

Delegated or Committee Planning Application Report and Report of handling as required by Schedule 2 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 relative to applications for Planning Permission or Planning Permission in Principle

Reference No: 09/00575/LIB

Planning Hierarchy: Local

Applicant: Mr D Clark

Proposal: Formation of vehicular access and erection of gates (retrospective)

Site Address: Ardoch Coach House, Ardoch

DECISION ROUTE

(i) Local Government (Scotland) Act 1973

(A) THE APPLICATION

(i) Formation of opening in listed boundary wall and erection of gate pillars and gates (retrospective)

(B) RECOMMENDATION:

It is recommended that listed building consent be refused.

(C) CONSULTATIONS:

Historic Scotland (letter received 23 June 2009): The cumulative effect of opening in the wall and its effect on not only this properties boundary, but on that of the neighbouring entrance to the Category B listed 'Ardoch' should be assessed as part of this application.

Councils Roads Engineer (memo received 26 May 2009 in response to the associated planning application 09/00574/DET) indicates that further works to the wall, beyond those indicated in this listed building consent application, would be necessary to achieve the required visibility splays at this location.

(D) PUBLICITY:

RG5LBC - Regulation 5 Listed Bld Consent - 21 Day (21)
Expiry Date: 10.7.2009

(E) REPRESENTATIONS:

Prof Thomas MacKay (letter received: 23 May 2009):
Ardoch House, Cardross

1. The new vehicle access would be unsafe and confusing for drivers. The property already has an access and if a vehicle tried to turn into the new access they would project onto the main road causing more accidents on an already busy road.

Comment: See my assessment

2. The access and gates do not reflect the traditional 18th Century style of the wall.

Comment: See my assessment.

(F) SUPPORTING INFORMATION

Has the application been the subject of:

- (i) **Environmental Statement:** No
 - (ii) **An appropriate assessment under the Conservation (Natural Habitats) Regulations 1994:** No
 - (iii) **A design or design/access statement:** No
 - (iv) **A report on the impact of the proposed development eg. Retail impact, transport impact, noise impact, flood risk, drainage impact etc:** No
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(G) PLANNING OBLIGATIONS

- (i) **Is a Section 75 agreement required:** No
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- (H) Has a Direction been issued by Scottish Ministers in terms of Regulation 30, 31 or 32:** No
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- (I) 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.**

'Argyll and Bute Structure Plan' (2002)

STRAT DC9 – Historic Environment and Development Control - Promotes the protection, conservation, enhancement and positive management of the historic environment.

'Argyll and Bute Local Plan' (2010)

Policy LP ENV 13(a) - This policy seeks to ensure that any works affecting listed buildings or their setting are sympathetic to the building and maintain or enhances its character and that they conform to Historic Scotland's Memorandum of Guidance on Listed Buildings and Conservation Areas (1998).

Policy LP ENV 13(b) – This policy seeks that demolition of listed buildings will only be supported where it is demonstrated beyond reasonable doubt that every effort has been made to keep it.

- (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 4/2009.**

Scottish Historic Environment Policy – Historic Scotland 2009

Scottish Planning Policy 2010

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- (J) **Is the proposal a Schedule 2 Development not requiring an Environmental Impact Assessment:** No

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- (K) **Has the application been the subject of statutory pre-application consultation (PAC):** No

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- (L) **Has a sustainability check list been submitted:** No

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- (M) **Does the Council have an interest in the site:** No

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- (N) **Requirement for a hearing (PAN41 or other):** No

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- (O) **Assessment and summary of determining issues and material considerations**

Listed building consent is sought retrospectively for the formation of a vehicular access and erection of gate pillars and gates at Ardoch Coach House, Ardoch. The boundary wall, which is a Category B listed building, includes the wall around Ardoch House, and

the Coach House. It is a rubble wall with harl-pointing, ashlar slabcoping and has ashlar gatepiers with stop-chamfered arrises and pyramidal caps.

The retrospective application follows a car accident where part of the Category B listed wall at the Ardoch Coach House was destroyed. The stone was retained and used in the formation of a new access with gate pillars and gates. The gate is approximately 6m in width. Whilst it is acknowledged that the accident was not the responsibility of the applicant, work, including partial demolition, was carried out prior to submitting the application and the insertion of an entrance has altered the appearance of the wall. The application requires to be assessed in terms of the impact the alterations have had on the architectural and historic character of the wall.

Historic Scotland have been consulted and whilst not objecting have advised that the Council should, in reaching a decision, have regard to the cumulative impact of multiple openings in the wall not only on the listed 'Coach House' but also on the neighbouring listed 'Ardoch'. The introduction of an opening within this wall disrupts its flow which has a distinctive and traditional style. The opening with its associated gate pillars and gates is visually discordant and has an adverse impact on the character and appearance of the wall. The development has resulted in the loss of historic fabric, has degraded the integrity of the wall and has introduced a feature which fails to respect the traditional architectural and historic character of the area. As such it is contrary to Policy STRAT DC9 of the approved Structure Plan, Policy LP ENV13a and LP ENV13b of the Argyll and Bute Local Plan and advice given in 'Scottish Historic Environment Policy'

(P) Is the proposal consistent with the Development Plan: No

(Q) Reasons why Listed Building Consent should be granted: N/A

(R) Reasoned justification for a departure to the provisions of the Development Plan
N/A

(S) Need for notification to Scottish Ministers or Historic Scotland: Yes, Historic Scotland are required to be notified if Members are minded to approve the application.

Author of Report: Morag Jardine

Date: 31/07/2009

Reviewing Officer: Howard Young

Date: 24/09/2009

**Angus Gilmour
Head of Planning**

GROUNDINGS OF REFUSAL RELATIVE TO APPLICATION 09/00575/LIB

1. The introduction of an opening within this listed boundary wall and the installation of gates disrupts its flow which has a traditional style. This is visually discordant and has an adverse impact on the character and appearance of the wall. The development has resulted in the loss of historic fabric, has degraded the integrity of the wall and has introduced a feature which fails to respect the traditional architectural and historic character of the area. As such it is contrary to Policy STRAT DC9 of the approved 'Argyll and Bute Structure Plan', Policy LP ENV13a and LP ENV13b of the 'Argyll and Bute Local Plan' and advice given in 'Scottish Historic Environment Policy' (Historic Scotland 2009).