

Perth and Kinross Council
Development Management Committee – 17 December 2013
Report of Handling by Development Quality Manager

Alterations and change of use of former church into a 13 bedroom hotel/self catering/holiday accommodation, spa and restaurant,
Old South Church, Coldwells Road, Crieff, PH7 4BG

Ref. No: 13/01182/FLL
Ward No: 6 - Strathearn

Summary

This report recommends approval of the application for alterations and change of use of former church into a 13 bedroom hotel/self catering/holiday accommodation, spa and restaurant as the development is considered to comply with the provisions of the Development Plan.

BACKGROUND AND DESCRIPTION

- 1 The proposal relates to the conversion of a former church on Coldwells Road in Crieff to a 13 bedroom hotel, spa and restaurant with the spa and hotel available for use by the public as well as hotel guests. The church is a substantial landmark building in Crieff and has most recently been used for the sale of antiques but has now been vacant since 2006. The church has been on the Scottish Buildings at Risk Register (BARR) since 1998, but in the years following vacation of the antiques shop has seen a steady progressive decline in its condition. In 2008 the BARR described the property as being in a “Fair” condition, then by 2010 it was described as having damage caused by vandalism, damage to gate piers during clearance of the site by previous owners, and noted that parts of the roof had recently been subject to collapse. By 2011 the register had been updated to record water damage caused by deteriorating roof drainage and reported the condition of the Mission Hall roof as a cause of concern. The condition of the historic fabric has steadily deteriorated since 2011 as is recorded in the applicant’s submission. It is clear that without the investment that a new and sustainable use can provide, the condition of church fabric will continue on its rapid decline.
- 2 The church is positioned on a fairly steeply sloping site and the built form occupies the majority of the application site. There is a small area to the south east of the building which is currently planted and has a small gravel area. The existing church sits upon a site which slopes from north to south, with the church tower situated at the elevated North-east end of the site to make use of the raised elevation. The full height primary facade onto Comrie Street to the south west not only forms a dominant gothic facade, but also takes advantage of the slope to access the lower ground floor to the south of the building footprint. This elevation combined with the Coldwells Road facade forms the key view of the church when viewed from the Comrie/Crieff at Scrymgeour's Corner to the south.

- 3 The church was constructed in 1882 in a gothic style with the Mission Hall added in 1929. The materials include red bull-faced ashlar in uneven courses with ashlar dressings with a number of attractive gothic windows at both ground and upper levels and an attractive bell tower at its north eastern end. The main church hall is an attractive galleried hall with circular cast iron piers with moulded capitals giving way to segmental arches and panelled timber gallery fronts.
- 4 There are four main elements to this proposal which are outlined below.

Main Church

- 5 The proposal, as outlined in the supporting statement, is to form a “Moroccan Hammam Spa” at ground floor level together with a plant room. The ground floor of the church is to accommodate seven en-suite bedrooms. The first floor has been designed as an open plan flexible communal space. Two new floors are proposed at the top of the church at the level of the nave clerestory windows and within the open timbered ceiling and will contain 4 new en-suite rooms.

Mission Hall

- 6 The Mission Hall on the northern part of the site is proposed to be converted into a new restaurant, kitchen and toilets.

Terrace

- 7 An external terrace is proposed above the Mission Hall which has been revised from the original submission which was to erect an external terrace on the west side of the church after concerns were expressed regarding impact on residential amenity.

Church Tower

- 8 The church tower is proposed to be converted into an independent “VIP” guest suite with a bedroom at the top of the tower.
- 9 Members should be aware that there is an associated application for Listed Building Consent which is also under consideration at this Committee (13/01183/LBC) and an assessment of the impact which the development will have on the fabric of the listed building will be considered within that report.

NATIONAL POLICY AND GUIDANCE

Scottish Planning Policy 2010

- 10 This SPP is a statement of Scottish Government policy on land use planning and contains:

- the Scottish Government's view of the purpose of planning,
- the core principles for the operation of the system and the objectives for key parts of the system,
- statutory guidance on sustainable development and planning under Section 3E of the Planning etc. (Scotland) Act 2006,
- concise subject planning policies, including the implications for development planning and development management, and
- the Scottish Government's expectations of the intended outcomes of the planning system.

11 Of relevance to this application are,

- Paragraphs 45 – 51: Economic Development
- Paragraphs 52 – 65: Town Centres and Retailing
- Paragraphs 110 – 124: Historic Environment
- Paragraphs 115 – 117: Conservation Areas
- Paragraphs 142 – 145: Protected Species
- Paragraphs 165 – 181: Transport

DEVELOPMENT PLAN

12 The Development Plan for the area consists of the Approved Tayplan 2012 and the Adopted Strathearn Area Local Plan 2001.

Tayplan: Strategic Development Plan 2012-2032

13 The principal relevant policies are in summary: -

Policy 1: Location Priorities

- 14 (a) Focuses the majority of development in the region's principal settlements and
- (b) Prioritise land release for all principal settlements using the sequential approach in this Policy; and prioritise within each category, as appropriate, the reuse of previously developed land and buildings.

Policy 2: Shaping Better Quality Places

15 Seeking to shape better quality places through requiring new development to be fit for place, supporting more sustainable ways of life for people and businesses.

Policy 3: Managing Tayplan's Assets

16 Understanding and respecting the regional distinctiveness and scenic value of the TAYplan area through ensuring development likely to have a significant effect on a designated or proposed Natura 2000 sites (either alone or in combination with other sites or projects), will be subject to an appropriate

assessment. Appropriate mitigation requires to be identified where necessary to ensure there will be no adverse effect on the integrity of Natura 2000 sites in accordance with Scottish Planning Policy.

- 17 Safeguarding habitats, sensitive green spaces, forestry, wetlands, floodplains (in-line with the water framework directive), carbon sinks, species and wildlife corridors, geodiversity, landscapes, parks, townscapes, archaeology, historic buildings and monuments and allow development where it does not adversely impact upon or preferably enhances these assets;

Strathearn Area Local Plan 2001

- 18 The application site is located within the settlement of Crieff and within the Conservation Area. The site is located within an area allocated for residential or compatible uses but sits close to the edge of the Town Centre area. The site is also identified as an Opportunity Site (number 6) in the plan stating that alternative uses could include a museum facility, high quality craft based retail uses or community uses.
- 19 The principal relevant policies are in summary: -

Policy 1 Sustainable Development

- 20 Where any development should minimise any adverse impact on the natural or built environment where the following principles shall be used as guidelines:-
- The consumption of non-renewable resources should be at levels that do not restrict the options for future generations;
 - Renewable resources should be used at rates that allow their natural replenishment;
 - The quality of the natural environment should be maintained or improved;
 - Where there is great complexity or there are unclear effects of development on the environment, the precautionary principle should be applied;
 - The costs and benefits (material and non-material) of any development should be equitably distributed;
 - Biodiversity is conserved;
 - The production of all types of waste should be minimised thereby minimising levels of pollution;
 - New development should meet local needs and enhance access to employment, facilities, services and goods.

Policy 2 Development Criteria

- 21 Provides criteria by which all developments will be judged. In particular, that the development should have a landscape framework, should have regard to the scale, form, colour and density of development within the locality.

- Policy 5: Design**
- 22 Seeks high standards of design for all developments.
- Policy 14 Natural Heritage**
- 23 Development should ensure there is no adverse impact on protected species.
- Policy 26 Conservation Areas**
- 24 There is a presumption against development within or adjacent to designated Conservation Areas which would harm the character or appearance or which does not preserve or enhance the area.
- Policy 29 Tourism and Recreation**
- 25 New tourism development will be supported where it can be demonstrated that it meets a new market or extends a season, will not adversely affect landscape or nature conservation interests, will only generate traffic appropriate to its location, offers the opportunity to generate employment opportunities and makes good use of the public transport network.
- Policy 39 Transport Standards**
- 26 Adequate provision of parking, servicing and where appropriate public transport shall be made in all new developments.
- Policy 66 General Residential**
- 27 Hotels, guest houses and bed and breakfast accommodation will generally be acceptable in these areas provided the existing residential amenity can be protected.
- Policy 71 Crieff Conservation Area**
- 28 Development will only be acceptable where it is compatible with the character and density of the surrounding area and does not result in a loss of amenity.

PERTH AND KINROSS PROPOSED LOCAL DEVELOPMENT PLAN 2012

- 29 On 30 January 2012 the Proposed Plan was published. The Council's current adopted Local Plans will eventually be replaced by the Local Development Plan.
The Council's Development Plan Scheme sets out the timescale and stages leading following which a report was published on 11 October 2013 containing the Reporter's recommendations. The Council has a three month period to consider the Reporter's recommendations and the modified Plan will be published by 11 January 2014. This will be the Plan that the Council intends to adopt, subject to agreement by Scottish Ministers. Prior to adoption, the Proposed Local Development Plan 2012 is a material consideration in the determination of this application, reflecting a more up to date view of the Council than those contained in the relevant adopted Local Plan.
- 30 The application site is located within the Crieff settlement boundary in an area identified for residential and compatible uses. Similar to the adopted plan the site is located on the very edge of the area designated for town centre uses.

31 The principal relevant policies are in summary: -

Policy PM1 Placemaking

32 Development must contribute successfully to the quality of the surrounding built and natural environment.

Policy PM2 Design Statements

33 Design statements should accompany an application where it may affect a Conservation Area.

Policy RD1 Residential Areas

34 Identifies areas of residential and compatible uses where existing residential amenity will be protected. General encouragement will be given to uses including tourism activities which improve the character and amenity of the area and others subject to criteria.

Policy TA1B Transport Standards

35 Development proposals should be well served by all modes of transport and provide safe access/car parking etc.

Policy NE1 Natural Heritage

36 National, local and European protected species should be considered in development proposals.

Policy NE3 Bio Diversity

37 The Council will seek to protect and enhance wildlife and wildlife habitats.

Policy HE3 Conservation Areas

38 There is a presumption in favour of development which preserves or enhances its character or appearance.

OTHER POLICIES

Scottish Historic Environment Policy (SHEP)

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

Crieff Conservation Area Appraisal

40 **Site History**

08/00983/LBC Conversion of redundant church to residential apartments including removal/demolition of former hall and side vestibule –
Withdrawn

08/00981/FUL Conversion of redundant church to residential apartments including removal/demolition of former hall and side vestibule –
Withdrawn

07/01885/LBC Change of use of redundant former church/antiques centre to form 12 flats including removal/demolition of former hall and side vestibule – Refused

07/01884/FUL Change of use of redundant former church/antiques centre to form 12 flats including removal/demolition of former hall and side vestibule - Refused

07/01589/LBC Change of use of redundant former church/antiques centre to form 12 residential apartments including removal/demolition of former hall and side vestibule – Withdrawn

07/01588/FUL Change of use of redundant former church/antiques centre to form 12 residential apartments including removal/demolition of former hall and side vestibule - Withdrawn

CONSULTATIONS

Crieff Community Council

- 41 No objection and pleased to see church being brought back into use but concerned regarding lack of parking.

Environmental Health

- 42 No objection subject to conditions controlling noise/ventilation and delivery times.

Perth and Kinross Heritage Trust

- 43 No objection.

Scottish Water

- 44 No objections.

Bio Diversity Officer

- 45 No objections after receipt of bat and bird surveys subject to conditions ensuring mitigation measures.

Historic Scotland

- 46 Welcome the re-use of the significant A listed building at risk and supportive of the proposed scheme, new uses and alterations in principle. Some concerns raised regarding impact of terrace on listed building which are detailed in response to Listed Building Consent application which is also under consideration at this Committee.

REPRESENTATIONS

47 A total of 10 letters of representation from individual properties/premises were received during the first neighbour notification period all of which objected to the application.

The representations have raised the following relevant issues: -

- Residential amenity/noise/plant/privacy
- Waste management
- Parking
- Design/Conservation Interests
- Storage of hazardous materials
- Use of building
- Layout of hotel
- Contrary to Policy
- Property values

48 During the second neighbour notification period, following submission of the Transport Statement and revised outdoor terrace position a further 7 letters of representation were received, all from neighbours who had objected during the first period of notification. The same reasons outlined above were raised.

49 These issues are all raised in the Appraisal section of this report other than the storage of hazardous materials and impact on property values which are not material planning consideration or are covered by separate legislation.

ADDITIONAL STATEMENTS

50

Environment Statement	Not required
Screening Opinion	Not required
Environmental Impact Assessment	Not required
Appropriate Assessment	Not required
Design Statement / Design and Access Statement	Yes
Report on Impact or Potential Impact	None submitted.

APPRAISAL

Policy

51 Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 as amended by Planning Etc (Scotland) Act 2006 require that planning decisions be made in accordance with the development plan unless material considerations

indicate otherwise. The determining issues in this case are whether: - the proposal complies with development plan policy; or if there are any other material considerations which justify a departure from policy. The most relevant policies of the Strathearn Area Local Plan (SALP) in this instance are outlined in the policy section above. The Council's Proposed Local Development Plan 2012 is a relevant material consideration in this instance.

- 52 Policy 29 of the Strathearn Area Local Plan (SALP) encourages the provision of new tourism related development subject to criteria. Therefore the general ethos of this proposal complies with the relevant provisions of the Development Plan.

Furthermore this is backed up by Policy 66 of the SALP and Policy RD1 which again generally allow for tourism based uses within residential areas. It should be noted, however, that these policies are subject to a number of criteria which will be considered in more detail in the following paragraphs.

Residential Amenity/Noise

Overlooking from Outdoor Terrace

- 53 An outdoor terrace was initially proposed on the north west elevation of the building which was to be located to the south of the Mission Hall and was proposed to sit on a steel platform and be accessed from both the communal first floor area of the hotel within the main church and via a mezzanine lounge area within the Mission Hall. The proposed terrace involved the demolition of an existing stone lean to element on the north west elevation.
- 54 The presence of this outdoor terrace attracted a significant level of objection regarding the potential for overlooking into neighbouring residential properties and also the impact on amenity created by noise associated from users of the terrace.
- 55 These concerns were expressed to the applicant's agent and it was indicated that a terrace is unlikely to be considered acceptable due to potential impact on residential amenity. In order to attempt to address these problems a revised terrace location has been submitted. This terrace is no longer accessible from the communal area on the first floor of the main church but is instead to be accessed from the 2nd floor. It is no longer accessible from the bar/restaurant within the Mission Hall.
- 56 The most north-westerly part of the terrace (closest) to the neighbours to the north west has been moved back, away from the neighbours by approximately 3.1m in comparison with the initial proposal. The terrace now sits between the nave, tower and roof of the Mission Hall. It also results in the terrace being higher than the previous proposal by approximately 3.7 metres. The relocation of the terrace does mean it becomes more visually prominent from Coldwells Road and this is addressed in the design section below.

- 57 The terrace is proposed to provide views to the hills to the south and west of the church, however there are a number of residential gardens in immediate vicinity of the church which may be overlooked by the terrace, together with properties to the north. In order to alleviate this issue the terrace has been specifically designed with a projecting balustrade in an attempt to prevent any individual on the terrace being able to look directly down into neighbouring gardens to the north west but instead over the gardens. A sectional drawing has been provided to demonstrate how this will work.
- 58 The revised terrace location also results in potential impact to those properties to the north further up Coldwells Road. The distance between the terrace and the nearest properties to the north (Coldwells and Knox House) is approximately 28m. I am satisfied that this distance will negate any significant detrimental impact on residential amenity in terms of overlooking.
- 59 Clearly the easiest way to avoid any overlooking to neighbouring gardens and properties would be to omit the outside terrace from the scheme entirely and this suggestion was put to the developer. The developer stated that he considered a usable outdoor space for the hotel to be essential to its operation particularly given the only alternative outdoor space is the area at the main entrance which is a considerable distance from the communal area of the hotel. Whilst I can appreciate the concerns of neighbours in this respect I believe the design and position of the proposed terrace will alleviate any significant concerns regarding overlooking into the immediate gardens and properties. If consent for the terrace is given I recommend a condition to ensure the design of the projecting balustrade and height of the terrace is retained in perpetuity. I do, however, remain concerned regarding the impact of the terrace in terms of noise disturbance.

Noise/Odours from Outdoor Terrace

- 60 The use of the outdoor terrace could result in noise from human interaction (voices) which could also potentially disturb neighbouring properties and this has been raised in numerous letters of representation, particularly in relation to the terrace now being larger in footprint than previously proposed. The applicant has indicated that a management programme would be in place to restrict the use of the outdoor terrace during unsociable hours. The intention of the applicant is for the terrace to be available for use from the hours of 0800 and 2300. Restricting the hours of use will ensure that any noise associated from the use of the terrace does not occur during night time hours which will help to protect the amenity of neighbours to some degree although it could potentially prove difficult to enforce this on a day to day basis. It is noted that there will be noise associated with the use of the terrace during normal daytime and evening hours which may also create disturbance and I do believe this could potentially have an impact on residential amenity given the height of the terrace.

- 61 Whilst I am now comfortable that the issue of overlooking from the terrace has been adequately addressed sympathise with the concerns from neighbours regarding the disturbance caused from the potential noise created by users of the terrace. I have been considering how the impact of potential noise can be mitigated and have discussed this with Environmental Health. Despite the general principle behind the terrace being a good idea, in terms of the attractiveness of the hotel to guests, I cannot see a way to mitigate the concerns expressed by neighbours regarding noise and the potential disturbance this would create.
- 62 I note that the applicant has indicated that a management scheme will be in place for its use and that they are prepared to limit the hours of use of the terrace, however regardless of when the terrace is used, whether it be during the day or in the evening, noise will still be created which could disturb neighbours in this residential area.
- 63 I note the uniqueness of the terrace and appreciate the benefit it gives to the scheme and I have been trying to find a way forward to support the proposal in its current form but despite discussions with Environmental Health I do not feel the issues regarding potential noise creation can be adequately addressed.
- 64 I therefore recommend that a condition to omit the outdoor terrace from the proposal is applied. I feel this is the only way in which the impact on neighbours in terms of noise creation can be adequately mitigated. The applicant has been informed of this and has again indicated that he considers the terrace a fundamental part of the proposal.
- 65 A balanced argument has to be made between protecting the amenity of neighbours and ensuring the building is brought back into use and I do believe that a terrace in this position will detrimentally impact on residential amenity.
- 66 The applicant has indicated that this element of the scheme is fundamental to the wider proposal and without the terrace “the value proposition to a potential guest is just not there and therefore the economic viability of the project does not stack up”. The applicant has indicated that he would not progress with the project if no consent was granted for the terrace as it serves as the only area of the site which takes advantage of surrounding views. I cannot see how the omission of this element would make the scheme financially unviable to such an extent that would result in the project not being worth pursuing. Nevertheless even if the applicant was to provide further financial justification regarding the terrace the issues regarding potential impact on residential amenity would remain and I would hope the applicant chooses to progress with the scheme without the terrace or seeks an alternative terrace that is acceptable to the Council in terms of potential noise creation.

Restaurant/Bar in Mission Hall

- 67 The Mission Hall is proposed to be converted into a restaurant and bar and clearly the use of this area for these purposes will result in noise being created. I believe the condition referred to above regarding the control of amplified music would ensure noise from these areas would be limited. I accept the neighbours concerns regarding the use of external areas for smoking and socialising but believe this can be mitigated with the removal of the outdoor terrace area.

Overlooking from Windows

- 68 New windows are proposed within the clock tower and on the north west elevation which will result in overlooking to neighbouring properties. The nature of this building, its height and elevation and prominence in Crieff means that any development is likely to overlook neighbouring properties. The new glazing proposed is positioned approximately 28m from the nearest windows of neighbouring properties and I am satisfied that this distance will suitably mitigated any impact from overlooking.

Other Matters

- 69 If Members choose to consent the terrace I recommend a condition to ensure full details of any external lighting for the terrace are provided to ensure no light spillage occurs to neighbouring properties.
- 70 I also recommend a condition to ensure any amplified music from within the hotel is not audible in nearby residential properties. This will allow the planning authority to maintain control over the use of the building should any noise complaints arise.
- 71 The proposed plant and equipment is to be located in the valley between the Mission Hall roof pitches. The exact design detail of this equipment has yet to be provided, however I believe this can be provided using a suitably worded condition.
- 72 It is also recommended by Environmental Health that conditions regarding noise from plant and equipment are controlled to specific levels and the ventilation system is designed to ensure that no cooking odours are exhausted or escape into neighbouring properties.
- 73 I am satisfied that the proposed plant and equipment associated with the scheme is acceptable and residential amenity can be protected using suitably worded planning conditions to control operation of this equipment.
- 74 It should be noted that any licensing of the restaurant/bar area will also be subject to scrutiny by the Council's Licensing Committee and will require separate licensing for the sale of alcohol.

Use of Building

- 75 Neighbours have expressed concerns regarding the proposed use of the building and that it is not proposed as a hotel but as a large self catering unit given the layout of the accommodation and provision of large lounge area which could potentially allow for large house parties including stag and hen weekends which would in turn generate noise/anti social behaviour. The applicant has applied for a change of use to a hotel, however the Planning Authority would have no control over the clientele who utilise the hotel or whether all of the rooms are booked out to one party. It should be noted, however that any anti social behaviour which results can be controlled by the Police and Environmental Health under separate legislation.

Overall

- 76 There is no doubt that the use of the building for the purposes sought, including use by guests and staff will have an impact on residential amenity. The fact that the use will attract a number of people to the building will result in noise and some disturbance being created. Development plan policy requires any tourism development in a residential area to not impact detrimentally on residential amenity. I am satisfied, that on balance the proposal will not impact on the amenity of neighbours to such an extent to merit refusal of the application and believe that the conditions, which are recommended, can suitably control operations from the hotel to protect the amenity of neighbouring properties. Furthermore, Environmental Health also have separate controls regarding nuisance should any problems arise which are outwith the Planning Authority's remit.

Impact on Conservation Area/Design

- 77 This paragraph will consider the external alterations to the church. An assessment of the internal alterations to the listed building is made within the accompanying Report of Handling for the Listed Building Consent application.

Outdoor Terrace

- 78 The balustrade of the outdoor terrace will be visible from Coldwells Road and is visible on the south east elevation but due to the layout of the street and the angle which the church sits at, the terrace is unlikely to be visible from Comrie Street. Given the visibility of the terrace it is important to ensure the materials do not detrimentally impact on the character and visual amenity of the Conservation Area. It is noted that the terrace floor will be concealed behind the ridgeline of the Mission Hall, there will be a void between the terrace and the NE elevation of the main church and that the balustrade directly in front of the tall, tripartite window (visible from Coldwells Road) will be structural glass. The use of structural glass will provide the terrace with a "light weight" appearance and limit the visual impact of the balustrade. To ensure this I recommend the exact design details and details of the proposed structural glass, if the terrace is approved by members, is covered by condition. Furthermore in order to avoid any visual clutter from the terrace a condition is

recommended to ensure there are no fixed fixtures or fittings on the terrace. The use of external lighting on the terrace would also result in potential impact on visual amenity during night time hours and could also impact on residential amenity as such I recommend a condition to ensure no external lighting is permitted on the terrace.

- 79 Whilst the terrace will have a degree of visual impact, on balance I am prepared to accept the design and height of the terrace. Please note, that whilst I am satisfied with the visual impact which the terrace will have I cannot support its inclusion due to the detrimental impact on residential amenity which is discussed above. If members choose to support the inclusion of the terrace the above conditions are recommended.

Drop-Off Area/Landscape Area

- 80 The area to the front of the hotel has been revised following discussions regarding servicing and vehicle drop off and the proposal now involves the creation of a drop off vehicle bay and the re-location of a section of boundary wall.
- 81 The layout of this revised area is considered acceptable and provides an attractive entrance to the hotel. A condition has been recommended by the Conservation Officer to seek a method statement for the demolition and re-construction of the stone boundary wall.
- 82 A condition will also seek details of the proposed paving slabs, setts, design specification for the seating and the planned tree species. Furthermore a condition will also ensure there is no fixed bin storage area and that the bin storage area marked is solely to be used during collection days.

Plant/Flues/Rooflights

- 83 A mechanical ventilation system is proposed to avoid the need to alter the stained glass windows which will involve the erection of lead clad vent dormers on the north west facing roof. The vent pipes from these dormers extend above the ridge of the roof and in order to reduce their visual impact they should be reduced below the ridge height. A condition is recommended to cover this aspect, however I note that there may be building standards implications for the position of the vent pipes.
- 84 A plant area is proposed between in the valley between the Mission Hall roof pitches. No exact design details of this area have been provided but given that they sit in this valley their visual impact will be partly mitigated. Full design details of this area should be requested through a planning condition.
- 85 There were discussions regarding the installation of rooflights and the Planning Authority indicated concerns regarding the visual impact these would have. Unfortunately building regulations dictate daylighting requirements which means these rooflights are required. Furthermore the amount of rooflights has been kept to a minimum and reduced significantly from the initial proposal.

- 86 The Council's Conservation Officer has also recommended conditions to state that no new plumbing, pipes, soilstacks, flues, vents, grilles or ductwork shall be fixed on the external faces of the building unless shown on the drawings hereby approved.
- 87 Furthermore, no new security alarms, lighting, cameras or other equipment shall be fixed on the external faces of the building unless with the prior approval in writing of the Council.

Transport/Parking/Drop Off

- 88 There is no car parking proposed as part of this proposal given the physical make up of the site. The intention is to provide a drop off area to the front of the hotel. The Council's Transport Planners indicated concerns initially regarding the lack of car parking. Concerns have also been expressed by neighbours regarding the lack of car parking proposed and the implications this may have on the existing residential car parking arrangements on Coldwells Road and surrounding streets.
- 89 In order to clarify this matter the applicant was asked to submit a Transport Statement (TS) which provides an indication of both the existing road network together with an assessment of public transport and sustainable transport provision and the likely transport generation associated with the development. The Council's Transport Planner has considered the content of this statement which makes an assessment of existing parking provision including both car parks and on street provision. It then assesses the likely impact which the development would have using the Trip Rate Information Computer System (TRICS) database. This is the UK and Ireland's national system of trip generation analysis, containing over 6,600 directional transport surveys.
- 90 This statement concludes that whilst there is a high demand for parking in some streets such as Coldwells Road, it did show that there was an adequate supply of on-street parking within a 5 minute walk of the development including other streets and existing town centre car parks. Following the second neighbour notification period, neighbours have again raised concerns regarding the parking situation and the contents of the TS and its failure to take account of the day to day parking issues in the area and that it was carried out during the school holidays when the nearby Morrisons School was not in use. I believe it is inevitable that a development of this nature will impact upon existing parking arrangements, the re-use of the building for any purpose would result in parking issues of concern above those that exist currently, whether it be for a hotel, residential or commercial use, particularly given that it has been out of use since 2006. The simple fact is there is no car park or room for off street car parking within the development site and therefore the only option is for patrons to utilise on street or existing car parks in the local area. I appreciate that this is not an ideal situation.

- 91 Nevertheless, the Transport Planner has had sight of the TS and the objections received from neighbours and has advised that he has no objection to the proposal and considers the parking availability in the local area to be sufficient to serve the development.

Bio Diversity/Ecology

- 92 The Council's Bio Diversity Officer identified the potential for the church to have suitable roofs for bats to roost and the steeple has openings that may be used by birds to access suitable nest sites. As such, the applicant was asked to submit a bird and bat survey. These surveys have now been submitted and the Bio Diversity Officer has raised no objections subject to the mitigation measures contained within the report being strictly adhered to. This can be addressed through a suitably worded planning condition.

Waste Management

- 93 Concerns have been expressed by neighbours regarding the management of waste from the hotel and the proximity of the waste storage area to residential properties. Given the proposed use it is inevitable that bin storage areas are required. The most appropriate location for these areas, in my opinion, is somewhere hidden from public view in order to protect the visual amenity and character of the Conservation Area. As such it is proposed to store bins in the alley adjacent to the north west elevation which will be screened from existing properties. Given the limited physical nature of the site and layout of the building this is the most logical choice for this area. Whilst there may be some impact on residential amenity from transporting these bins a proposed collection area on Coldwells Road I do not consider this would be so significant to detrimentally impact on residential amenity. Depending on volume, collection would be arranged weekly or twice weekly to suit current PKC commercial waste collection arrangements in the centre of Crieff. The moving of wheelie bins, albeit at a lesser scale, already takes place in the area with both commercial and residential properties.

Operation of Hotel

- 94 A number of neighbours have questioned the operation of the hotel and how this would work given the layout proposed. It is not for the Planning Authority to question the layout of the hotel for the day to day operation other than those issues which affect material planning considerations.

Archaeology/Built Heritage

- 95 The building was surveyed by the Royal Commission on the Ancient and Historic Monuments of Scotland (RCAHMS) Threatened Buildings Survey between 2007 and 2008. As such an adequate record of its fabric and fixtures has been made. Further, there are no archaeological concerns for the development e.g. deepening of the basement given the church was constructed in the late 19th century on ground out with the centre of historic Crieff.

Economic Benefit

- 96 The applicant's statement indicates that the developer intends to spend £2m to implement any planning approval given. The applicant has also provided a brief appraisal of alternative options for the hotel including retail use, residential apartments and a hotel with either a smaller or larger number of bedrooms. All of these options were dismissed either due to financial constraints or due to the potential extent of physical intervention into the listed building. I believe the applicant has demonstrated that the use proposed is the most appropriate to allow the building to be brought back into use. It should be noted that in comparison to a conversion to private residential dwellings, hotel use is less onerous in terms of statutory requirements for natural day lighting and views which will allow the existing historic stained glass to be retained. The proposed use will also allow members of the general public the opportunity to use and enjoy the church for generations to come, rather than the more limited enjoyment offered by private residences as the spa and restaurant are to be made available to members of the public.
- 97 The proposed hotel is to employ approximately 20 people with additional employment generated indirectly with suppliers to the hotel. The construction project will also generate a significant level of employment. The introduction of a new hotel into Crieff with associated restaurant and spa will attract tourist to the area who will in put money into the local economy. It is therefore considered that the redevelopment of the building will result in significant economic benefit to Crieff and its surrounds.

LEGAL AGREEMENTS

- 98 None required

DIRECTION BY SCOTTISH MINISTERS

- 99 Under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008, regulations 30 – 32 there have been no directions by the Scottish Government in respect of an Environmental Impact Assessment screening opinion, call in or notification relating to this application.

CONCLUSION AND REASONS FOR RECOMMENDATION

- 100 This building is on the BARR, category A listed and has not been occupied for a number of years and its physical condition is deteriorating. The church is a landmark building in Crieff and I believe it is important to ensure that it is brought back into use as soon as possible. Clearly doing that cannot be at all costs and it is important to ensure that the use proposed is appropriate for the area particularly in regard to protecting residential amenity and parking provision. As outlined above I am satisfied that the methods proposed by the applicant and his agent are satisfactory in addressing impact on residential amenity, subject to a condition omitting the proposed outdoor terrace and the Transport Statement adequately addresses the issue of car parking. Other issues can be suitably controlled through the use of planning conditions.

101 In conclusion, the application must be determined in accordance with the adopted Development Plans unless material considerations indicate otherwise. In this respect, the proposal is considered to comply with the adopted Strathearn Area Local Plan and Tayplan 2012. I have taken account of material considerations, including the Proposed Local Development Plan 2012 and find none that would justify overriding the adopted Development Plan. On that basis the application is recommended for approval subject to conditions.

RECOMMENDATION

A Approve the application subject to the following conditions:

- 1 The proposed development must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed on the planning consent.
- 2 The proposed outdoor terrace is not approved. Prior to the commencement of any development a revised set of drawings shall be submitted which omits the outdoor terrace from the plans. The drawings as approved shall be implemented as part of the site development.
- 3 Prior to the commencement of any development on the landscape/drop off area to front of the building a detailed method statement shall be submitted which outlines how the existing section of boundary wall and railings will be dismantled, the storage and protection of the material and the re-construction of the stonework. The details, as approved, shall be strictly adhered to during the works in this area.
- 4 Prior to the commencement of any development on the landscape/drop off area to front of the building samples of the paving slabs and setts, design specification for the seating and the details of all proposed tree species shall be submitted for the written approval of the Planning Authority. The details, as approved, shall be implemented as part of the site development.
- 5 Prior to the commencement of any development a revised north east and north west elevation drawing shall be submitted for the written approval of the Planning Authority which reduces the height of the proposed flues on the north west facing slope of the roof to ensure they sit below the ridge of the building unless otherwise agreed in writing with the Planning Authority. The details, as approved, shall be implemented as part of the site development.
- 6 Prior to the commencement of any development on the plant area between the Mission Hall roof ridges, full design details, including elevations and sectional drawings shall be provided of all proposed plant and machinery for the written approval of the Planning Authority. The design details and specifications should minimise the impact on the visual amenity of the area and the specification of the plant shall meet the requirements of conditions 11 and 12 of this consent. The details, as approved, shall be implemented as part of the site development and maintained in perpetuity.

- 7 No new plumbing, pipes, soilstacks, flues, vents, grilles or ductwork shall be fixed on the external faces of the building unless shown on the drawings hereby approved.
- 8 No alarms, lighting, cameras or other equipment shall be fixed on the external faces of the building unless with the prior approval in writing of the Council.
- 9 Prior to the installation of any new windows within any part of the clock tower, full details of the replacement windows shall be submitted for the written approval of the Planning Authority. The details, as approved, shall be implemented as part of the site development.
- 10 All music and vocals, amplified or otherwise, shall be so controlled as to be inaudible within any neighbouring premises.
- 11 All plant or equipment including any ventilation system associated with the premises shall be so enclosed, attenuated and / or maintained such that any noise there from shall not exceed Noise Rating 35 between 0700 and 2300 hours daily, or Noise Rating 20 between 2300 and 0700 hours daily, within any neighbouring residential premises, with all windows slightly open, when measured and/ or calculated and plotted on a noise rating curve chart.
- 12 An effective ventilation system commensurate with the nature and scale of cooking to be undertaken shall be installed, operated and maintained, within the commercial areas, such that cooking odours are not exhausted into or escape into any neighbouring dwellings.
- 13 The delivery of goods to the premises shall take place between 07.00hrs to 17.00hrs Mondays to Saturdays and no deliveries on a Sunday.
- 14 The mitigation measures outlined in the bird and bat survey (13/01182/41) shall be strictly adhered to during the development of the site all to the satisfaction of the Council as Planning Authority.

Reasons

- 1 To ensure that the development is carried out in accordance with the plans approved.
- 2 In order to protect residential amenity.
- 3-9 In order to protect the character of the Crieff Conservation Area.
- 10-13 In order to protect residential amenity.
- 14 In order to ensure the protection of bats and birds.

B JUSTIFICATION

The proposal is considered to comply with the Development Plan and there are no other material considerations that would justify a departure therefrom.

C PROCEDURAL NOTES

None.

D INFORMATIVES

- 1 Under Section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the Planning Authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.
- 2 This development will require the 'Display of notice while development is carried out', under Section 27C(1) of the Town and Country Planning Act 1997, as amended, and Regulation 38 of the Development Management Procedure (Scotland) Regulations 2008. The form of the notice is set out in Schedule 7 of the Regulations and a draft notice is included for your guidance. According to Regulation 38 the notice must be:
 - Displayed in a prominent place at or in the vicinity of the site of the development
 - Readily visible to the public
 - Printed on durable material.
- 3 As soon as practicable after the development is complete, the person who completes the development is obliged by Section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the Planning Authority written notice of that position.
- 4 No work shall be commenced until an application for building warrant has been submitted and approved.
- 5 This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period. (See Section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).
- 6 No work shall be commenced until an application for building warrant has been submitted and approved.
- 7 This is approval of your application Ref no (13/01182/FLL) for planning permission only. It does not include any approval for the related Listed Building Consent Ref no (13/01183/LBC). Therefore work should not until Listed Building Consent has been received. Carrying out alterations without Listed Building Consent is an offence.

Background Papers: 17 letters of representation (over two periods of neighbour notification)

Contact Officer: John Williamson – Ext 75360

Date: 21 November 2013

Nick Brian
Development Quality Manager

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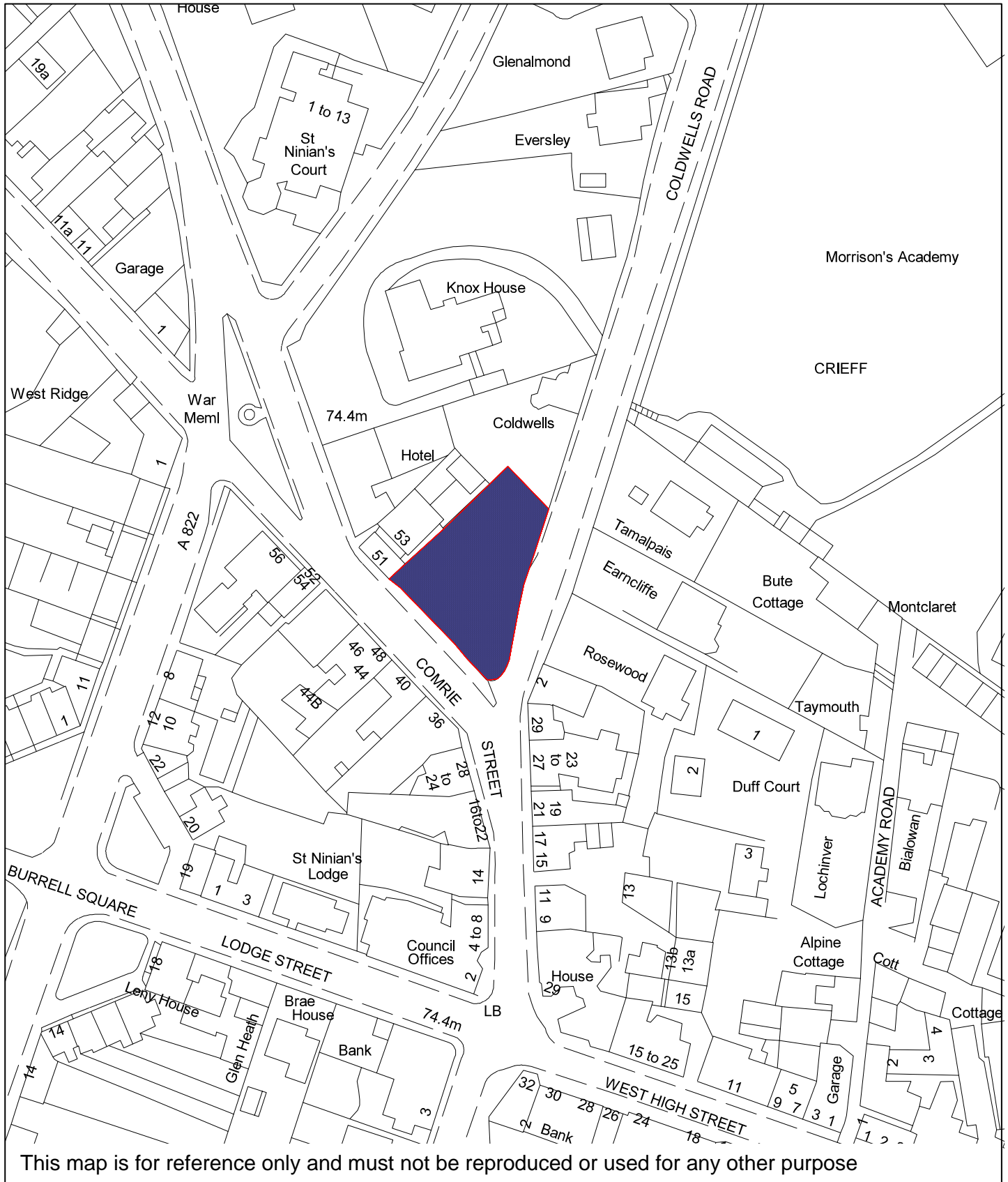
Council Text Phone Number 01738 442573

Perth & Kinross Council

13/01182/FLL

Old South Church, Coldwells Road, Crieff

Alterations and Change of use to hotel, spa and restaurant



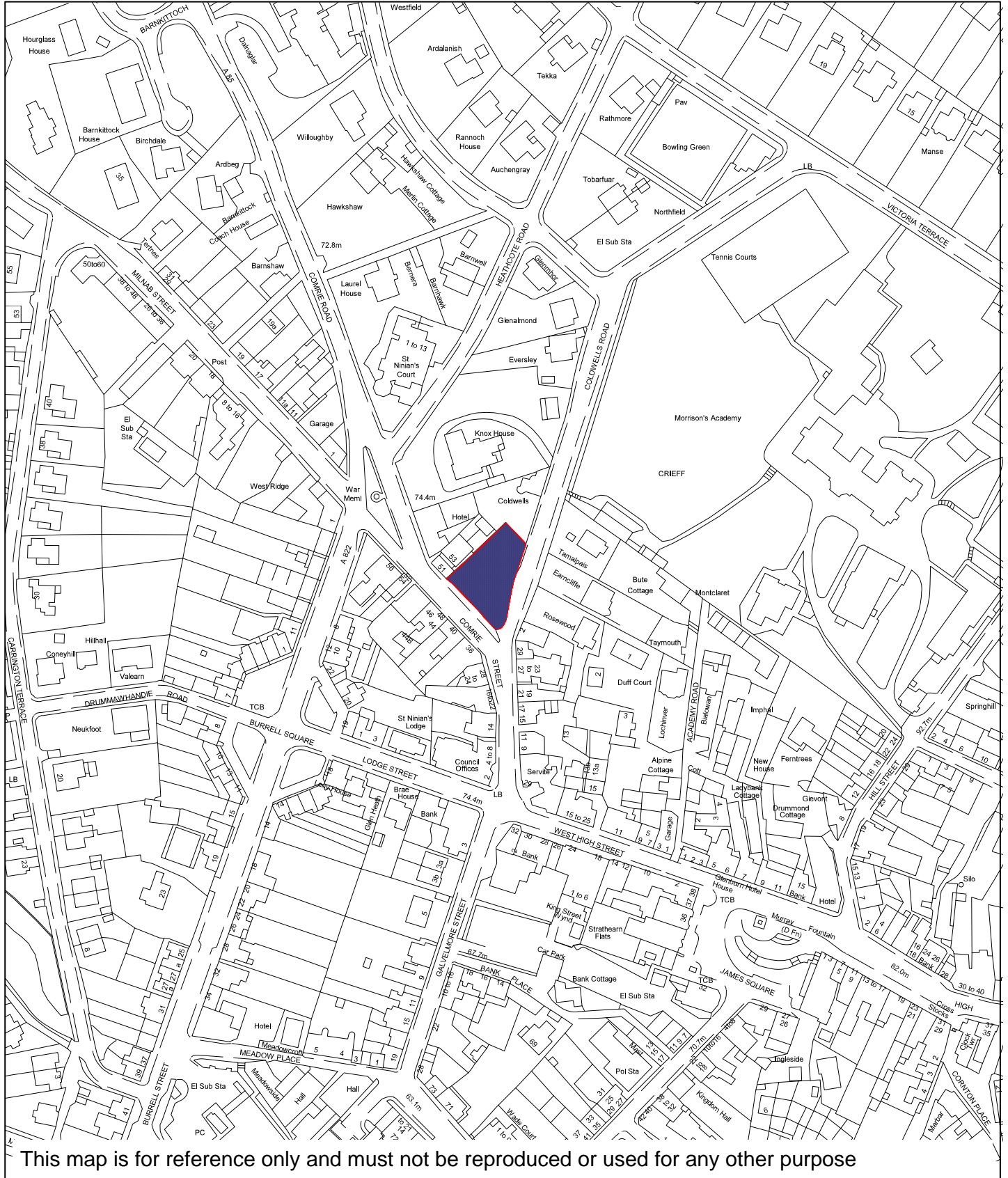
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Perth & Kinross Council

13/01182/FLL

Old South Church, Coldwells Road, Crieff

Alterations and Change of use to hotel, spa and restaurant



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