the new design, rather than disposing of it and bringing in a new stone cladding as indicated in the application. The logistical challenges in terms of modern construction methods would urge that consideration be given to this, to not only reduce material water, but to retain something of the historic building for the community and to comply with NPF4 Policy 14 in terms of distinctiveness, which is discussed in more detail below.

As result of the comments from the CO, ongoing discussions took place with the Agent regarding the proposed development and how the decision for demolition had been arrived at. The following finalised information was provided regarding the proposed development.

***“Building Fabric:** Regarding the building fabric, a visit to the building reveals the deficiencies that the church has had to contend with over the past few years. Indeed, working with or inhabiting an older building exposes the daily inefficiencies and ongoing maintenance issues inherent in such structures, particularly through the winter months.*

***Options Appraisal:** The decision to favour the demolition of the building was reached after assessing multiple policy factors outlined in NPF4 policy guidance. We note the reference to the cost of the project not being a factor in consideration. For community projects like this one, costs are a critical factor, encompassing both construction expenses and project development. Moreover, ongoing operational costs are particularly crucial for a voluntary group dedicated to serving and meeting the broader needs of the local community. As previously noted, retaining an existing building entails significant construction costs, subject to an additional 20% VAT, along with ongoing high operational and maintenance costs, imposing a substantial burden and liability on the facility. It's*

essential to highlight that this facility is initiated and managed by a community group, funded by personal donations and limited grants. The decision to propose the current plan stems from extensive community consultation, where various options for retention and demolition were weighed against sustainability and community factors outlined in the planning statement. While the conservation department understandably places a significant emphasis on preservation (and non-demolition), it is necessary to balance this with additional community factors, such as disabled access, sustainability, functionality, and cost.

NPF4: *It's noted that whilst demolition is not the preferred option it is still an option permitted within the policy. It's crucial to clarify that the church and its decision-making process have had to consider all factors, not just conservation and demolition, to align with the full planning framework and all other NPF4 policies addressed by this proposal. Furthermore, it's important to mention that the building earmarked for demolition does not hold any significant protected status, such as being listed or located within a conservation area. This fact further diminishes concerns regarding the proposal's alignment with national planning policy”.*

Whilst the consultation comments submitted by the CO make a valid argument in relation to the requirements of NPF4 Policy, it should be noted that there is nothing in planning terms that would prevent the Applicant from simply demolishing the existing buildings given that they are neither Listed Buildings or located within a Conservation Area, and are not “qualifying buildings” for the purpose of Class 70 of the Town and Country Planning (General Permitted Development (Scotland) Order 1992 (as amended) (GPDO) and therefore demolition works could benefit from ‘deemed permission’ without the requirement for any notification to and approval from the Council as Planning Authority.

Whilst there is a clear expectation set out in NPF4 Policy 9(d) that demolition is the least preferred option it is neither expressly presumed against nor has the Scottish Government made any legislative change to the GPDO that would preclude demolition being undertaken and then planning permission being sought afterwards. In this respect it is confirmed that the demolition of the building is development which, on its own, would benefit from ‘deemed permission’ under the provisions of Class 70 of the Town and Country Planning (General Permitted Development (Scotland) Order 1992 (as amended) (GPDO), and as such is a matter outwith the direct control of the Council as Planning Authority.

The applicant has been provided with additional opportunity to demonstrate that there is appropriate justification within the context of NPF 4 Policy 9(d) to support the demolition proposed. Whilst the applicant has failed to satisfactorily demonstrate this case it must also be acknowledged that the proposal to redevelop the site is otherwise viewed to be consistent with all other relevant provisions of the Development Plan, and on the basis that the applicant does not in this instance require express permission from the Council in order to undertake demolition works, it is considered that it would be unreasonable to withhold permission solely on the basis of failure to satisfy NPF 4 Policy 9(d).

Whilst the site proposes the reuse of brownfield land, which is directly supported by NPF4 Policy 9(a), consideration has to be given to the Policy and SG contained within the adopted LDP and emerging pLDP2 with regards to the demolition of the existing buildings.

With regards to the adopted LDP, whilst Policy SG LDP ENV 21 seeks to secure opportunities for the enhancement and re-use of existing buildings through proposals for re-building, re-use or change of use, to maintain the fabric of the building and its value to the community, this policy does not prohibit demolition.

In terms of pLDP2, as detailed above, the site is identified as being within a 'Settlement Area' where Policy 01 gives a presumption in favour of redevelopment of brownfield sites.

With regards to the reuse of existing buildings, Policy 04 of pLDP2 seeks to make efficient use of vacant and/or derelict land including appropriate buildings maximising the opportunities for sustainable forms of design including minimising waste, reducing carbon footprint and increasing energy with Policy 05 seeking the retention of existing buildings which contribute to the character and identity of the wider area retained and integrated into the design unless it has been clearly demonstrated that it is not practicable. Policy 09 seeks to secure sustainable design and construction methods in terms of embodied energy; conversion, reuse and adaptability with Policy 11 seeking to reuse materials wherever practical and retain features of particular architectural or historic interest.

In this instance, as detailed above, the buildings are not subject to any statutory protection which would prohibit their demolition. The proposal to demolish the existing three buildings on the site to allow for the redevelopment of a new purpose built facility to serve the needs of the OBC, which has been sympathetically designed for the site, is considered to be an appropriate development. Suitable conditions would be imposed on the grant of permission to secure that reclaimed stone from the church building is incorporated into the proposed building which would, in part, address the concerns expressed by the CO and the requirements of NPF4, LDP and pLDP2 Policies.

Policy 9(b) of NPF4 aligns with the settlement strategy of the LDP and subject to a minor departure to Part (d) of NPF4 Policy 9, the current development proposal raises no issue of conflict.

5.7. NPF4 Policy 12 – Zero Waste

NPF4 Policy 12 seeks to encourage, promote and facilitate development that is consistent with the waste hierarchy as defined within the policy document.

The development the subject of this planning application seeks to establish a replacement church/community building. Whilst this is a development which will generate waste when operational, it will benefit from regular waste uplifts by the Council and will be expected to comply with our adopted and enforced recycling and reuse strategy and the requirements of the EHS with regards to waste from the kitchen facilities. Notwithstanding this, it is considered appropriate to impose a condition to secure a statement addressing the requirements of Part (c) of Policy 12 to ensure compliance.

With regards to the requirement in Part (a & b) of Policy 12 to reuse materials and minimise demolition and salvage materials for re-use, it is proposed to impose a condition on the grant of permission to secure a scheme for the reuse of the stone salvaged from the church building within the proposed development.

With conditions to secure a waste management statement and scheme for the use of reclaimed materials from the demolition, the proposed development is considered to be in compliance with NPF4 Policy 12 as underpinned by LDP Policies LDP 10 and SG LDP SERV 5(b) and Policy 63 of pLDP2.

5.8. NPF4 13 – Sustainable Transport

NPF4 13 seeks to encourage, promote and facilitate developments that prioritise walking, wheeling, cycling and public transport for everyday travel and reduce the need to travel unsustainably.

The development the subject of this planning application does not propose a vehicular access or off street parking provision, instead it is proposed to utilise existing town centre parking. It is not considered that the proposed development will be a significant travel generating use and is therefore in accordance with Policy 13(c), 13(d) or 13(f)

As detailed above, the site is currently occupied by three existing buildings, with no existing access or parking provision. The application is seeking to secure permission to demolish the existing buildings to facilitate the construction of a purpose built church/community facility.

On this basis, given the town centre location of the site; the provision of existing town centre parking provision; the proximity to the transport hub (bus, train and rail); and the existing use of the site; the current proposal, which will also utilise existing town parking provision, is considered to be acceptable.

In addition, in their response to the application, the Roads Authority raised no objection to the proposed development but did highlight the need for a Traffic Management Plan (TMP) for the construction period of the proposed development to ensure no adverse impact on the public road network arises.

With a condition to secure the submission of a TMP for the construction phase of the proposed development, as requested by the Roads Authority, the proposal is considered to be acceptable in terms of NPF4 Policy 13 as underpinned by LDP Policies LDP 11, SG LDP TRAN 2, SG LDP TRAN 4 and SG LDP TRAN 6 and Policies 35 and 40 of pLDP2.

5.9. NPF4 Policy 14 – Design, Quality and Place

NPF4 Policy 14 seeks to encourage, promote and facilitate well designed development that makes successful places by taking a design-led approach and applying the 'Place Principle'.

Policy 14(a) seeks development proposals to be designed to improve the quality of an area whether in urban or rural locations and regardless of scale with Part (b) giving support to proposals where they are consistent with the six qualities of successful places.

With regards to Part (a), the new building is a contemporary designed, split-level structure which presents as a single storey mono-pitched roof structure to Albany Street with a two storey pitched roof element presenting to Shore Street. The proposed building is to be finished in mix of render, natural stone cladding and timber cladding on a basecourse of smooth brick with the roof finished in an Anthracite grey coloured metal cladding. Whilst the application proposes the use of natural stone cladding, the Planning Authority will seek the stone reclaimed from the existing OBC building to be incorporated into the proposed development.

It is considered that the proposed building is of an appropriate scale, design and finishes which will fit well within this site which is in an area where there is no distinct architectural style evident with a varied mix of styles and finishes, some traditional and some more modern buildings of no particular architectural merit. The reuse of reclaimed stone from the church building will help reinforce the local identity.

With regards to the six qualities of successful places set out in Part (b) as follows:

Healthy: Supporting the prioritisation of women's safety and improving physical and mental health;

Pleasant: Supporting attractive natural and built spaces;

Connected: Supporting well connected networks that make moving around easy and reduce car dependency;

Distinctive: Supporting attention to detail of local architectural styles and natural landscapes to be interpreted, literally or creatively, into designs to reinforce identity;

Sustainable: Supporting the efficient use of resources that will allow people to live, play, work and stay in their area, ensuring climate resilience, and integrating nature positive, biodiversity solutions;

Adaptable: Supporting commitment to investing in the long-term value of buildings, streets and spaces by allowing for flexibility so that they can be changed quickly to accommodate different uses as well as maintained over time.

The proposed redevelopment of the site would provide much improved facilities to serve OBC through the provision of a purpose built, attractively designed and finished, well insulated building with suitable access for all within the main town centre of Oban. The site is within a close proximity to the transport hub and a wide range of local services.

The provision of a suitably sited, design and finished building is considered to comply with the broad aims of NPF4 Policy 14 as underpinned by LDP Policies LDP 9 and SG LDP Sustainable Siting and Design Principles and Policies 05, 08, 09 and 10 of pLDP2.

5.10. NPF4 Policy 18 – Infrastructure First

NPF4 18 seeks to encourage, promote and facilitate an infrastructure first approach to land use planning, which puts infrastructure considerations at the heart of placemaking.

The development the subject of this planning application proposes connection to the existing public water supply and drainage infrastructure in the control of Scottish Water. In their response to the application Scottish Water raised no objection to the proposed development which will be serviced from the Tullich Water Treatment Works and the Oban Waste Water Treatment Works. Scottish Water do however advise that further investigations may require to be undertaken once formal applications for connection to their infrastructure is submitted to them for consideration.

The proposed water and drainage infrastructure to serve the proposed development is considered to be consistent with the broad aims of NPF4 Policy 18 as underpinned by LDP Policy LDP DM 11 and Policies 04 and 08 of pLDP2.

5.11. NPF4 Policy 22 – Flood Risk and Water Management

NPF4 Policy 22 seeks to strengthen resilience to flood risk and to ensure that water resources are used efficiently and sustainably.

As detailed above the development the subject of this planning application proposes a connection to the public water supply network to which Scottish Water has not objected. The management of rain and surface water at the site would be managed through the provision of a sustainable drainage system, details of which can be adequately secured through the use of a planning condition. The proposed site is not within any defined flood risk area.

With a condition to secure the incorporation of a sustainable drainage system the proposed development is considered to be consistent with NPF4 Policy 22 as underpinned by LDP Policies LDP 10, SG LDP SERV 2 and Policy 61 of pLDP2.

6. Other Considerations

6.1. Background and Community Engagement

The application is accompanied by a Supporting Statement (SS) that outlines how the proposal subject of the current planning application was reached. The following represents a summary of the SS with the full SS published in full on the planning application file available to view via the [Public Access](#) section of the Council's website.

The SS outlines that the OBC has found its congregation increasing over the last decade, with a congregation of approximately 120 people post-covid and a seating capacity of approximately 75 chairs. The SS details that it was evident as early as 2016 that significant redevelopment was necessary to meet the needs of the congregation. The SS outlines that the OBC have been actively engaged in the community for generations. In addition to being a place of worship, the SS outlines that the OBC has a wide range of direct initiatives including Noah's Ark; a school uniform bank and also actively engages and supports other initiatives in Oban such as Hope Kitchen, Hope2Oban and GreenShoots.

The SS outlines that the existing OBC premises are split over three buildings, none of which can adequately accommodate their numbers and, with the age of the buildings, they have become in need of significant modernisation, structural attention and in the case of the hall, total redevelopment. The SS details that as the existing buildings can't meet the needs of the OBC, the decision for a complete redevelopment was deemed to be the most sensible.

The SS outlines that *"The vision for OBC in the decade ahead is that we can increasingly become an integral part of the community of Oban, given our historic and existing activity, reputation, growing congregation and engagement with such a diverse range of community groups and families. A redeveloped site would enable us to not only fulfil our current activities more effectively, but it would open up opportunities for the Minister, Leadership Team, Congregation and numerous incredible Volunteers to serve the community they love with purpose-built facilities fit for our day"*.

The SS details that a community consultation was undertaken to engage as widely as possible with the local community. The community consultation process comprised an Open Day which was advertised in the local press, social media and via word of mouth and which was followed up by an online survey over a period of six months online. Full details of the survey results are available within the full SS.

6.2. Public Representation

The application has been subject to 12 objections, 1 representation and 48 expressions of support.

Of the 12 objectors, according to information submitted by the Applicant, none are within the congregation of the OBC.

The Oban Community Council recognise that the needs of the church congregation should be afforded a higher priority than the concerns regarding the loss of the building, both on historic and sustainability grounds.

It is not considered that the objections raise any complex or technical issues that have not been addressed in the current Report of Handling.

The determining factor in the assessment of this application is whether the demolition of the existing three buildings to allow for the redevelopment of a new purpose built facility to serve the needs of the OBC is consistent with the provisions of the adopted National Planning Policy as underpinned by the LDP and whether the issues raised by third parties raise material considerations of sufficient significance to withhold planning permission.

In this instance, as detailed above, whilst there is a clear expectation set out in NPF4 Policy that demolition of buildings is the least preferred option, it is neither expressly presumed against nor has the Scottish Government made any legislative change to the GPDO that would preclude demolition being undertaken and then planning permission being sought afterwards.

In light of the above, whilst current application is being advanced on the basis of demolition and rebuild, which requires to be considered as a whole, given the conflict between the proposal, the GPDO and the intent of NPF4, it is not considered reasonable to withhold permission for the redevelopment of the site.

7. Conclusion

As a minor departure to NPF4 Policy 9, with regards to the demolition of the existing building, the proposed development is considered to be otherwise consistent with the provisions of the adopted National Policy as underpinned by the LDP with the issues raised by third parties not amounting to material planning considerations that have not been addressed through the processing of the planning application.

Accordingly the application is recommended for approval subject to conditions.