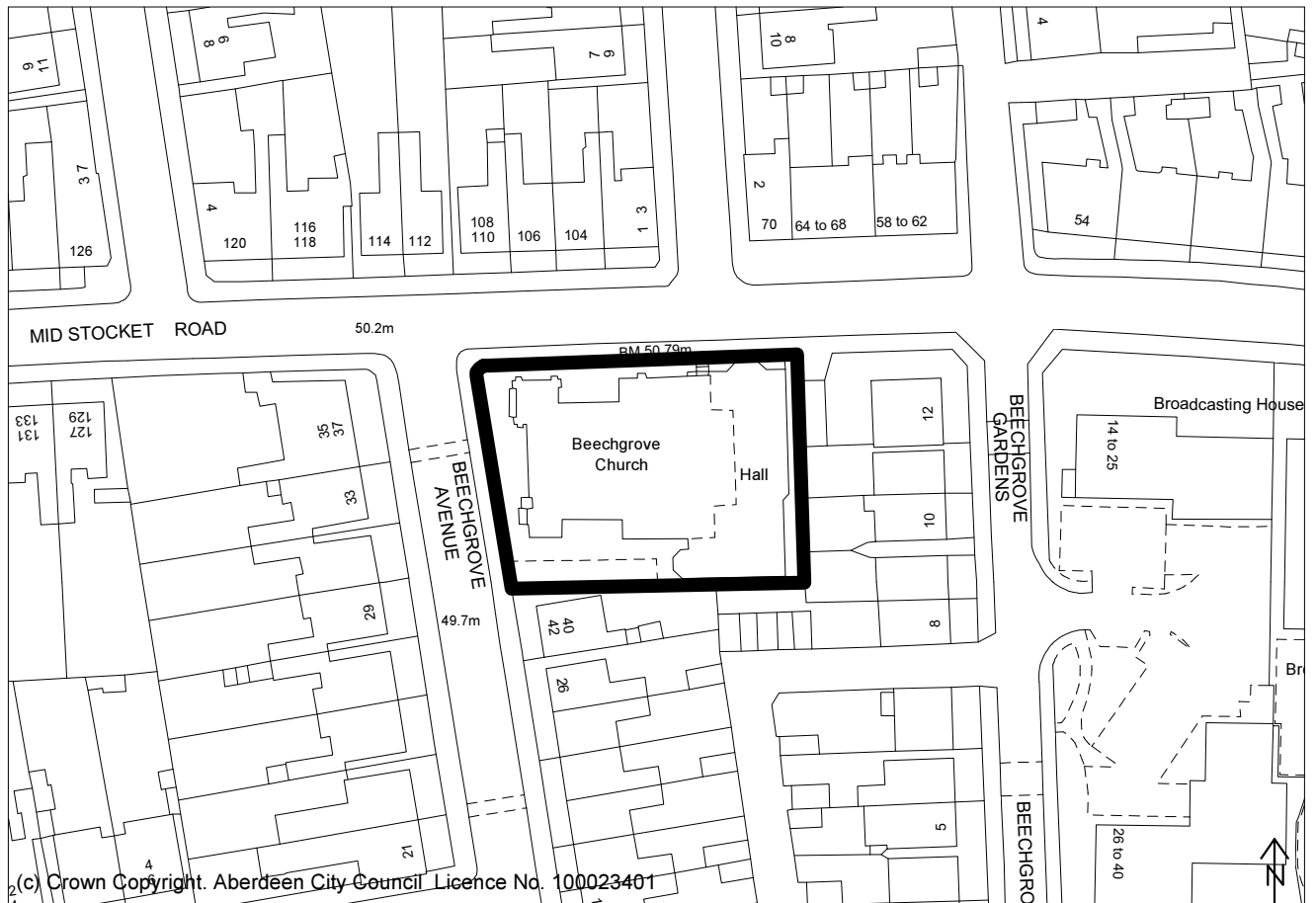


BEECHGROVE CHURCH, BEECHGROVE AVENUE, ABERDEEN

CONVERSION OF EXISTING CHURCH TO 18 NO. RESIDENTIAL UNITS AND PROVISION OF UNDERGROUND CAR PARKING

For: Denmack Ltd

Application Ref.	: P111463	Advert	:
Application Date	: 30/09/2011	Advertised on	:
Officer	: Garfield Prentice	Committee Date	: 14 June 2012
Ward: Midsocket/Rosemount (B Laing/F Forsyth)	Cornie/J	Community Council	: No comments



RECOMMENDATION: To approve the application, subject to conditions, but to withhold the issue of the consent document until the applicant has entered into appropriate arrangements with the Council for making the planning gain contribution negotiated between the two parties.

DESCRIPTION

The site is located on the south side of Midstocket Road, adjacent to the junction with Beechgrove Avenue and comprises Beechgrove Church; a category B listed building. The church, which dates from circa. 1900, is built in granite in the Norman-gothic style. It is T-shaped with clerestory, transepts and tall open tower in the north west corner. Attached to the east side is the church hall, which partially obscures the east elevation of the church. An octagonal baptistery adjoins the south west corner of the church. The main entrance is on the west elevation, facing onto Beechgrove Avenue. Internally the church comprises a nave and side aisles divided by pink granite pointed-arched arcades on polished granite columns and galleries in the north and south transepts and west of the nave. Many of the windows include stained glass. The church is surrounded mostly by hard surfaces, with low granite walls on both road frontages and higher walls on the east and south boundaries. There is a small landscaped area next to the south boundary which contains a copper beech tree. Adjoining the site are residential properties on Beechgrove Avenue and Beechgrove Gardens. There are also residences and commercial premises on the opposite side of Midstocket Road. To the south side of the church is a lane that leads from Beechgrove Gardens, which provides access to the rear of the properties fronting the west side of that street and east side of Beechgrove Avenue.

HISTORY

Planning permission (reference P090415) and listed building consent (reference P090420) for the conversion of the church to 15 flats were granted respectively on 21 December 2010 and 27 May 2010. Construction works on implementing part of these permissions have commenced.

Planning permission (reference P100693) and listed building consent (reference P100698) for the formation of a vehicular entrance ramp off Midstocket Road and underground car park were granted respectively on 4 August 2010 and 21 September 2010. Construction works on implementing these permissions have commenced.

PROPOSAL

Planning permission is sought for the conversion of the church to 18 residential units, the provision of car parking the majority of which would be within the existing basement of the building and the remainder at surface level next to the building. When submitted originally, permission was sought for all of the parking to be in the basement but that could not be achieved in a satisfactory manner. Accordingly, the parking was amended to show two parking spaces at surface level.

It is proposed to provide 18 residential units. The conversion to residential use would be carried out within the existing fabric of the church and hall. The nave and transepts would be divided horizontally to create 4 floors of accommodation arranged around a centrally positioned T-shaped atrium that extends up through the building to the roof. One residential unit would be self-contained with its own entrance.

All other properties could be accessed from either Midstocket Road or through a door on the main church frontage to Beechgrove Avenue. A new entrance for disabled access would be formed on the north elevation. The main entrance would lead through a timber-panelled porch into a large communal area and the atrium. Access to the upper floors would be by both stairs and a lift, leading to toughened glass walkways set within steel frames.

Where possible the existing windows would be retained. However, most of the windows would be replaced with purpose made timber framed windows with lead feature surrounds. It is proposed to remove the main east window, which incorporates Fleming stained glass, and relocate it to the recently re-named Midstocket Church, formerly St. Ninians on Midstocket Road. The existing doors would be replaced with timber framed units with glazed panels. The roof of the church would be completely re-slatted using salvaged slates and second hand slates to match. A number of rooflights would be installed in the roof of the church and hall.

It is proposed to form a car park in the basement of the church with a capacity to park 16 cars. A further 2 parking spaces would be provided at the side of the church, accessed off Beechgrove Avenue, giving a total of 18 parking spaces. The vehicular entrance to the basement car park would be from Midstocket Road and has already been partly constructed. An automatic sliding gate would be installed at the entrance into the car park. Communal wheeled bins would be located on the Midstocket Road frontage.

A planning application for listed building consent has also been lodged with the Council (application ref. 111464).

REASON FOR REFERRAL TO SUB-COMMITTEE

This application has been referred to the Sub-committee because the proposal attracted six or more letters of objection from the public and thus falls outwith the scope of the Council's Scheme of Delegation.

CONSULTATIONS

ROADS SECTION – The provision of 18 parking spaces is satisfactory. Swept path analysis is required to demonstrate that vehicles would be able to manoeuvre in and out of the parking spaces. The access arrangements are satisfactory. Parking restrictions in the form of double yellow lines would have to be put in place at the proposed access to protect vehicle visibility. The cost of implementing such measures would be met by the applicant.

ENVIRONMENTAL HEALTH – No comments received

COMMUNITY COUNCIL – No comments received

REPRESENTATIONS

A total of 7 letters objection have been received. 4 objections were received for the proposal as originally submitted. The objections relate to the following matters.

- Concerns regarding the lack of on-site car parking would result in overspill parking on adjacent streets
- The loss of existing on-street parking
- The location of the entrance to the basement car park is unacceptable
- Concerns at the loss of original windows
- Potential overlooking from windows and proposed rooflights of the adjacent residential properties

Comments also include a suggestion for changes to the timing of the residents only parking restrictions in the locality, which is not a relevant planning matter and concerns that construction works have already begun. However, the works currently being undertaken relate to the previous planning permission.

Following amendments being made to the car parking arrangements neighbours were re-notified. A further 4 representations were received, of which 3 were from people who had not previously commented on the proposal. The objections raised this time relate to the provision of the two surface level car parking spaces, which would result in the loss of on-street parking and would cause a road safety hazard. Concern has also been expressed that an existing tree could be lost.

PLANNING POLICY

Aberdeen Local Development Plan

Policy D1 – Architecture and Placemaking

To ensure high standards of design, new development must be designed with due consideration for its context and make a positive contribution to its setting.

Policy D5 – Built Heritage

Proposals affecting Conservation Areas or Listed Buildings will only be permitted if they comply with Scottish Planning Policy.

Policy H1 – Residential Areas

Within existing residential areas proposals for new residential development will be approved in principle if it does not constitute over development and does not have an unacceptable impact on the character or amenity of the surrounding area.

National Policy and Guidance

Scottish Planning Policy (SPP) is the statement of Scottish Government policy on land use planning and includes the Scottish Government's core principles for the operation of the planning system and concise subject planning policies. The subject planning policies relating to the historic environment and housing are relevant material considerations. The Scottish Historic Environment Policy (SHEP) is also a relevant material consideration.

EVALUATION

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that where, in making any determination under the planning acts, regard is to be had to the provisions of the development plan and that determination shall be made in accordance with the plan, so far as material to the application, unless material considerations indicate otherwise.

The principle of converting the church to residential use has been established through the planning permission for 15 flats which was granted on 21 December 2010. Some elements of that permission are currently being implemented. A significant proportion of the details of that proposal are identical to the current proposal. Beechgrove Church is a Category B listed building that has lain vacant for some time. It was considered unlikely that it would be brought back into use as a church and consequently, in order to ensure the long term maintenance of the building it was considered that residential use was an appropriate alternative use. Accordingly, this application requires to be considered and determined in terms of the specific details of the proposed conversion to form 18 flats, any impacts that may occur in relation to residential amenity and the car parking and access arrangements.

The conversion of redundant listed buildings is encouraged provided the new uses would not destroy or seriously harm the essential character or setting of the building. There is general support in SPP for the conversion of the church to a suitable use that would protect the listed buildings character and integrity and ensure its long-term maintenance and retention. The conversion of the church involves mostly works to the interior of the building. The only external manifestations of the proposal would be installation of new windows and doors, the formation of the access ramp down to and the opening into the basement car park, the surface level parking spaces and the installation of a number of rooflights. The proposed external alterations to the church are acceptable in that the overall character and appearance of the building would be retained and thus complies with Policy D1 of the local development plan and the guidance set out in SPP and SHEP. The alterations to the interior of the building are assessed in the application for listed building consent.

It is considered that the church can accommodate 18 flats without adversely impacting on the residential amenity of the surrounding area. The proposal would not result in any significant loss of privacy. Existing window openings would be used. Where appropriate, stained glass would be installed in the lower level of the windows in order to reduce potential overlooking of adjacent properties. Notwithstanding, the proposal would result in some overlooking, which in an urban area is almost inevitable. However, the degree of overlooking would not be of sufficient magnitude to warrant refusal of the application.

The number of car parking spaces would be significantly below the Council's adopted parking standards. A total of 36 parking spaces should be provided, i.e. 2 parking spaces per flat. However, the applicant proposes only 18 parking spaces. This is exactly the same ratio of parking spaces per flat as approved under the previous planning permission (15 parking spaces for 15 flats) and thus is considered to be acceptable.

It would be physically impossible to provide 36 parking spaces on the site. The church occupies most of the site area, allowing only for a small number of spaces to be provided at surface level. The extent of the underground car park would be as much as could reasonably be achieved without potentially threatening the stability of the church. A parking survey submitted as part of the previous planning application showed that there is sufficient free on-street parking available on nearby streets to accommodate the shortfall of on-site parking. It is considered that the level of on-site parking would not cause significant problems for existing residents nor raise road safety concerns arising from indiscriminate overspill parking on the adjacent streets. Given that there is spare capacity for parking on-street, that the proposed parking ratio has been accepted for the previous scheme, that it would be physically impossible to meet the parking standards and that it is vital for the long-term retention and maintenance of the listed building that it is brought back into the use, it is considered that the proposed amount of car parking is acceptable. It is also considered that reducing the number of flats to any significant degree in order to improve the parking ratio is not realistic as due to the very deep footprint of the building and the constraints of the listed building, it would result in very large and impractical residential units.

The proposed vehicular entrance off Midstocket Road to provide access to the basement car park has already been approved and has been partly constructed and thus the principle of the entrance cannot be considered as part of the determination of this application. The only factor to be considered is the additional traffic that would use the entrance. The level of additional traffic arising from the extra parking spaces would not be significant. The roads officer has not raised any concerns in relation to road safety or public safety. There is the potential for some noise disturbance from a gate at the entrance to the underground car park, although it would unlikely be significant.

The provision of the two surface car parking at the side of the church would not require the removal of a copper beech tree. Although the tree is not protected and thus the owner of the Church could remove it at any time without the need to obtain the consent of the Council, it is understood that the owner intends to retain the tree. The provision of the parking spaces in this area raises no residential amenity, road safety or public safety concerns.

There are no details of cycle storage facilities. It is recommended that a condition is attached to the planning permission requiring the submission of appropriate details to the Council for approval.

It is considered that to preserve the setting and appearance of the listed building railings should be reinstated along the two frontages of the site. Accordingly, it is recommended that a condition is attached to the planning permission requiring the submission of appropriate details to the Council for approval.

The applicant has agreed to make a planning gain contribution, which would be used for improvements to community facilities, sports and recreation facilities and libraries.

In conclusion, the conversion of the church to residential use has already been established through the previous planning permission, which has been implemented in part. The number of proposed residential units is appropriate to ensure that the character of the building and the residential amenity of the area are both retained. Sufficient on-site car parking would be provided and the proposal raises no road safety or public safety concerns. The vehicular access off Midsocket Road has already been formed under the previous planning permission granted in August 2010. The proposal complies with Policies H1, D1 and D5 of the Aberdeen Local Development Plan and generally meets the guidance set out in SPP and SHEP.

RECOMMENDATION

To approve the application, subject to conditions, but to withhold the issue of the consent document until the applicant has entered into appropriate arrangements with the Council for making the planning gain contribution negotiated between the two parties.

REASONS FOR RECOMMENDATION

The conversion of the church to residential use has already been established through the previous planning permission, which has been implemented in part. The number of proposed residential units is appropriate to ensure that the character of the building and the residential amenity of the area are both retained. Sufficient on-site car parking would be provided and the proposal raises no road safety or public safety concerns. The vehicular access off Midsocket Road has already been formed under the previous planning permission granted in August 2010. The proposal complies with Policies H1, D1 and D5 of the Aberdeen Local Development Plan and generally meets the guidance set out in Scottish Planning Policy and Scottish Historic Environment Policy.

it is recommended that approval is granted with the following condition(s):

(1) that the development hereby approved shall not be occupied unless the car parking areas hereby granted planning permission have been constructed, drained, laid-out and demarcated in accordance with Drawing Nos. 04/K and 03-1/K of the plans hereby approved or such other drawing as may subsequently be submitted and approved in writing by the planning authority. Such areas shall not thereafter be used for any other purpose other than the purpose of the parking of cars ancillary to the development and use thereby granted approval - in the interests of public safety and the free flow of traffic.

(2) that no development pursuant to the planning permission hereby approved shall be carried out unless there has been submitted to and approved in writing for the purpose by the planning authority a further detailed scheme of landscaping for the site, which scheme shall include indications of all existing trees and landscaped areas on the land, and details of any to be retained, together with measures for their protection in the course of development, and the proposed areas of tree/shrub planting including details of numbers, densities, locations, species, sizes and stage of maturity at planting - in the interests of the amenity of the area.

(3) that all planting, seeding and turfing comprised in the approved scheme of landscaping shall be carried out in the first planting season following the completion of the development and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a size and species similar to those originally required to be planted, or in accordance with such other scheme as may be submitted to and approved in writing for the purpose by the planning authority - in the interests of the amenity of the area.

(4) that, except as the Planning Authority may otherwise agree in writing, no construction or demolition work shall take place:

(a) outwith the hours of 7.00 am to 7.00 pm Mondays to Fridays;

(b) outwith the hours of 9.00 am to 4.00 pm Saturdays; or

(c) at any time on Sundays,

except (on all days) for works inaudible outwith the application site boundary. [For the avoidance of doubt, this would generally allow internal finishing work, but not the use of machinery] - in the interests of residential amenity.

(5) that no development shall take place unless there has been submitted to and agreed in writing by the planning authority a noise assessment by a suitably qualified person that ascertains the Noise Exposure Category (NEC) (Pan 56, Annex 1) that the residential units will fall within. The assessment shall identify the likely sources of noise and indicate the measures to be taken to protect the amenity of the residents from all such sources of noise that have been identified. An adequate level of protection will be commensurate with Category A levels (PAN 56, Sections 50/51) and the advice given in BS8233:1999 - Sound Insulation and Noise Reduction in Buildings. Thereafter none of the residential units shall be occupied unless the noise attenuation measures have been implemented - in order to provide adequate protection from noise disturbance and in compliance with Planning Advice Note PAN 56.

(6) That no development shall take place unless a scheme detailing cycle storage provision has been submitted to, and approved in writing by the planning authority, and thereafter none of the residential units shall be occupied unless the said scheme has been implemented in full - in the interests of encouraging more sustainable modes of travel.

(7) that no development shall take place unless there has been submitted to and approved in writing a scheme for the provision of railings along the site frontages with Beechgrove Avenue and Midstocket Road and thereafter none of the residential units hereby approved shall be occupied unless the railings have been installed - in the interests of visual amenity and to preserve the setting of the listed building.

(8) that no development shall take place unless a programme for the revision of the traffic order for the necessary alterations to the controlled parking on Beechgrove Avenue required to form the access to the car park and for the alterations to waiting restrictions on Midstocket Road deemed necessary to implement the development hereby approved have been submitted to and

agreed in writing by the planning authority and thereafter the said measures shall be implemented prior to first occupation of the development or any other such timescale agreed by the planning authority, the total cost of all works and the revision of the traffic order being met by the applicant - in order to facilitate access to the development and in the interests of road safety.

(10) that no development shall take place unless a scheme for the protection of the tree on the site next to the Beechgrove Avenue frontage during construction works has been submitted to, and approved in writing by, the Planning Authority and any such scheme as may have been approved has been implemented - in order to ensure adequate protection for the trees on site during the construction of the development.

(11) that no materials, supplies, plant, machinery, spoil, changes in ground levels or construction activities shall be permitted within the protected areas specified in the aforementioned scheme of tree protection without the written consent of the Planning Authority and no fire shall be lit in a position where the flames could extend to within 5 metres of foliage, branches or trunks - in order to ensure adequate protection for the trees on site during the construction of the development.

Dr Margaret Bochel

Head of Planning and Sustainable Development.