

**KEY INFORMATION****Ward** The Ferry**Proposal**

Alteration and extension (including partial demolition) of St Aidans Church Hall to form 45 bed residential care home

**Address**

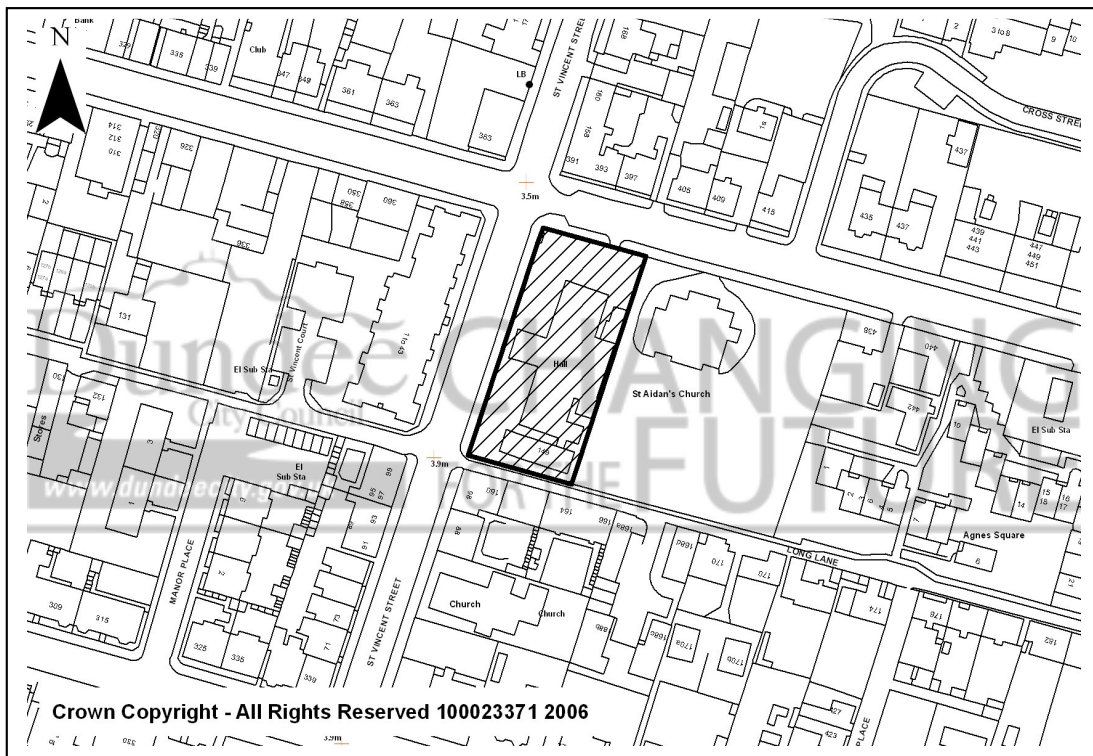
St Aidans Church Hall  
100 St Vincent Street  
Broughty Ferry  
Dundee

**Applicant**

Broughty Ferry New Kirk  
St Aidans Church  
408 Brook Street  
Broughty Ferry  
Dundee DD2 2EB

**Agent**

SMC Parr Partnership  
23 City Quay  
Camperdown Street  
Dundee DD1 3JA

**Registered** 22 Dec 2008**Case Officer** Julie Young

# Proposed Care Home at Former St Aidans Church Hall

Alteration and extension to form a residential care home is **RECOMMENDED FOR APPROVAL** subject to conditions. Report by Director of Planning and Transportation

**RECOMMENDATION**

The proposal complies with the relevant Policies in the Dundee Local Plan Review 2005. The proposed development is well designed and will preserve and enhance the character of the building and surrounding area. The objections are not supported in these circumstances. Accordingly, the application is recommended for **APPROVAL** subject to conditions.

**SUMMARY OF REPORT**

- Planning permission is sought for alterations and extensions, including partial demolition to the St Aidans Halls at St Vincent Street, Broughty Ferry.
- Policies 1, 10, and 61 of the Dundee Local Plan Review 2005 are of relevance to the determination of the application.
- Seven letters of objection were received from neighbouring residents and from Broughty Ferry Community Council. The main concerns relate to the adverse impact on the amenity of neighbouring residents; adverse impact on the character of the listed building; scale and design of building is inappropriate for area
- The proposal is considered acceptable and the applicant has submitted daylight and sunlight analyses to prove the development will not have an adverse impact on residents to the south. The development includes the re-use of a listed former school, which is encouraged through the Local Plan policies and in advice from Historic Scotland. There are no material considerations that would justify refusal of the application.

## DESCRIPTION OF PROPOSAL

Planning permission is sought for alterations and extensions, including partial demolition, of St Aidans Halls on St Vincent Street, Broughty Ferry to form a residential care home.

The proposal includes retaining the majority of St Aidans halls and the removal of the eastern section and brick-built Kippen Hall at the south end of the site. A modern two storey extension will be built on the east elevation, overlooking the adjacent cemetery. An existing stone wall along the east boundary will be altered to respond to the various glazed openings of the extension. A four storey extension will be built at the south end of the site. This will accommodate the majority of bedrooms for the care home. The proposed materials for the extensions are natural slate for the roofs; blue/brown facing brick for the walls; substantial areas of glazing (to maximise light into the building); standing seam zinc cladding with zinc flashings and detailing between window panels; single ply membrane for flat roof section on the 4 storey element and aluminium clad timber windows and natural stone will be reused from existing downtakings.

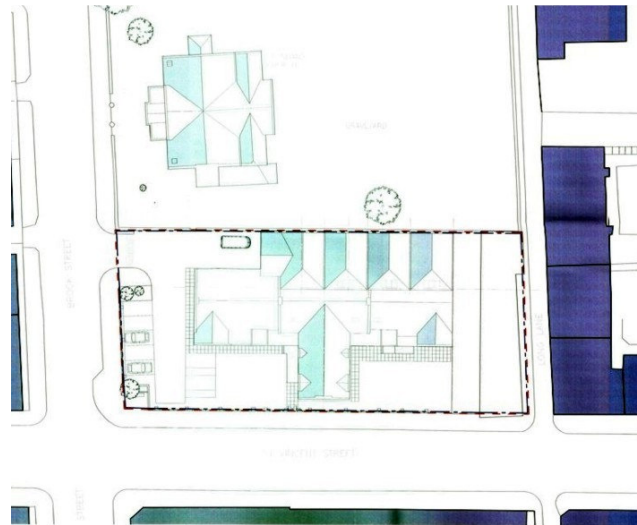
Various alterations to the retained hall buildings are new timber panelled entrance doors, existing recesses opened up to form windows and the installation of some obscure glass to conceal the edge of first floor levels. Railings will be reinstated onto the low stone wall around the boundary of the site.

The main entrance to the care home is on the west elevation and a service access is located to the north.

Seven car parking spaces will be provided to the north of the building. There will be some soft landscaping around the edges of the site and two private amenity spaces for residents to use at the west end of the site.

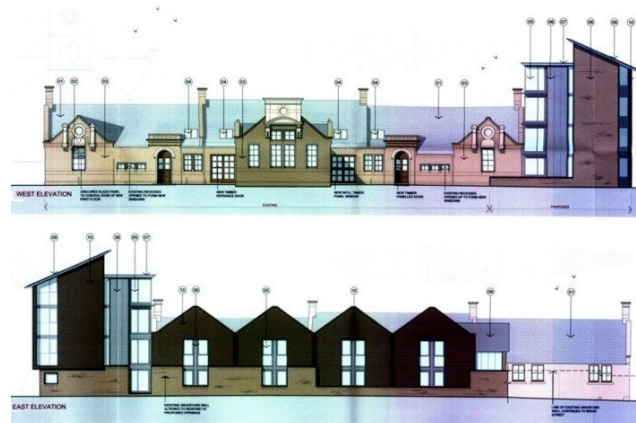
The applicant submitted a supporting statement, which outlines the overall project of the New Kirk, which includes the three buildings of East Church, St Aidans Church and St Aidans Halls. The statement contains a site context; assessment of the existing building stock;

consideration of alternatives; consultation and decision making process; the development proposal; appraisal of the proposed development and summary and conclusions.



The design strategy of the proposed residential care home is summarised by the applicant as follows:

- to maintain the current corner condition at the junction of Brook Street and St Vincent Street, thus retaining the view to St Aidans church and spire;



- to retain in full the principal street elevations and key features of the existing building;
- reinstate the perimeter railings and form secure landscaped spaces for residents to use and improve the quality of the existing streetscape;
- remove the poorly designed brick extension and replace with a new building that responds successfully to the adjacent site massing (4 storey tenement);
- rationalise site servicing and parking strategy.

In response to objections received regarding the potential adverse impact on residential amenity due to overshadowing and loss of daylight, the applicant submitted daylight and sunlight analyses.

The design brief for the worship centre evolved from an initial statement and schedule of accommodation provided by the Building Group. The focus of the brief was the fundamental ability to accommodate multi-disciplinary use on both floors of the building together with a strategy for maintaining sufficient levels of natural light within all areas of the building. Various existing features were outlined as requiring to be retained within the church building.

The opportunities, limitations and challenges of the existing building and site were assessed. From an urban design perspective the edge condition of the site is fundamentally weak. The lack of a definitive boundary has resulted in an ill-defined separation of pedestrian and vehicular zones and as a result no ownership or control has been taken of the external spaces, which in turn has led to valuable space being utilised as unregulated off street parking. This lack of a definitive hierarchy to the external spaces leaves us with all areas around the building being perceived as openly accessible to all, thus leading to concerns over building security and management. The building scale and overall language towards Long Lane is also fundamentally flawed. The Kippen Hall, a brick built extension to the original school buildings fails to complement the surrounding urban landscape. This later addition detracts from the character of the building and it is proposed to remove it.

Various pre-application have taken place with the applicant prior to the submission of the detailed planning and listed building applications.

## SITE DESCRIPTION

The application site is located on the east side of St Vincent Street and south side of Brook Street. The site lies to the east of Broughty Ferry's main shopping and commercial centre. The



existing property on the site is a C(s) listed single storey hall building with stone walls and slate roof. A B-listed church building is located immediately to the east with a cemetery behind backing onto Long Lane. The cemetery is also B-listed. There is a stone boundary wall along the east boundary of the site. There are 3 and 4 storey tenement flats on the south side of Long Lane. There are 3 storey sheltered flats on the opposite side of St Vincent Street and single storey cottages on the opposite side of Brook Street.

The hall building is a former school building which was built in 1874. It has T-plan halls, which were formerly separate girls and boys entrances to the school. St Aidans church took over the buildings in 1913 to use them as church halls. There are semi-circular arched details above the entrance doors. The windows are traditional sash and case with 8-pane glazing patterns. There is a single storey red brick later extension at the south end of the site, known as Kippen Hall. There are no formal car parking spaces at present and cars park to the west and north of the building. There is a footpath along the south side of the site, next to Long Lane.

residential uses will be supported where:

- a a good quality residential environment will be created for residents and the proposal does not impact adversely on the amenity of neighbours by virtue of design, overshadowing, overlooking and parking; and
- b the site is well located to give access to a range of local services and facilities and is accessible by public transport; and
- c it will not lead to an excessive concentration of non-mainstream residential uses to the detriment of the character of the particular area; and



Policy 60: Alterations To Listed Buildings - the alteration of a listed building will only be acceptable where the proposals have regard to the preservation or enhancement of its architectural or historic character. Alterations will not be permitted where the works would diminish the architectural integrity of the building or its historic interest.

The City Council will provide specific supplementary guidance on the following: window and door alterations, advertisements, shopfronts, roller shutters, treatments to masonry and painting and use of materials.

Policy 61: Development In Conservation Areas - within Conservation Areas all development proposals will be expected to preserve or enhance the character of the surrounding area. This will require the retention of all features which contribute to the character and appearance including unlisted buildings of townscape interest, trees and landscape features and the historic pattern of streets and spaces, as identified in the Conservation Area management plans to be advanced in the near future

## POLICY BACKGROUND

### Dundee and Angus Structure Plan 2001-2016

There are no policies relevant to the determination of this application.

### Dundee Local Plan Review 2005

The following policies are of relevance:

Policy 1: Vibrant And Sustainable Communities - the City Council will promote vibrant communities, encouraging the development of an appropriate range of services and facilities close to and within housing areas. New development should be in accordance with other policies in the Plan and seek to minimise any affect on the environmental quality enjoyed by local residents by virtue of design, layout, parking and traffic movement issues, noise or smell.

Policy 10: Non-mainstream Residential Uses - proposals for the development of non-mainstream

- d appropriate car parking provision is made relative to the needs of occupants, visitors and any support staff. In determining appropriate provision the availability of public transport and proximity of local services and facilities will be considered; and
- e appropriate amenity space is provided in a sheltered, private location that is sunny for most of the day; and
- f the design reflects the scale, massing and materials of adjacent buildings.

Policy 59: Alternative Uses For Listed Buildings -suitable alternative uses will be considered for listed buildings where this is necessary to secure their future. Any adaptation of the fabric must be undertaken carefully and sensitively and have minimum impact on the architectural and historic interest, character and setting of the building. Reference should be made to other policies in the Plan.

## SUSTAINABILITY ISSUES

The proposal includes the re-use of listed buildings and this is considered a sustainable solution to redevelopment of this site for a residential care home.

## SITE HISTORY

Broughty Ferry New Kirk consists of the East Church, Broughty Ferry and St Aidans. Recently the two churches merged and now congregate in the East Church.

This has left St Aidans Church unused and so the New Kirk formed a Property Sub-Group to investigate various options for redevelopment. Full property valuations of East Church, St Aidans and St Aidans halls were carried out to inform recommendations during the consultation period. Property conditions, area analysis and analysis of the halls/buildings usage were also carried out. Five various options for redevelopment of the sites were

presented by a Joint Working Group. The following option was chosen:

- Retain and do minor improvements to East Church and designate as a principal place of worship
- Retain and convert St Aidans Church into new Worship Centre and Hall Accommodation;
- Sell off St Aidans Halls site;
- Minor improvements to East Church Halls.

In order to redevelop St Aidans Church finance is required and the redevelopment of St Aidans Halls is seen as the source for finance for this project.

## **PUBLIC PARTICIPATION**

Statutory neighbour notification was carried out and four letters of objection were received from neighbouring residents. The main grounds of objection are:

- 1 Adverse impact on residential amenity due to loss of light and overshadowing;
- 2 Design and scale of new buildings are inappropriate;
- 3 Demolition of listed building should not be allowed;
- 4 Overdevelopment of site;
- 5 The use of materials for the new development do not fit in with the surrounding buildings or streetscape;
- 6 The roof design conflicts with the style of the surrounding buildings;
- 7 Adverse impact on character of area.

Members will have seen copies of the objection letters. The issues raised are discussed in the Observations section of this report below.

## **CONSULTATIONS**

Broughty Ferry Community Council submitted an objection to the application with the main grounds of objection as follows:

- The proposed 4 storey block will have an adverse impact on the amenity of occupants of the

adjoining tenement building in Long Lane;

- Views of the listed church and halls from the north will be impaired by the presence of the new block;
- The size and design of the new block does not fit in with the character of the nearby buildings and conservation area. An attractive feature of the site is its low level character and spaciousness and the new development will create a feeling of encroachment;
- The partial demolition of the main building will result in the loss of original Victorian features. The setting of the church will be adversely affected;
- Overdevelopment of the site.

The Head of Environmental Health and Trading Standards advises that a pre-determination Preliminary Risk Assessment is required as the application is for a sensitive use, which is within the vicinity of a number of contaminative historical uses. The site is considered to be at low risk and so this can be attached as a condition requiring the submission of the report before any work commences on site.

With regards to potential noise issues, it is recommended that any noise from mechanical and electrical equipment should not exceed NR 35, as measured 1m from the façade of the nearest residential accommodation. Should Members be minded to grant approval of the application, a condition will be attached to ensure that noise levels of equipment are adequately controlled.

The Director of Leisure and Communities has provided comments through the Landscape Design Team. Further details of materials, planting and boundary treatments for the external amenity spaces are requested. Some design amendments to the building are suggested in order to improve the streetscape in a more positive manner.

## **OBSERVATIONS**

In accordance with the provisions of Section 25 of the Act the Committee is required to consider:

- a whether the proposals are consistent with the provisions of the development plan; and if not
- b whether an exception to the provisions of the development plan is justified by other material considerations.

## **The Development Plan**

The provisions of the development plan relevant to the determination of this application are specified in the Policy background section above.

Policy 1 of the Dundee Local Plan Review 2005 seeks to protect the amenity of local residents by virtue of design, layout, parking and traffic movement issues, noise or smell.

The proposal is designed to enhance the buildings within the site at present and due care and attention is paid to the design and massing of surrounding buildings. The applicant has provided detailed sunlight and daylight analyses to prove that there will be no loss of light or overshadowing for those residents immediately to the south of the development site. A number of parking spaces are provided within the development site, there is adequate on street parking available and public transport is readily available within a very short distance. Therefore it is considered that there are no issues regarding parking and traffic movement. If Members are minded to grant approval, a condition will be attached to ensure that any noise from mechanical or electrical equipment is controlled to protect the amenity of residents. It is concluded from the above that the proposal fully complies with Policy 1 of the Local Plan.

Policy 10 refers to non-mainstream residential uses. It is appreciated that with an ageing population, there may be more demand for non-mainstream types of housing. Therefore the principle of the proposal is supported. The proposal has to be assessed against a number of non-prescriptive criteria within the terms of the Policy.

The applicant provided detailed analyses to prove that there will be a very limited loss of light for adjacent neighbouring residents, particularly those to the south of the site. Artificial lighting is currently required within the flats and the proposed development will have no effect on this. The effect of the proposal will be limited to approximately 1m into the depth of the

properties. It is clear from the analyses that the proposed building does not overshadow the existing residential properties. As the proposed development is to the north, the existing tenement block actually overshadows the proposed site. The design of the building takes into account surrounding heights of buildings and uses materials which are sympathetic to the existing buildings within the site and surrounding buildings. Therefore the proposal complies with criteria A.

The site is within walking distance of Broughty Ferry District Centre and is also close to local bus routes and a train station. The proposal complies with criteria B.

There is a sheltered housing complex on the opposite side of St Vincent Street but there are no other care homes within close proximity. A need has been identified by the applicant for this use within the local area. Therefore criteria C is supported.

Seven car parking spaces are provided within the development site and there are on street parking spaces available. In addition the site is within close proximity to main bus routes. Therefore it is considered that the parking provided is adequate and complies with criteria D of Policy 10.

Two separate amenity space areas are located at the west side of the building. These will be appropriately screened and enclosed by railings and planting to ensure they are private and secure. It is considered that criteria E is met by the proposal.

The applicant, within the design aims of the proposal, has taken into consideration the scale, massing and materials of adjacent buildings and the proposal responds successfully to the surrounding environs.

Policy 59 of the Dundee Local Plan Review 2005 seeks to ensure that alternative uses for listed buildings are appropriate and that any adaptation is undertaken carefully and sensitively and have minimum impact on the character of the building. The proposal site is located within a residential area and so this use is considered appropriate. There is minimal demolition of the original building and the new extensions have been designed to cause minimum impact on the architectural and historic

character of the building. Therefore the proposal complies with this Policy.

Policy 61 of the Local Plan states that within Conservation Areas all development proposals will be expected to preserve or enhance the character of the surrounding area. It is considered that the design, massing and language of the surrounding buildings and streetscape has been taken into consideration through the design of the proposed extensions to the C(s) listed hall buildings. The scheme has been well-designed with carefully considered extensions that allow the main architectural features of the existing building to be preserved. In addition, the extensions are designed to harmonise as much as possible with the existing halls and surrounding buildings. Therefore it is considered that the character of the conservation area will be enhanced by the proposal.

Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 advises that in considering whether to grant planning permission for development which affects a listed building or its setting, a planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The proposal includes some demolition including Kippen Hall, at the south end of the site. This was a later brick-built extension to the halls and it is considered that it detracts from the historic and architectural character of the original building. Its removal will actually benefit the overall character and appearance of the original buildings. The proposed extensions to the listed halls complement the original building and form a modern element for a new use for the building. The height, massing and materials of surrounding buildings has been taken into account with the design of the proposal. Therefore it is considered that the proposal complies with section 59 of the Act.

Section 64 of the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997 advises that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas. It has been discussed previously that the proposal will blend in with the adjacent buildings and will not detract from the

character of the surrounding conservation area. Therefore the proposal complies with Section 64 of the Planning Act 1997.

It is concluded from the foregoing that the proposal complies with the provisions of the development plan and Section 64 of the Planning Act 1997.

## Other Material Considerations

The other material considerations to be taken into account are as follows:

Objections from Neighbours and Community Council

Seven letters of objection and an objection from Broughty Ferry Community Council were received and the issues raised are assessed below:

- 1 Adverse impact on residential amenity due to loss of light and overshadowing

The applicant has submitted daylight and sunlight analyses, which prove there will be no loss of daylight or overshadowing for adjacent residents. Therefore this objection is not supported.

- 2 Design and scale of new buildings are inappropriate

The design and scale of surrounding buildings has been taken into consideration by the applicant. The four storey element to the south is lower in height than the adjoining tenement building.

- 3 Demolition of listed building should not be allowed

The applicant has applied for listed building permission to demolish part of the listed building. The listed application is contained elsewhere within this Agenda and will be considered separately.

- 4 Overdevelopment of site

Taking into consideration the end user group for the proposed building, it is not considered that the site is being overdeveloped.

- 5 The use of materials for the new development does not fit in with the surrounding buildings or streetscape

The new build elements of the proposal are sympathetic to the design and materials of the

existing halls on the site. Natural slate and stone will be used, which are in keeping with the retained building and surrounding buildings. The palette of materials has been limited to maintain a clean and simple architectural language.

- 6 The roof design conflicts with the style of the surrounding buildings

The surrounding context clearly points towards a pitched roof solution. However, this would increase the overall height of the southern block. This was resolved by introducing a split in the section with a flat roof over the circulation space. The overall roof height is dictated by setting the minimum possible level for a habitable first floor level. This objection is therefore not supported.

- 7 Adverse impact on character of area

It is considered that the retention of the majority of the listed halls and the addition of the proposed feature extension on the south elevation enhance the character of the site and surrounding area.

Flood Risk - confirmation of the finished floor levels is requested due to the close proximity to a flood area. It is appreciated, however, that existing floor levels may be below the normal required levels and so some flexibility may be applied in these circumstances.

It is concluded from the foregoing that insufficient weight can be accorded to the material considerations such as to justify the refusal of planning permission. It is therefore recommended that planning permission be granted.

## Design

The design of the proposal is considered acceptable and will preserve and enhance the character of the area.

## CONCLUSION

It is concluded that the proposed development complies with Policies 1, 10 and 61 of the Dundee Local Plan Review 2005. The objections are not supported and there are no material considerations that would justify refusal of the application in these circumstances. Therefore the

application is recommended for APPROVAL.

## RECOMMENDATION

It is recommended that consent be GRANTED subject to the following conditions:

- 1 The development hereby permitted shall be commenced within five years from the date of this permission
- 2 Any noise from mechanical and electrical equipment should not exceed NR35, as measured 1m from the façade of the nearest residential accommodation
- 3 Details of a Preliminary Risk Assessment, for potential contamination of the site, shall be submitted to the Council for approval before any development is commenced and if approved the development shall be carried out only in full accordance with such approved details
- 4 Details of the proposed materials, planting and boundary treatments for the amenity spaces at the west end of the site and landscaping within the remainder of the site shall be submitted to the Council for approval before any development is commenced and if approved the development shall be carried out only in full accordance with such approved details
- 5 Details of proposed finishing materials for the new build extensions to St Aidans Halls shall be submitted to the Council for approval before any development is commenced and if approved the development shall be carried out only in full accordance with such approved details.
- 6 Details of the proposed boundary railings shall be submitted to the Council for approval before any development is commenced and if approved the development shall be carried out only in full accordance with such approved details

## Reasons

- 1 To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.

- 2 To protect the amenity of neighbouring residents from unacceptable noise levels.
- 3 To ensure that any potential contamination of the site is identified and mitigation measures put into place to deal with remediation of the site.
- 4 To ensure that the amenity spaces are private and secure and in the interests of the visual amenity of the area.
- 5 To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area.
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