

**FALKIRK COUNCIL**

**Subject:** RE-PAINTING OF SHOP FRONTAGE AND INSTALLATION OF SAFETY GRILLES (RETROSPECTIVE) AT 39 NORTH STREET, BO'NESS EH51 0AQ FOR FALKIRK COUNCIL - P/11/0707/FUL

**Meeting:** PLANNING COMMITTEE

**Date:** 1 February 2012

**Author:** DIRECTOR OF DEVELOPMENT SERVICES

**Local Members:** Ward - Bo'ness and Blackness  
Councillor Sandy Turner  
Councillor Ann Ritchie  
Councillor Adrian Mahoney

**Community Council:** Bo'ness

**Case Officer:** David Paterson (Planning Officer) Ext. 4757

**1. DESCRIPTION OF PROPOSAL / SITE LOCATION**

- 1.1 The application site comprises the ground floor shop premises of the property at 39 North Street, Bo'ness situated between North Street and Scotland's Close. The building is a category B Listed Building, located within the Bo'ness Town Centre Conservation Area.
- 1.2 Permission is sought for re-painting of the shopfront in light French Grey colour and installation of Ratho Byre Forge designed security grilles to match grilles installed at other locations in the Bo'ness Town Centre Conservation Area.

**2. REASON FOR COMMITTEE CONSIDERATION**

- 2.1 The building which constitutes the application site is owned by Falkirk Council. The application has been made by Falkirk Council. Under the Council's amended Scheme of Delegation, such applications require consideration by the Planning Committee.

**3. SITE HISTORY**

- 3.1 An application for Listed Building Consent (P/11/0708/LBC) for the development has also been submitted. A recommendation to grant Listed Building Consent subject to formal clearance from Historic Scotland was presented to Members under the Scheme of Delegation on the weekly list on 16 December 2011 and has not been called in.

#### **4. CONSULTATIONS**

- 4.1 The Roads Development Unit has raised no objections.

#### **5. COMMUNITY COUNCIL**

- 5.1 No comments have been received from Bo'ness Community Council.

#### **6. PUBLIC REPRESENTATION**

- 6.1 No representations have been received.

#### **7. DETAILED APPRAISAL**

Under section 25 of the Town and Country Planning (Scotland) Act 1997, as amended, the determination of planning applications for local and major developments shall be made in accordance with the Development Plan unless material considerations indicate otherwise.

Accordingly,

##### **7a The Development Plan**

###### ***Falkirk Council Structure Plan***

- 7a.1 No strategic issues are raised by the proposed development.

###### ***Falkirk Council Local Plan***

- 7a.2 Policy EQ11 "Shopfronts" states:-

- “(1) The design of new or altered shopfronts should be well-proportioned and sympathetic to the character of the building of which they are part. The retention and restoration of existing traditional shopfront features such as stallrisers, pilasters, cornices, friezes and mouldings will be required; and*
- (2) External security measures should not detract from the character of the building or the area in general. Where such measures are necessary, there will a presumption in favour of perforated shutters and grilles, as opposed to solid roller shutters.”*

- 7a.3 The proposed development respects the design and character of the original shopfront and the Town Centre Conservation Area setting.

- 7a.4 The proposed development accords with Policy EQ11.

7a.5 Policy EQ12 "Conservation Area" states:-

*"The Council will protect the historic character and visual amenity of each Conservation Area. Accordingly:*

- (1) The Council will prepare Character Appraisals of individual Conservation Areas and, on the basis of these, will review existing boundaries and Article 4 Directions, prepare detailed design guidance as appropriate, and draw up enhancement schemes as resources permit;*
- (2) New development in Conservation Areas, including extensions and alterations to existing buildings, will only be permitted where it preserves or enhances the character of the area, with particular reference to the historic pattern and density of development; its setting; the architectural style, massing and materials of buildings; landscape treatments; and boundary features;*
- (3) Demolition of buildings within Conservation Areas will not be permitted unless they make no material contribution to the character and appearance of the area. Where demolition is proposed, the considerations set out in Section 4.26 of the Memorandum or Guidance should be adhered to; and*
- (4) Replacement windows, doors, roofs, rainwater goods, boundary treatments and other features on unlisted buildings in Conservation Areas should preserve or enhance the character of the Conservation Area in terms of appearance, detailing and materials."*

7a.6 The proposed development preserves and enhances the character and streetscape and the historic pattern of the Conservation Area.

7a.7 The proposed development accords with Policy EQ12.

7a.8 Policy EQ14 "Listed Buildings" states:-

*"The Council will seek to preserve the character and appearance of listed buildings. Accordingly:*

- (1) Development affecting a listed building, or its setting, shall preserve the building or its setting, or any features of special architectural or historic interest which it possesses. The layout, design, materials, scale, siting and use of any development shall be appropriate to the character and appearance of the listed building and its setting.*
- (2) Proposals for the total or substantial demolition of a listed building will only be supported where it is demonstrated beyond reasonable doubt that every effort has been exerted by all concerned to find practical ways of keeping it. This will be demonstrated by inclusion of evidence to the Council that the building:*
  - has been actively marketed at a reasonable price and for a period reflecting its location, condition and possible viable uses without finding a purchaser; and*
  - is incapable of physical repair and re-use through the submission and verification of a thorough structural condition report; and*
- (3) RCAHMS shall be formally notified of all proposals to demolish listed buildings to enable features to be recorded."*

7a.9 The proposed development respects and enhances the character and appearance of the Listed Building and its setting in terms of design and finishes.

7a.10 The proposed development accords with Policy EQ14.

7a.11 Accordingly, the proposed development accords with the Development Plan.

## **7b Material Considerations**

- 7b.1 A material consideration in respect of the application is the Falkirk Council Supplementary Planning Guidance Note "Shopfronts".

### ***Falkirk Council Supplementary Planning Guidance Note "Shopfronts"***

- 7b.2 It is considered that the proposed development reflects the design of the original shopfront and respects the Conservation Area setting, improving the streetscape.
- 7b.3 The proposed development accords with the Supplementary Planning Guidance Note.

## **7c Conclusion**

- 7c.1 The proposed development accords with the Development Plan and the Falkirk Council Supplementary Planning Guidance Note "Shopfronts".
- 7c.2 The proposed development respects the design and character of the original building and preserves and enhances the appearance of the Listed Building and its setting in the Bo'ness Town Centre Conservation Area.

## **8. RECOMMENDATION**

- 8.1 It is therefore recommended that the Committee grant planning permission.

### **Informative(s):-**

- (1) For the avoidance of doubt, the plan(s) to which this consent refers bear our online reference number(s) 01, 02 and 03.
- (2) The applicant is advised that the development requires Listed Building Consent.

**Pp**

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**Director of Development Services**

**Date:** 24 January 2012

### **LIST OF BACKGROUND PAPERS**

1. Falkirk Council Structure Plan.
2. Falkirk Council Local Plan.
3. Falkirk Council Supplementary Planning Guidance Note "Shopfronts".

4. Application for Listed Building Consent P/11/0708/LBC.

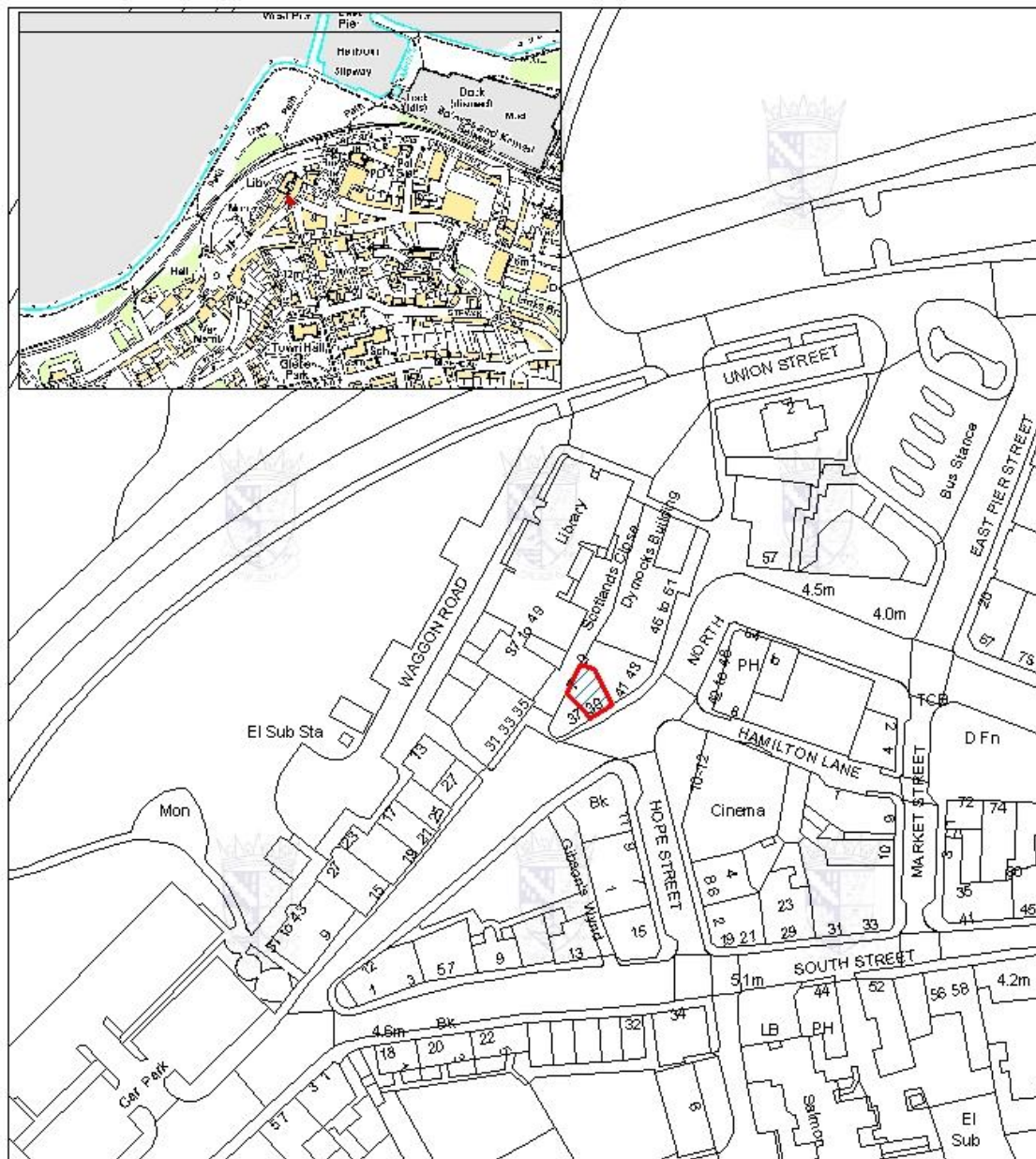
Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504757 and ask for David Paterson, Planning Officer.

# Planning Committee

## Planning Application Location Plan

**P/11/0707/FUL**

This plan is for location purposes only. It should not be interpreted as an exact representation of the application site.



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