

**SCOTTISH BORDERS COUNCIL**

**PLANNING AND BUILDING STANDARDS COMMITTEE**

**3 SEPTEMBER 2018**

**APPLICATION FOR PLANNING PERMISSION**

<b>ITEM:</b>	<b>REFERENCE NUMBER:</b> 18/00309/LBC
<b>OFFICER:</b>	Carlos Clarke
<b>WARD:</b>	Galashiels and District
<b>PROPOSAL:</b>	Demolition of Church and Church Hall
<b>SITE:</b>	St. Aidans Church And Church Hall, Gala Park Galashiels
<b>APPLICANT:</b>	Book Development Ltd
<b>AGENT:</b>	Camerons Ltd

**SITE DESCRIPTION**

The site is located between Gala Park to the north-east, and St Andrew Street to the south-west, and comprises a Category B Listed 19<sup>th</sup> Century Church on its north-east side, and a hall (listed with the church) on its south-west side built in the 1939. The Church is of Gothic design, with a tower and octagonal spire on its north-east corner, and is built in whinstone, with sandstone dressings, and a tall, steep pitched slated roof. Internally the building retains its symmetrical plan form, which includes a curved timber gallery on cast iron columns, barrel vaulted timber Jacobean panelled roof with hammer beams on stone corbels.

The church faces 2 ½ storey properties, and is flanked by the same either side, mainly residential in use. It backs onto the gardens of residential properties fronting St Andrew Street. The hall is flanked by residential properties to the south-east, with a public car park to the north-west, and mainly 2 ½ storey properties face the site from the south side of St Andrew Street.

**PROPOSED DEVELOPMENT**

The application seeks Listed Building Consent for demolition of the former church building and hall, albeit consent has already been granted previously for the demolition of the hall (see Planning History below)

**PLANNING HISTORY**

Planning Permission (08/01209/FUL) and Listed Building Consent (08/01208/LBC) applications for the demolition of the church hall, the conversion of the church to eleven residential flats, and the erection of fifteen flats on the site of the hall, were withdrawn in May 2015.

Planning Permission (14/00750/FUL) and Listed Building Consent (14/00751/LBC) applications were approved for the demolition of the church hall, conversion of the church to eleven residential flats, and the erection of five houses on the site of the hall, were approved in October 2015, subject to conditions and a legal agreement. The conditions included a requirement for a maintenance scheme for the communal fabric of the church and a scheme for the salvage of its fabric and fittings. The legal agreement required a renovation schedule to be agreed for making the church wind and watertight before the hall is demolished.

A Listed Building Consent (16/00860/LBC) application for demolition of the church was withdrawn in August 2016.

## **REPRESENTATION SUMMARY**

Thirteen representations have been received in response to the application, all of which can be viewed in full on *Public Access*. The key concerns raised are:

- Loss of building of such beauty, at a time when Galashiels is attracting visitors and tourists. It is surely important to retain local heritage. The building was built in 1880 and is a prominent skyline feature. It has been unfortunately left to decay. It has a magnificent frontage, with rose window and tower with spire and is a very impressive landmark. The frontage with tower and spire must be retained. The building should be given to an organisation that is capable of giving it another use, and there should be no demolition without proper consideration of giving it to a not-for-profit organisation capable of obtaining grant aid. There should be a thorough independent assessment of the potential for retaining the frontage. Alternative uses should be energetically explored.
- There are other derelict sites just as a suitable for affordable housing
- The building retains war memorials in its vestibule that were to be transferred to Trinity Church when the church closed. These remain and the unwritten agreement to transfer them was not followed through. These are far too important to be lost and must be retained, taken out intact and transferred to the church or other organisation.

## **APPLICANT'S SUPPORTING INFORMATION**

Supporting information was submitted with the application initially and, during the course of the application, additional information was submitted. This comprises:

- Building survey – March 2016
- Feasibility Cost Plan June 2016
- Demolition Method Statement October 2014
- Valuation Statement October 2014
- Inspection Report February 2016
- Supporting Statement July 2016 – Updated March 2018 and again in June 2018
- Costs for Façade retention – Options 1, 2 and 3 - August 2018

## **DEVELOPMENT PLAN POLICIES:**

Local Development Plan 2016

EP7 Listed Buildings

EP1 International Nature Conservation Sites and Protected Species

## **OTHER PLANNING CONSIDERATIONS:**

Scottish Planning Policy 2014

Historic Environment Scotland – Managing Change in the Historic Environment Guidance Note - Demolition 2010

Historic Environment Scotland – Policy Statement – June 2016

## **CONSULTATION RESPONSES:**

### Scottish Borders Council Consultees

#### **Heritage and Design Officer:**

Commented on the application initially, and on additional supporting information (including updated costings).

Historic Environment Scotland 2016 Policy Statement requires this assessment to consider one of the criteria of Paragraph 3.48 to be fully satisfied. Whilst there is no doubt that in particular the former church makes a positive contribution to the skyline of Galashiels within its prominent spire, its condition continues to be of concern (there is a Heras fence around the property) and the building has been on National Buildings at Risk Register since 2009. His assessment focuses on part (d) of paragraph 3.48, which requires that the repair of the building is not economically viable, and that it has been appropriately marketed. These policy requirements are considered in turn:

#### A That the repair of the building is not economically viable

The applicant has submitted a cost estimate provided by Marsh and Riddell (initially based on October 2014 prices) for the conversion costs of 11 flats in the former church and the provision of 5 new town houses on the site of the former church hall.

The overall costs were estimated, at that time, to total just about £3 million (including professional fees, VAT and development contributions). The development costs submitted did not seem to include either finance costs or developers profit, both of which are legitimate costs. The estimated sales return was shown as a range of between £2,500,000 and £2,570,000. This shows a large funding gap, which would be larger still with the finance costs and profits added. The development costs also provide a break down between the new build and conversion costs and anticipated values. Based on the current costs submitted this actually appears to show that the costs of the new build are slightly higher than the anticipated sales receipts for these, so the new build elements cannot be considered as enabling works. The HDO requested that the applicants submit up to date figures for both the development works and the estimated sales figures and clarify any recent inquiries for support grants from the public sector.

#### B That the property has been marketed at a price reflecting its location and condition to potential restoring purchasers for a reasonable period:

He was involved in discussion before the recent marketing campaign concerning the appropriate price, the need to market the whole of the site and agreement, in conjunction with HES, that a reasonable period of times meant a minimum period of six months. The marketing started at the end of August 2017 and ran until the end of February 2018, so a period of six months exposure has been achieved. The property featured on the landing page of the national "Buildings at Risk" website for a number of months to increase exposure to the marketing campaign and the web information was updated with contact details of the selling agent. The HDO also contacted a number of potential developers direct to draw their attention to the fact that the property was being marketed. The feedback he received was that they could not make the project stack up.

He is content that the applicant has fulfilled the requirements to market the property for a suitable period of time and that the selling agent has adequately recorded the responses to the marketing campaign which has not resulted in any formal interest in acquiring the building as a restoring purchaser. Based on the initial submission information, he was

mindful to consider that the policy criteria had been met to support the application for demolition. He did, however, subsequently comment on additional information as follows:

#### Case for demolition

The applicants have added an update on the projected development costs and projected income, and included a potential grant income of £500k towards repair work at the church which he considers to be possible although no formal application to Historic Environment Scotland has actually been submitted. Crucially however, even with the inclusion of some grant support, the projected gap (deficit) between income and expenditure (which now includes financing costs etc) has increased to a range of £637k - £712k. He is, therefore, satisfied that the application has satisfactorily demonstrated that the retention and conversion of the former church and church hall is simply not economically viable.

#### Façade retention:

The applicant has also responded to a question raised by Historic Environment Scotland in its initial response when it accepted that overall retention of the church looks to be not possible but raised the question of the potential retention of the façade and tower only and building a new development to the rear. Whilst the applicants have included in their revised supporting statement some figures within the text which appears to also show this not to be economically viable.

He was broadly content that the new build values and building costs can be taken to be similar to the conversion/repair costs and using the same numbers of residential units, but sought additional information. He also requested an additional set of figures which showed how many new residential units would be required in order to close the gap financially for a scheme involving the retention of the façade.

#### Comments on additional costing information including different façade retention options:

Subsequent to the above comments, and following submission of updated cost information, the HDO advises that he is content that the applicant has demonstrated that neither a conversion nor a façade scheme with a similar number of residential units is financially viable – both showing a deficit of more than £0.5million even with a HES grant. He notes that the applicant has also provided information showing that 24 units would be needed behind a retained façade to break even (a small profit is indicated if the units realise top sales values). These included developer contributions and £0.5million HES grant aid. Whilst such a scheme may make the retention financially viable, there is no doubt that there is simply not the capacity to accommodate this number of units – even at 6 units per floor, this would require 4 stories on what is a tight site, compounded by real overlooking issues and need for car parking. The number of units would, in his view, represent a considerable overdevelopment on the site.

He, therefore, concludes that the applicant has explored all options required and, with some regret, confirms that the applicant has met the ‘test’ required for the Council to grant consent to demolish.

Conditions are recommended, covering recording of the building; a scheme for the disposal of internal monuments/plaques – in particular, the war memorials should be made available to the wider community for future display; and, a scheme for the disposal of materials arising from the demolition, including slate, stone and glazing and internal fittings. A quantity of stone should be retained for the potential incorporation into the street frontage of the site’s redevelopment.

## **Ecology Officer:**

### Bats

The bat survey found no evidence of current or historic bat roosts within the structure proposed for development. The survey states that the roofs of both buildings proposed for development are in “quite good” condition. This is in contrast to the building survey which states that roofs and stonework are in poor condition in numerous locations. The detailed inspection also describes roof slates as in “very poor condition and rotted”, indicating potential opportunities for bats in gaps within the roof. However, more information is provided in the building survey that internally, collapse of roofs and other areas is due to water ingress. These damp conditions are unlikely to be suitable for roosting bats. One dusk survey was undertaken. No evidence of bats roosting in the buildings proposed for development was observed. Evidence of roosts in adjacent houses was found and bats were observed commuting across and foraging within the site. A licence is not required. The Ecology Officer recommends an informative note covering actions required of the applicant/developer if bats are found

### Breeding birds

The survey comments on finding “no bird nests that were active”. It is unclear whether any historic nesting signs were observed. A condition preventing works during the bird breeding season unless compliant with a species protection plan is recommended.

### Statutory Consultees

#### **Historic Environment Scotland:**

Were consulted on the initial application, and on additional information provided in the June 2018 updated supporting statement.

Their initial comments noted that they had objected to the previous application in 2016. A major issue then was that previous marketing was not adequate. Their guidance allows justification if there is both a financial deficit for its repair and reuse and there is none available to retain it. The building was subsequently placed on the open market for six months, resulting in no significant interest and, critically, they understand that no offers had been submitted. They were conscious that the asking price appeared to be optimistic, and they believed that any offer for the site, however low, should be seriously entertained. However, they also recognised that the marketing process was undertaken in a more open and transparent manner, and has genuinely attempted to attract a restoring purchaser. They also noted that the building is on the Buildings at Risk Register and the Council has been active in trying to use local contacts to generate interest.

They suggested that Council investigate areas including – having more detail of the reasons why those viewing the building did not take forward their interest (e.g. was it the asking price, were they aware of potential grant aid, did they consider more invasive schemes). Additionally, the financial figures are a few years old now and having these updated and fully assessed should help the Council define more precisely the financial position e.g. possible uplift in the residential market in Galashiels from the impact of the reinstated rail line and propose Tapestry for example. They haven't reviewed the figures in detail and assume this will be carried out by the Council. Any such valuation should consider possible grant aid from HES.

They also considered it useful to investigate whether more invasive schemes that could retain elements of the building may be possible. The building is such an important

townscape element it is possible it could remain listed even if the only the tower and frontage remain, with new work behind. They suggested the Council analyse these approaches. Having said that, they are conscious that an effort has been made to find a restoring purchaser. The subsequent absence of any serious interest leaves them inclined to believe that the retention of the building may not be viable. They consider that the application does not now raise significant national issues and do not object. Their strong desire is, however, to retain the building in some form.

If demolition is justified, salvage of the more significant elements of the building should be investigated. This may even include retention of the tower and frontage gable, salvage of stone, slates, joinery etc. and war memorials may survive in the building and there is noted interest in safeguarding these. As the application involves demolition, if consent is granted, there is a separate requirement to allow HES the opportunity to carry out recording. The applicants are strongly encouraged to complete and return a referral form for this purpose.

In a subsequent letter (and in response to updated figures and supporting statement June 2018), they advise that they are now concentrating on that approach rather than reverting to discussions regarding the retention and conversion of the entire building which they concede is unlikely to be possible.

Regarding façade retention, they note the cost for retaining the front façade and spire of the listed building is estimated at £315,000, (no engineers' reports or costings are attached). It may be worth investigating whether VAT at 20% would be payable on what is essentially a façade retention scheme for substantial demolition and significant new build. They also note that they have not been approached for a potential Building Repair Grant. Despite what is noted in the supporting statement, grant aid may be available for the repair element within a conversion scheme.

They note the statement suggests increasing the number of new-build flats on the site of the church hall – but not, inexplicably, on the church site itself. Instead, a paper cost assessment provided for the church site simply follows the layout and envelope of the former conversion scheme. The loss of the entirety of the church with the exception of the front elevation facing Gala Park, would free-up a considerable development plot where, subject to permission, new development could take place. They do not consider it is appropriate to simply rely on the layouts and designs from the church conversion scheme, for what would be a completely new design and new assessment. It appears no exercise has been undertaken to see what level of development could take place behind a retained facade. They would assume that any new-build for the church site would a) provide more units and b) could be designed with a freer-hand, resulting in more cost-effective planned units than the necessarily constrained church conversion scheme. Figures in the statement suggesting a new-build and retained façade scheme would be more expensive than a conversion would seem unusual, challenging the orthodoxy of such projects. They would expect, through experience, that the façade retention and new build option would be at a much-reduced build-cost than conversion, with the potential for additional units also affecting the economics.

They are not convinced that the updated statement justifies the loss of the church's façade and that the difference between retention and loss does not appear insurmountable. The cost difference may be met by increased new development on the church site. The significant streetscape presence and character of the listed building could conceivably be largely retained by a façade retention scheme, and thus it could remain a listed building. They urge the Council to work with the developer to try to retain the façade and incorporate it successfully within the overall development. This may mean a significant new-build development behind, but the retention of the significant historic façade would lead to a more characterful and successful overall scheme immediately adjacent the Council's Conservation Area.

Planning authorities are expected to treat their comments as a material consideration, and this advice should be taken into account in their decision making. Their view is that the proposals do not raise historic environment issues of national significance and therefore they do not object. However, their decision not to object should not be taken as support for the proposals. This application should be determined in accordance with national and local policy on listed building/conservation area consent, together with related policy guidance.

### **Architectural Heritage Society of Scotland:**

The applicants continue to ignore the basic structural repairs that have permitted the church to deteriorate to its existing condition, from a known condition on acquisition of requiring urgent repairs. They continue to urge a rapid change from this position of, essentially, waiting until parts of the building fall down on their own.

St Aidan's Church is B-listed, and makes a significant contribution to the Gala Park area, particularly its tower and fine North façade with an impressive rose window. The sides and adjacent church hall to the rear are progressively simpler, and existing planning permission allows for demolition of the hall as part of a wider development scheme.

It is misleading to use the proposed economics of the approved scheme (which is not to be developed) to justify complete demolition, when an alternative scheme taking into account the current condition of the church may present a viable means of preserving the most important elements of the structure. Such a scheme would be likely to involve more radical interventions into the listed building, rather than the over-complex suggestion to first restore the existing church then convert it.

The HES listing notes that the finest portion of the building is the north frontage – the tower, the attached bell-ringers' chamber, and the gable with the rose window. An emphasis on preservation of the most significant features would give a great deal of flexibility for more creative thinking than has been displayed thus far.

They note the marketing of the property, and further note that the brochure makes no mention of the condition or likely works necessary to the building, ensuring that prospective buyers would be viewing it as a usable building in its present condition instead of something requiring considerable intervention. This is likely to have discouraged many buyers while not clearly making the creative development opportunity it presents visible to more imaginative purchasers.

They do not accept that the property is entirely beyond economic retention in part. They encourage the existing owners to look for solutions that will balance retention of the most significant features of the building with their stated desire to offer a high quality residential development on the site.

Accordingly, the AHSS object.

**Galashiels Community Council:** No reply

### Other Consultees

None

## **KEY PLANNING ISSUES:**

Whether or not the proposed demolition of this Category B Listed Building is justified, having accounted for material factors, including the economic viability of its repair and reuse and the extent to which it has been marketed to prospective restoring purchasers

## **ASSESSMENT OF APPLICATION:**

### *Principle*

Policy EP7 of the Local Development Plan 2016 requires that demolition of a Listed Building not be permitted unless there are overriding economic, environmental, social or practical reasons. It must be demonstrated that every effort has been made to continue the current use or secure a suitable new use. This is underpinned by Scottish Planning Policy 2014 which also seeks to safeguard Listed Buildings from demolition. The LDP states that demolition should be in accordance with the Scottish Historic Environment Policy (now the Historic Environment Scotland Policy Statement June 2016), HES Guidance Notes (i.e. Demolition 2010 – this also requires that all reasonable efforts be made to retain listed Buildings), and consultation with relevant heritage bodies.

HES's Policy Statement requires at paragraph 3.42 (duplicated in paragraph 3.48) that four criteria should be applied. The first three require that the building not be of special architectural or historic interest; or that it is incapable of repair; or that its demolition is essential to delivering overriding economic or community benefits. In this case, the building is of recognised interest; it is not physically incapable of repair; and, though there would be environmental and social benefits in removing a derelict building and redeveloping the site, these are not, in themselves, overriding.

Therefore, the principal criterion that needs to be satisfied is that the “the repair of the building is not economically viable and that it has been marketed at a price reflecting its location and condition to potential restoring purchasers for a reasonable period.” These matters are considered below. However, it need first be noted that the demolition of the hall has already been approved. The principle of demolishing the hall is not, therefore, required to be reassessed here. The considerations below apply to whether the church building itself should be demolished:

### The repair of the building is not economically viable

The application is supported by surveys of the building which estimate that the building is beyond the point of economic repair. These date from February and March 2016. Though these are two years old, there is no dispute amongst consultees that the building is in considerable need of substantial repair in order to render it suitable for conversion for any new use. How it arrived at this point is not relevant as to what needs to be done to render it structurally suitable and safe for a new use in the future.

As regards costs of conversion, the application initially included a detailed breakdown of construction costs for the approved development (14/00750/FUL and 14/00751/LBC) from June 2016. This results in total costs of £3 million against a possible sales return of between £2.5 and £2.57million (2014 valuation). However, these costs and values were subsequently revised to account for current 2018 values and all known costs, including finance and marketing costs. When all costs are considered at 2018 rates, and even when accounting for a speculative £500,000 in grant aid, the approved development would still lead to a net loss of between £638-713,000. This represents the applicant's development, however, not a

generic scheme though it does represent a very significant shortfall in funding. It also did not consider a more invasive scheme that may involve retention of the façade, tower and spire.

The applicant, therefore, submitted further information which suggests that the cost of retaining the façade for the same 16 unit scheme would be more than a conversion. The speculative scheme would potentially result in a loss of between £969,000 to over £1million, even with a £500,000 grant. This is presumably down to the additional costs for supporting walls etc that would not be required if the main structure of the church were retained completely under a conversion. Though VAT would be applied to the façade retention, at £40,000 this is a relatively small element of the scheme.

Rather than solely focus on the consented development, the applicants have also produced figures to demonstrate what level of development would be required to result in a profitable scheme. Albeit the alternative scenarios use their own template of unit sizes and construction costs, they do represent useful comparisons. Their assessments conclude that, to make a profit of up to £67,000 (assuming best prices for property sales), 29 units would be required on the site. This would comprise 24 flats behind the church façade, with 5 townhouses on the site of the hall, compared with the consented scheme for 11 converted flats and 5 townhouses. This would also include obligations towards affordable housing and development contributions, but include a £500,000 repairs grant. The applicants have also explored a fourth scenario where, if most standard development contributions were deleted (excepting play area contributions), and the scheme is instead delivered as a privately funded affordable housing scheme, a 29 unit development would still not make a profit, even at best prices.

The scheme that was withdrawn under 08/01209/FUL comprised 15 new-build flats and 11 converted flats. That was certainly on the margins of acceptability. While a 29 unit scheme may not appear a significant increase above that, it would push the very limits of an already constrained site. Factors that would need accounted for would include the fact that the position of the façade being retained would limit the potential for development behind it; that at least 29 car parking spaces would be required; as well as bin and cycle storage. The visual impact of the development would also have to be suited to the townscape and the façade itself, as well as maintain a reasonable relationship with neighbouring residential properties in terms of light, outlook and privacy. Albeit some of the costs associated with these hypothetical developments, such as the costs for sales/marketing, could be scrutinised further, the information does suggest in simple terms that, to retain the façade and return a profitable private development, a very high density of development would be required, much greater than the consented 16 unit scheme.

The applicants have also advised that contact has been made with Registered Social Landlords regarding delivering a publicly funded affordable housing scheme while retaining the façade, but it is understood that the liability of doing so would discourage RSLs from developing the site in this manner.

Ultimately, the submissions on behalf of the applicants do not explore all possible options for developing the site in a way which retains the facade, including trying different unit sizes and exploring possible layouts and massing possibilities across the entire church and hall site. The construction cost information supporting the facadism developments is also provided in simple terms, albeit this is derived from the detailed calculations used for the original conversion scheme. Ultimately, though, it is reasonable to conclude that the applicants have demonstrated that, to produce a development on this site which has a realistic prospect of being economically viable would require that the church be demolished with the exception of its façade, tower and spire, and that a substantial (and likely inappropriate) level of development will be required behind it and on the site of the hall. There will also be the resulting burden on prospective buyers/tenants to ensure that the façade, tower and spire

are maintained in the long term. While their retention may well add to the appeal of the site, their long term upkeep will also need factored into the saleability of any residential development on the site. It is considered that this element of the criterion has been satisfied.

It has been marketed at a price reflecting its location and condition to potential restoring purchasers for a reasonable period

The site was marketed between August 2017 and February 2018 for offers in the region of £80,000. This included direct marketing to developers and agents and on various websites. The application submission includes a brochure from the selling agents. Fifteen enquiries were apparently received, and several viewings resulted, but no serious interest. The general feedback was apparently that buyers were put off by the cost to maintain a Listed Building of this scale given its current condition. There is no evidence that the cost to purchase put prospective buyers off and, indeed, the purchase cost is relatively small when compared with costs to repair the building.

The extent of marketing has been generally accepted by HES and our Heritage and Design Officer. It represents a six month period of attempting to sell the church and church hall (rather than separately, since that could result in the hall being sold separately, further constraining the church's potential for future redevelopment). Our HDO also notes that the building was placed on the landing page of the website for the Buildings and Risk Register, and that he tried his own contacts to attempt to generate interest in the building. While criticism of the marketing from consultees is noted, it is not possible to establish whether the prospective buyers had fully established the potential costs and benefits of developing the site, whether by means of conversion or other, more invasive development, nor whether they had investigated sources of grant aid or other funding sources.

What has transpired, however, is that the property was marketed for sale in an open, transparent manner (as HES notes), and this led to no serious interest being generated from other parties for any type of use, whether residential or any other form of use that might have required less costs to achieve. It is, therefore, concluded that this element of the criterion has been satisfied.

### *Ecology*

Though considerations in this Listed Building Consent application are limited to matters related to the special architectural and historic interest of the Listed Building, the Council has an obligation under habitat regulations to ensure that the potential effect of the development on European Protected Species, (including bats and breeding birds) has been accounted for. In this case, the application is supported by a bat and bird survey which identifies that no signs were found to show any use of the building by bats, albeit there is bat activity in the area. No active bird nests were found. As our Ecology Officer notes, a bat derogation license is not required, though a precautionary condition for birds is recommended (as the survey makes no reference to historic nesting signs). A condition and informative note can cover these issues.

### *Amenity and traffic*

The proposed demolition does not require Planning Permission, just Listed Building Consent. Therefore, the above assessment is limited to matters related to the special architectural and historic interest of the Listed Building and associated ecological implications. Amenity impacts, including noise and dust, are significant issues but are matters for the developers and their contractors to ensure are managed in compliance with relevant guidance separately. Nuisance arising from such works can be regulated by the Council's Environmental Health Service where necessary. The management of traffic on the

public road will also be for the developers and their contractors to address, and this is regulated by the Council as Roads Authority. These matters can be drawn to the applicant's attention in Informative notes.

#### Retention of features

War memorials are understood to remain within the building. A condition can secure their retention (and that of any other internal displays of architectural or historic interest) and that a scheme is delivered which ensures they are provided to an appropriate organisation capable of suitably displaying them. Boundary walls on the site alongside the church are not identified for demolition, albeit they may require alteration/removal depending on the detail of any redevelopment. A condition can, however, secure their retention at this stage. A condition can also secure a general salvage scheme of other materials, with the aim of ensuring that any new development maximises the incorporation of materials from the demolished building. As HES note, the applicants are required to notify them of the proposed demolition to give them the opportunity to record the building. That notwithstanding, it is considered reasonable for a condition to require that the applicants also carry out basic recording of the building.

#### **CONCLUSION**

The demolition of the hall has already been approved under a previous consent, so a further case to justify its demolition is not necessary. The former church building is, however, a significant structure, which has local historic value and is of significant townscape value to this part of the town. Its special architectural and historic interest is not in question. However, its condition has deteriorated in recent years to the extent that substantial intervention will be required to provide it with a future use and, at best, that is likely to be limited to retention of its façade, tower and spire. However, accounting for the costs involved, and the value that could be accrued from development of the site, including that of the hall, the development would appear likely to be unviable. While the case is not conclusively proven against the prospect of any development on this site not being physically and financially possible, all the evidence to date suggests that, to render a residential development economically viable, would require a substantial amount of development, potentially more than the site can comfortably accommodate. Furthermore, the applicants have marketed the property to a sufficient extent and yielded no serious interest from prospective purchasers. It is, therefore, considered reasonable to conclude that, having accounted for policy guidance and the input of consultees, the demolition of the former church should be approved.

#### **RECOMMENDATION BY CHIEF PLANNING OFFICER:**

I recommend the application is approved subject to the following conditions and informatives

1. The development hereby permitted shall be begun before the expiry of three years from the date of this permission.  
Reason: To comply with the provisions of section 16 of the Town and Country Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997, as amended.
2. The approved demolition is limited to the church and church hall buildings identified in red on both the approved site plan and elevation drawings, and does not include the demolition of boundary walls not identified in red on both plan and drawings, unless already consented for removal under 14/00751/LBC  
Reason: To safeguard features of special architectural and historic interest

3. No demolition shall commence until a scheme for the disposal of the materials from the demolition, including stone, slate and glazing (including painted glass) and internal fabric and fittings (including but not limited to pews) has been submitted for the approval of the Planning Authority. The scheme shall include specifications for a quantity of stone to be retained for incorporation into the street frontage of the redevelopment of the site. The demolition shall only proceed in accordance with the approved scheme

Reason: To safeguard features of special architectural and historic interest

4. No demolition shall commence until a scheme for the disposal of internal monuments/plaques/war memorials (including means of removal and off-site display) has been submitted for the approval of the Planning Authority. The demolition shall only proceed in accordance with the approved scheme

Reason: To safeguard features of special architectural and historic interest

5. No demolition shall commence until the applicant has secured and implemented an approved Written Scheme of Investigation (method statement) outlining a Historic Building Photographic Survey. The requirements of this are:

- i) The Written Scheme of Investigation shall be submitted to the Planning Authority for approval prior to commencement of the survey.
- ii) Initial survey results shall be submitted to the Planning Authority for approval.
- iii) The final results shall be submitted in the form of a Historic Building Photographic Survey Report within one month following completion of all on-site survey works
- iv) The report, including any documentation, plans, elevations, sketches and photographs shall be submitted in a .pdf format. The digital photographic archive shall be included on a CD.
- v) Once approved the archive and report shall also be reported to the National Record of the Historic Environment (NRHE) hosted by Historic Environment Scotland (HES) and the Planning Authority's Historic Environment Record (HER) within three months of on-site survey completion.

Reason: To preserve by record a building of architectural and historical interest.

6. No demolition shall be undertaken during the breeding bird season (March to September), unless in strict compliance with a Species Protection Plan for breeding birds, that shall be submitted to the Planning Authority for approval, prior to commencement of demolition.

Reason: To limit the potential for adverse impacts on breeding birds

#### Informatives

1. It is the responsibility of the developers and their contractors to ensure that appropriate traffic management measures are in place for the public road during demolition. Liaison with the Council's road network officer is recommended.
2. In order to limit the effects of the demolition works on the amenity of neighbouring properties, the developers and their contractors should ensure that all works are carried out in accordance with BS5228.
3. In the event that bats are discovered following the commencement of works, works should stop immediately and the developer must contact SNH (tel: 01896-756652) for further guidance. Works can only recommence by following any guidance given by SNH. The developer and all contractors to be made aware of accepted standard procedures of working with bats at [www.bats.org.uk](http://www.bats.org.uk). Further information and articles available at:

[http://www.bats.org.uk/pages/bats\\_and\\_buildings.html](http://www.bats.org.uk/pages/bats_and_buildings.html)  
[http://www.bats.org.uk/pages/existing\\_buildings.html](http://www.bats.org.uk/pages/existing_buildings.html)  
[http://www.bats.org.uk/publications\\_download.php/1404/Bats\\_Trees.pdf](http://www.bats.org.uk/publications_download.php/1404/Bats_Trees.pdf)

4. There is a separate requirement through section 7 of the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997 (as amended) to allow Historic Environment Scotland the opportunity to carry out recording of the building. To avoid any unnecessary delay in the case of consent being granted, applicants are strongly encouraged to complete and return the Consent Application Referral Form found at [www.historicenvironment.scot/about-us/what-we-do/survey-and-recording/threatened-buildings-survey-programme](http://www.historicenvironment.scot/about-us/what-we-do/survey-and-recording/threatened-buildings-survey-programme).

#### DRAWING NUMBERS

Location plan 9254.2.12  
Site plan 9154.2.10  
Elevations 9154.2.11

#### **Approved by**

Name	Designation	Signature
Ian Aikman	Chief Planning Officer	

The original version of this report has been signed by the Chief Planning Officer and the signed copy has been retained by the Council.

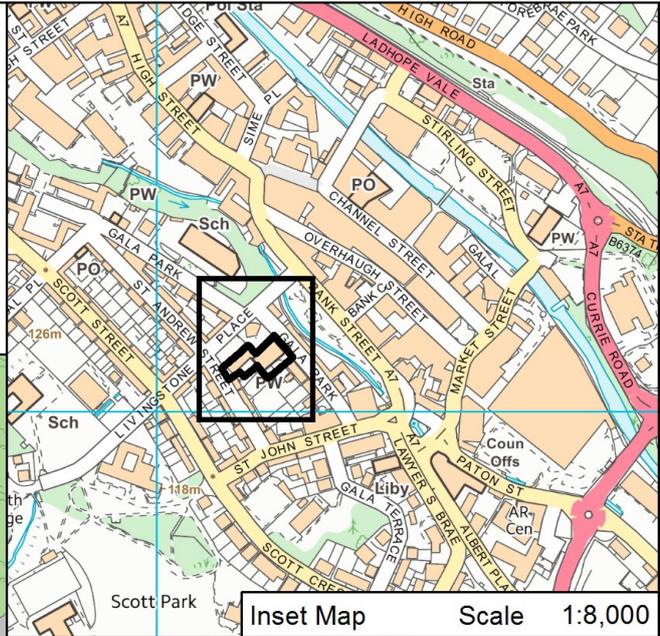
#### **Author(s)**

Name	Designation
Carlos Clarke	Team Leader Development Management

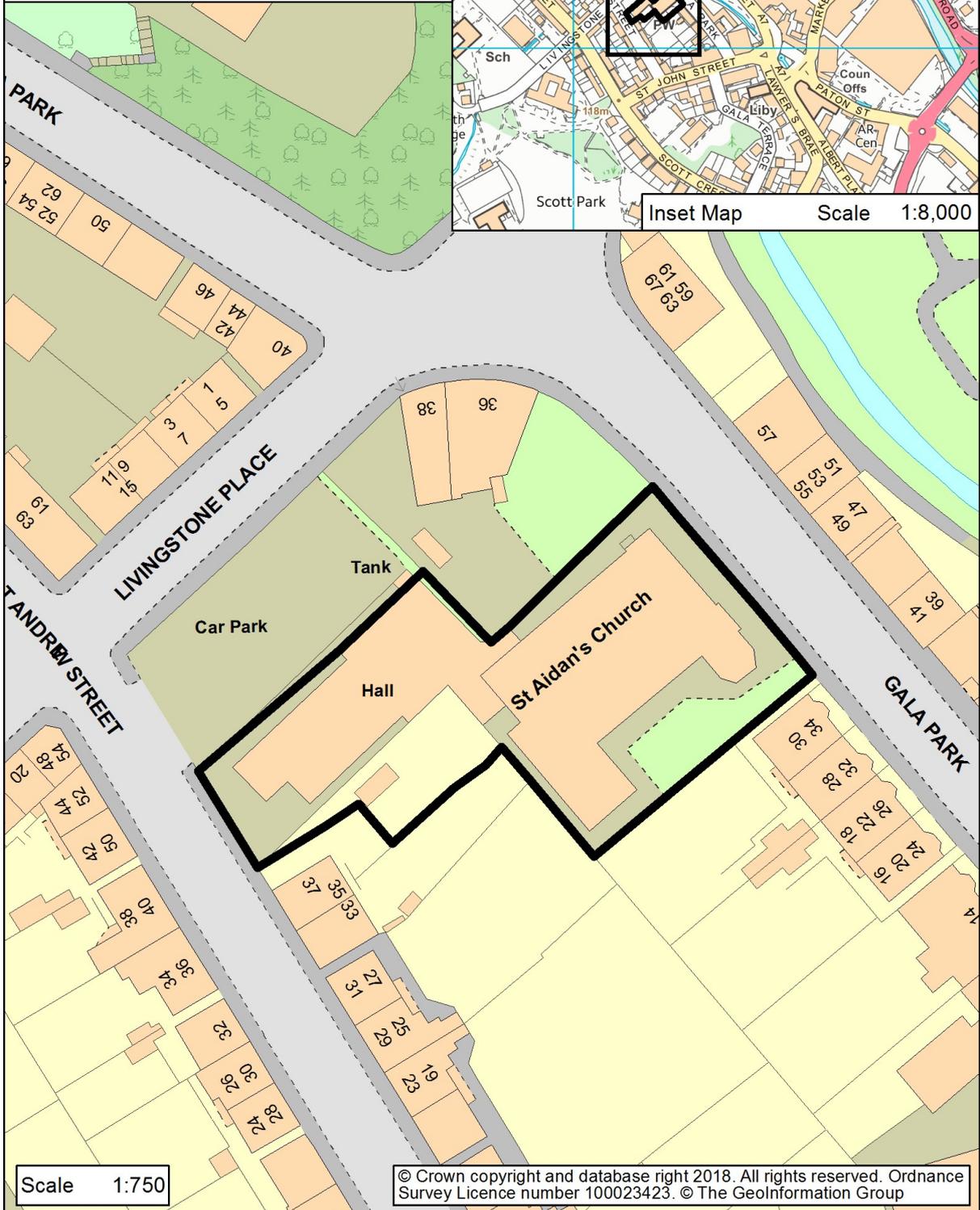


18/00309/LBC

St. Aidans Church And Church Hall  
Gala Park  
Galashiels



Inset Map Scale 1:8,000



Scale 1:750