

REPORT OF HANDLING

DELEGATED REPORT

Ref No	20/00199/LBC	
Ward No	P5- Strathtay	
Due Determination Date	16.04.2020	
Report Issued by	DB	Date 03.04.2020
Countersigned by		Date

PROPOSAL: Internal alterations to remove features

LOCATION: Stanley Parish Church 24 King Street Stanley

SUMMARY:

This report recommends **refusal** of the application as the development is considered to be contrary to the relevant provisions of the Development Plan and there are no material considerations apparent which justify setting aside the Development Plan.

DATE OF SITE VISIT: 26 February 2020

SITE PHOTOGRAPHS



BACKGROUND AND DESCRIPTION OF PROPOSAL

Stanley Church is a prominent category B listed building in the village of Stanley, with close historic links to nearby Stanley Mills. The church is currently disused, with the congregation having moved out a number of years ago due to concerns over the building's structural condition.

Listed building consent is sought for removal of the internal clock mechanism and the rolls of honour for relocation prior to sale of the church.

SITE HISTORY

96/00475/FUL Provision of access ramp at 20 May 1996 Application Approved

PRE-APPLICATION CONSULTATION

Pre application Reference: Not applicable

NATIONAL POLICY AND GUIDANCE

The Scottish Government expresses its planning policies through The National Planning Framework, the Scottish Planning Policy (SPP), Planning Advice Notes (PAN), Creating Places, Designing Streets, National Roads Development Guide and a series of Circulars.

DEVELOPMENT PLAN

The Development Plan for the area comprises the TAYplan Strategic Development Plan 2016-2036 and the Perth and Kinross Local Development Plan 2019.

TAYplan Strategic Development Plan 2016 – 2036 - Approved October 2017

Whilst there are no specific policies or strategies directly relevant to this proposal the overall vision of the TAYplan should be noted. The vision states *“By 2036 the TAYplan area will be sustainable, more attractive, competitive and vibrant without creating an unacceptable burden on our planet. The quality of life will make it a place of first choice where more people choose to live, work, study and visit, and where businesses choose to invest and create jobs.”*

Perth and Kinross Local Development Plan 2 (2019) – Adopted November 2019

The Local Development Plan 2 is the most recent statement of Council policy and is augmented by Supplementary Guidance.

The principal policies are, in summary:

Policy 27A: Listed Buildings

OTHER POLICIES

Historic Environment Policy for Scotland 2019

This policy supersedes the Historic Environment Policy Statement 2016 and provides guidance to planning authorities on decision-making where it will affect the historic environment.

Managing Change in the Historic Environment: Interiors 2016

This guidance provides advice to planning authorities on applications relating to internal works to historic buildings.

CONSULTATION RESPONSES

Historic Environment Scotland: The clock is of particular historic significance. The application does not include sufficient information regarding the reason for and extent of removal, and where it will be relocated to. In the absence of this information the clock mechanism should remain within the church until the future of the building becomes clearer.

REPRESENTATIONS

The following points were raised in the 1 representation received:

A support comment has been received from Stanley and District Community Council stating that they welcome renovation of the clock mechanism, but that it should thereafter be returned to the village. No information has been submitted by the applicant to confirm plans for the clock mechanism following its repair.

ADDITIONAL STATEMENTS

Screening Opinion	Not Required
Environmental Impact Assessment (EIA): Environmental Report	Not applicable
Appropriate Assessment	Not Required
Design Statement or Design and Access Statement	Not Submitted
Report on Impact or Potential Impact eg Flood Risk Assessment	Not Required

APPRAISAL

Section 14 (2) of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997 requires that when considering applications for Listed Building Consent, special regard is given to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The requirements of Section 25 of the Town and Country Planning (Scotland) Act 1997, in respect of decisions being made in accordance with the development plan unless material considerations indicate otherwise, is also a material consideration in the determination of this application.

Policy Appraisal

The listed building policy states that there is a presumption in favour of the retention and sympathetic restoration, correct maintenance and sensitive management of listed buildings to enable them to remain in active use. The layout, design, materials, scale, siting and use of any development which will affect a listed building or its setting should be appropriate to the building's character, appearance and setting.

HES guidance on historic interiors sets out that "Where fixtures contribute to the character of a building, these should be retained" (p.13).

The proposal is not considered to comply with the above policies. Insufficient information has been submitted to demonstrate that the significance of the fixtures to be removed to the church has been fully understood, and that the special interest of the building would not be harmed by their removal.

As set out in the consultation response from HES, the only clear justification for removal of the mechanism would be because it is at risk of loss or significant damage due to the condition of the church building. If this is the case, full supporting information should be submitted. The clock and other fixtures should remain in the building until future proposals for the church itself and the historic internal fixtures become clear.

Design and Layout

The current proposal is to remove the clock mechanism from the church tower, retaining the clock faces in situ. The application sets out that the clock mechanism was built for the 1851 Great Exhibition at Crystal Palace, and is thought to be the only surviving one of its type.

It is further proposed to remove the rolls of honour listing the names of all who fought in the World Wars. No further information is provided as to the nature or location of the rolls of honour, or proposals for their relocation.

Given the importance of these fixtures to the special historic interest of the church, it is considered that their removal would be detrimental to this special interest. The clock mechanism is clearly of special interest in its own right, and its protection has to be balanced against the importance of its retention within

the church. However, it is considered that insufficient information has been submitted regarding the proposals for both the removed fixtures and the church itself to allow for a full assessment of the impact on the listed building.

Conservation Considerations

Stanley Church is a category B listed building and the application has therefore been assessed against the relevant policies as set out above.

Developer Contributions

The Developer Contributions Guidance is not applicable to this application and therefore no contributions are required in this instance.

Economic Impact

Not applicable.

Conclusion

In conclusion, the application must be determined having regard to Section 14 (2) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, the proposal is not considered to comply with the relevant section of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act and the adopted Local Development Plan 2014. I have taken account of material considerations and find none that would justify overriding the adopted Development Plan. On that basis the application is recommended for refusal.

APPLICATION PROCESSING TIME

The recommendation for this application has been made within the statutory determination period.

LEGAL AGREEMENTS

None required.

DIRECTION BY SCOTTISH MINISTERS

None applicable to this proposal.

RECOMMENDATION

Refuse the application

Conditions and Reasons for Recommendation

1. The proposal does not accord with the requirements of Scottish Planning Policy 2014 (paragraph 141) which indicates the importance of preserving and enhancing a listed building and its setting. The character of the listed building will not be preserved or enhanced by this proposal due to the loss of original and historic features which are of particular value and significance to the building.

2. The proposal is contrary to Policy 27A: Listed Buildings, of the Perth and Kinross Council Local Development Plan 2019, as the development is likely to have an adverse impact on the building's special historic interest.

Justification

The proposal is not in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

Informatives

Not Applicable.

Procedural Notes

Not Applicable.

PLANS AND DOCUMENTS RELATING TO THIS DECISION

20/00199/1

20/00199/2

Date of Report: 03.04.2020