

Perth and Kinross Council  
Development Control Committee – 20 January 2010  
Report of Handling by Development Quality Manager

**Refurbishment of internal layout and alterations at Aytoun Hall, 91-93 High Street, Auchterarder, PH3 1BJ**

Ref. No: 09/00755/LBC  
Ward No: N7 - Strathallan

**Summary**

This report recommends approval of the application for refurbishment of the internal layout and alterations at Aytoun Hall and the Giral House 91-93 High Street Auchterarder as the development is considered to comply with the provisions of the Development Plan and Listed Building Legislation.

**Background and Description**

- 1 This application is for alterations to Aytoun Hall a Category C's Listed Building and the Giral House a Category B Listed Building. The alterations include the removal of two dormers within the roof space, alteration to floor levels within the Giral House, the formation of openings in internal walls, the instillation of a lift access and new stairs. A separate planning application has been submitted which is assessed under application 09/00749/FLL.

**National Policy and Guidance**

- 2 The Scottish Government expresses its planning policies through The National Planning Framework, a series of National Planning Policy Guidelines (NPPG) which are currently being replaced by Scottish Planning Policy (SPP) and Planning Advice Notes (PAN) which are practice statements.
- 3 **Scottish Planning Policy 23: Planning and the Historic Environment:** - sets out the national planning policy for the historic environment and indicates how the planning system will contribute towards the delivery of Scottish Ministers' policies as set out in the current Scottish Historic Environment Policy (SHEP) produced by Historic Scotland.
- 4 **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.

**Development Plan**

- 5 The Development Plan for the area comprises the approved Perth and Kinross Structure Plan 2003 and the adopted Strathearn Area Local Plan 2001.

## **Perth and Kinross Structure Plan 2003**

The principal relevant policies are in summary: -

- 6 Sustainable Communities Policy 9:- which notes that Local Plans will ensure new development makes a positive contribution to the identity, character and quality of the built and historic environment; contributes to sustainable development through energy conservation, efficiency through design, site layout and where possible, the use of local materials.
- 7 Environment and Resources Policy 8:- the policy seeks to ensure that the rich and varied cultural heritage resources of Perth and Kinross are recognised, recorded, protected and enhanced as appropriate. It specifies that new development which would adversely affect Listed Buildings or their settings will not be permitted unless there is a proven public interest where social, economic or safety considerations outweigh the cultural interest in the site.

## **Strathearn Area Local Plan 2001**

The principal relevant policies are in summary: -

### **Policy 5: Design**

- 8 The Council will require high standards of design for all development in the Strathearn Area. In particular encouragement will be given to:
  - a) The use of appropriate high quality materials;
  - b) Innovative modern design incorporating energy efficient technology and materials;
  - c) Avoiding the use of extensive under-building on steeply sloping sites;
  - d) Ensuring that the proportions of any building are in keeping with its surroundings;
  - e) Ensuring that the development fits its location.

### **Policy 27: Listed Buildings**

- 9 There will be a presumption against planning consent for the demolition of Listed Buildings and a presumption in favour of consent for development involving the sympathetic restoration of a Listed Building or other buildings of architectural value. The setting of Listed Buildings will also be safeguarded.

### **Other Policies**

- 10 Historic Scotland's Technical Guidance Notes (formerly part of the Memorandum of Guidance on Listed Buildings and Conservation Areas 1998) is also applicable in the determination of the application.

## Site History

11 None detected.

## Consultations

- 12 Conservation Team No objection to application subject to conditions regarding the use of materials and details to match the existing original work; detailed design of new internal openings, stairs and stair lifts; and protection and safe temporary storage of items of retention and relocation on site
- 13 Historic Scotland – Listed Buildings The supporting conservation statement demonstrates that reasonable efforts have been made to retain as much of the historic character and fabric of the listed buildings as possible, whilst achieving the objectives of the refurbishment scheme. Historic Scotland therefore invites Perth and Kinross Council to submit the listed building application for ratification on behalf of the Scottish Ministers if approved

## Representations

- 14 Number of representations received: Two
- 15 Summary of issues raised by representation:

The letters received generally applaud the refurbishment of the building in principle. However, concerns are expressed regarding how the building is to be operated after refurbishment which refers to continued funding for the building. Concern is also expressed that roof lights are not being installed in the main hall. With regards to the long-term funding of the building I can confirm this is outwith the scope of this report which focuses and assess the acceptability of the listed building application. The comment regarding the roof lights is noted however the weight this concern carries is minimal and the scheme as proposed is considered to be acceptable as detailed below in the appraisal.

- 16 The main issue that relates to the listed building application and is of relevance is as follows:
- Access arrangement for the disabled.

This issue is addressed in the main body of the report.

### **Additional Statements Received:**

- 17 Environment Statement: - Not Required.
- 18 Screening Opinion: - Not Required.
- 19 Environmental Impact Assessment: - Not Required.
- 20 Appropriate Assessment: - Not Required.
- 21 Design Statement or Design and Access Statement: - Submitted.
- 22 Report on Impact or Potential Impact eg Flood Risk Assessment: - Not Required.

### **Appraisal**

#### Policy

- 23 Section 14 and 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requires the Council to have special regard to the desirability of preserving the building or its setting or any features of special architectural historic interest which it possesses. The Disability Discrimination Act 1995 (DDA) is also relevant to this application which aims to open up access to facilities in a way that provides (as far as possible) identical access for all.
- 24 In accordance with Regulation 5 of the Town and Country Planning (Listed Buildings and Buildings in Conservation Areas) (Scotland) Regulations 1987 the Listed Building application has been advertised in the Local Press, Edinburgh Gazette and a site notice was posted on the 29 May 2009.
- 25 The determining issues in this case are: - the statutory requirement to have special regard to the desirability of preserving the building and any features of special architectural or historic interest; the development plan policies of the local plan that relate to Listed Buildings, how the proposal relates to the Disability Discrimination Act, the relevant supplementary guidance and if there are any other material considerations which justify a departure from policy.
- 26 **Removal of dormer windows and access into the Giral House's attic space:**

The conservation statement submitted in support of the application highlights how the listed building has evolved overtime. This demonstrates that the dormer windows in the roof of the Giral House were later additions. One dormer window (West) has already been removed which effectively unbalances the appearance of the building. Taking this into account I do not consider the removal of the two additional dormers to be an issue as this will improve the symmetry and balance of the building. It should be noted that a suitable roofing

material to match the existing is required and this can be satisfactorily conditioned.

- 27 The attic space maintains the original room dimensions and features of merit. While access into this space is removed the features will be maintained.

28 **Change in floor levels to the Giral House to improve access:**

It should be noted that the Disability Discrimination Act 1995 was introduced with the aim of opening up access to facilities in a way that provides (as far as possible) identical access for all. This is an important piece of legislation to bear in mind when considering access however it is recognised that there are conflicts between legislation. In this case benefits must be balanced against the potential damage alterations may cause to the significance of the building itself. The general presumption is in favour of the preservation of listed buildings except where a convincing case can be made for their alteration. This principle is embodied in current listed building legislation and national policy guidance, which seeks to prevent unnecessary demolition and inappropriate or insensitive alteration.

- 29 Having had the opportunity to undertake a site visit and inspect the internals of the building it is considered that the conservation statement submitted following concerns expressed by the Conservation Section and Historic Scotland has mapped the features of merit within the building and provides a rationale for the approach taken to the refurbishment and access arrangements for the building. It is noted that the design has changed since its initial conception and I consider the approach to the internal floor levels now respects the building while improving access in line with the Disability Discrimination Act. However, further details regarding the stair lift is required which can be conditioned.

30 **Relocation of items of architectural merit:**

There are features of merit that are required to be moved to accommodate the internal alterations. This includes a Bronze relief and a fire place, these items are to be relocated once the refurbishment works have been undertaken while the timber stair to the snooker room is to be dismantled and put into storage. It is considered that conditions are required for the protection and storage of these items.

31 **Formation of internal openings between the Aytoun Hall and the Giral House:**

Openings to improve flow between the two buildings are proposed on the ground and first floor. The scheme has been slightly amended following discussions, which now ensures the retention of features of architectural merit and a reduction in the extent of slapping in the wall on the ground floor. This enables an appropriate circulation through the building while maintaining reference to the room's previous dimensions and the architectural features. However a condition should be included to ensure that architectural features are maintained when undertaking these works.

## **Legal Agreements Required**

32 A legal agreement is not required for this listed building application.

## **Direction by Scottish Ministers**

33 It is necessary to submit the application to Historic Scotland for ratification if the decision of this Committee is to approve the application.

## **Conclusion and Reasons for Recommendation**

34 Taking the above into account I consider that the proposed alterations and extension to Aytoun Hall comply with the requirements set out in legislation to preserve the special architectural historic interest which the building possesses. Additionally I do consider it to comply with Policy 27 of the Strathearn Area Local Plan 2001 which has a presumption in favour of consent for development involving the sympathetic restoration of Listed Buildings. I have taken account of advice contained within Historic Scotland's Technical Guidance Notes (formerly part of the Memorandum of Guidance on Listed Buildings and Conservation Areas 1998 and Scottish Governments Scottish Planning Policy 23 and find no reason to refuse the application. Overall the proposal is acceptable and it is recommended for approval subject to conditions.

## **Recommendation**

### **A Approve the application subject to the following conditions:**

1. The development shall be begun within a period of three years from the date of this consent.
2. The proposed development must be carried out in accordance with the approved plans herewith, unless otherwise provided for by conditions imposed on the planning consent.
3. Precautions shall be taken to secure and protect the interior features of Aytoun Hall and the Giral House 91-93 High Street, Auchterarder against accidental loss or damage, or theft during the building work. No such features shall be disturbed or removed temporarily or permanently except as indicated on the approved drawings or with prior approval in writing of the Council. As Planning Authority. Particular regard should be given to the doors, ornamental mouldings, the bronze relief and fireplaces.
4. All new partitions and openings shall be scribed around the existing ornamental mouldings all to the reasonable satisfaction of the Planning Authority.
5. The external surfaces (slate, doors and windows) shall not be constructed other than in materials/details/samples/colours which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Thereafter the scheme as approved shall be implemented all to the reasonable satisfaction of the Planning Authority.

6. Prior to the commencement of development further details on the proposed stair lift shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the scheme as approved shall be implemented all to the reasonable satisfaction of the Planning Authority.

**Reason:**

1. In accordance with the terms of Section 16 of the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997 as amended by Section 20 of the Planning etc. (Scotland) Act 2006.
2. To ensure that the development is carried out in accordance with the plans approved.
3. In order to safeguard the special architectural or historic character of the building and to ensure the Planning Authority maintains effective control.
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5. In order to safeguard the special architectural or historic character of the building.
6. In order to safeguard the special architectural or historic character of the building and to ensure the Planning Authority maintains effective control.

**B Procedural Notes**

If the decision of this Committee is to approve the application then consent shall not be issued until such time as the decision has been formally ratified by Historic Scotland.

**C Justification**

The development complies with the listed building legislation and policy 27 of the adopted Strathearn Area Local Plan.

Background Papers: 1 letter of representation  
Contact Officer: John Russell – Ext 75346  
Date: 22 December 2009

**Nick Brian**  
**Development Quality Manager**





Alterations to Ayoun Hall, High Street, Auchterarder



Scale : 1:1250

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