

FALKIRK COUNCIL

Subject: DISPLAY OF NON-ILLUMINATED ADVERTISEMENTS AT 95 – 107
NORTH STREET, BO'NESS, FOR FALKIRK COUNCIL - P/09/0606/ADV
Meeting: PLANNING COMMITTEE
Date: 4 NOVEMBER 2009
Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Member: Councillor John Constable
Councillor Adrian Mahoney

Community Council: Bo'ness

Case Officer: Julie Seidel (Planning Officer), ext 4880

1. DESCRIPTION OF PROPOSAL / SITE LOCATION

- 1.1 The application site consists of a terrace of 4 shops, comprising a baby clothes shop, hot food takeaway, optician and a hair salon with residential flatted dwellings to the upper first and second floors. The application site is within the Bo'ness Town Centre Outstanding Conservation Area. The buildings are unlisted.
- 1.2 With the assistance of Townscape Heritage Initiative (THI) funding, Falkirk Council and partners are actively progressing a regeneration project within the Bo'ness Town Centre Outstanding Conservation Area. THI grants are available for a range of projects to repair the external fabric of buildings and enhance the town centre. This application is an example of a THI project, for the display of non-illuminated advertisements.
- 1.3 The application takes the following form:
- 'The Baby Box', 95 North Street – New marine ply signwritten fascia board;
 - 'Stav's', 99 North Street – New cast resin fascia signage;
 - 'Opticians', 101 North Street – New painted sign; and
 - 'Indulgence', 107 North Street – New cast resin sign.

2. REASON FOR COMMITTEE CONSIDERATION

- 2.1 The application is referred for determination by the Planning Committee because Falkirk Council is the applicant. Under the Council's amended Scheme of Delegation, such applications require consideration by the Planning Committee.

3. SITE HISTORY

- 3.1 P/09/0605/FUL - proposed repairs to terrace of shopfronts including replacement of two shopfronts, removal of paint from stone and re- painting of shopfronts – pending consideration.
- 3.2 P/08/0166/VRC - alteration to condition to extend hours of opening for hot food takeaway – granted on 6 November 2008.
- 3.3 F/2003/0102 - alteration to condition to extend hours of opening for hot food takeaway – refused on 1 May 2003.
- 3.4 F/2001/0783 - change of use of bakery to hot food takeaway and installation of flue – granted on 21 March 2002.
- 3.5 F/97/0205 - installation of a 1.3 metre satellite antenna (detailed) – granted on 26 May 1997.
- 3.6 F/97/0013 - change of use and alterations to shop to form betting office (detailed) – granted on 24 February 1997.

4. CONSULTATIONS

- 4.1 The Roads Development Unit has no objections to the proposal.

5. COMMUNITY COUNCIL

- 5.1 Bo'ness Community Council have not made any representation.

6. PUBLIC REPRESENTATION

- 6.1 The application was advertised in the local press on 11 September 2009. No letters of representation have been received.

7. DETAILED APPRAISAL

Under section 25 of the Town and Country Planning (Scotland) Act 1997, as amended, the determination of applications for Advertisement Consent 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 Policy ECON.4 'Falkirk Town Centre and the District Centres' states:

“The Council will seek to maintain and enhance the principal role of Falkirk Town Centre and the local service role of the District Centres. Accordingly:

- (1) priority will be given to the expansion of Falkirk and Grangemouth Town Centres as provided for in Policy ECON.1, and opportunities for consolidation and expansion which may arise in the other District Centres, commensurate with their local role;*
- (2) co-ordinated strategies to improve the environment, management and accessibility of Falkirk Town Centre and the District Centres will be developed; and*
- (3) In Grangemouth and Bo'ness the proposals will be compatible with the petrochemical and chemical industries.”*

7a.2 The application will improve the environment of Bo'ness as a District Centre by replacing inappropriate signage to a standard befitting the Outstanding Conservation Area. The application accords with the terms of the above policy.

7a.3 Policy ENV.5 'Built Environment and Heritage' states:

“Important Archaeological Sites, Scheduled Ancient Monuments, Listed Buildings, Conservation Areas, sites included in the Inventory of Historic Gardens and Designed Landscapes and trees will be protected and enhanced. Local Plans will identify these assets and incorporate policies appropriate to the significance of the area or individual feature, including the following range of measures:

- (1) Measures to ensure that assets are maintained in a good state of repair.*
- (2) Promotion of appropriate new uses for buildings.*
- (3) Promoting sensitive interpretation of heritage assets.*
- (4) Protection of the assets and their setting from inappropriate development.*
- (5) Where development would damage, or result in the loss of the asset, that provision is made for adequate recording of the current status of the asset.”*
- (6) Reviewing the boundaries of areas to ensure their continuing relevance.”*

7a.4 The application will protect and enhance the Outstanding Conservation Area through the sensitive interpretation of heritage assets and the removal of inappropriate signage. The application accords with the terms of the above policy.

Bo'ness Local Plan

7a.5 Policy BNS 3 'Environmental Quality' states:

“The District Council will seek to protect and enhance the built and natural environment of Bo'ness, through the exercise of its development control powers and through active support for programmes of environmental improvement.”

7a.6 The application is an example of a project promoted through the THI for repair to the external fabric of buildings and enhancement of the town centre. The proposal would protect and enhance the built environment of Bo'ness and as such accords with the terms of the above policy.

7a.7 Policy BNS 39 'Conservation Areas' states:

“The visual amenity and character of each Conservation Area including its setting, buildings, open space and trees will be protected. In general, favourable consideration will only be given to proposals which make a positive contribution to the appearance of the Conservation Area and are compatible with the existing character in terms of size, scale and design.”

7a.8 The application makes a positive contribution to the appearance of the Outstanding Conservation Area and is compatible with the size, scale and design of traditional signage found in the wider Conservation Area. The application accords with the above policy.

7a.9 Policy BNS 40 'Bo'ness Town Conservation Area' states:

“Within Bo'ness Town Centre Conservation Area, the District Council will seek to preserve and enhance its character through:

- (i) promoting and supporting an improvement in the condition and appearance of buildings and shopfronts in the terms of the Bo'ness Enhancement Grant Scheme;*
- (ii) requiring that proposals for the alteration and replacement of any shopfront accord with the Council's guidance note entitled “Design Advice on Shop Fronts in Conservation Areas”;*
and
- (iii) requiring that the design, scale and setting of any advertisement be sympathetic to the character of the building upon which it would be mounted.”*

7a.10 The application would result in an improvement of the condition and appearance of the application site in the terms of the Bo'ness Enhancement Grant Scheme (THI). The design, scale and setting of the proposed replacement signage is sympathetic to the character of the buildings. The application accords with the above policy.

7a.11 Policy BNS 44 'Environmental Improvements' states:

“The District Council will seek the co-operation and support of landowners and public agencies in securing environmental improvement works in Bo'ness, with particular regard to the priority areas of the Town Centre, the town's approach routes and the foreshore.”

7a.12 The application would result in environmental improvements to the Bo'ness Town Centre. The application accords with the above policy.

7a.13 Accordingly, the proposal accords with the Development Plan.

7b Material Considerations

7b.1 The material considerations to be assessed are the Falkirk Council Local Plan Finalised Draft (Deposit version), national policy and guidance and supplementary planning guidance.

Finalised Draft Falkirk Council Local Plan

7b.2 Policy EQ7 'Area Enhancement Priorities' states:

“The Council will give priority to improving the following through environmental improvements and securing high quality development:

- (1) Principal Transport Corridors*
- (2) Town and Local Centres*
- (3) Main Town Gateways and Approaches*
- (4) The Canal Corridor*
- (5) Falkirk Greenspace (see Policy EQ 21)*
- (6) Urban Regeneration Areas*
- (7) Conservation Areas and Areas of Townscape Value”*

7b.3 The above policy reinforces the terms of policy BNS 44 'Environmental Improvements' of the adopted Bo'ness Local Plan. The application would result in environmental improvements and a high quality development within an Urban Regeneration and Conservation Area. The application accords with the term of the above policy.

7b.4 Policy EQ10 'Advertisements' states:

“Proposals for advertisements will not be permitted where they would have an adverse effect on the visual amenity of the property or the wider area, or would create a road safety hazard. In particular:

- (1) the prevention of advertising clutter through a proliferation of signs on a property or in a locality will be a priority;*
- (2) advertising should be sensitive to the property on which it is mounted in terms of scale, design and positioning, and should be seen as part of the overall design of the property, rather than an add-on;*
- (3) illumination of adverts will be controlled in the interests of amenity and road safety, and will generally be prohibited outwith the Urban Limit.*
- (4) advance directional signs will not generally be permitted unless the display is considered to be in the public interest;*
- (5) advertising boardings and rotating / moving advertisements will not be permitted where*
 - they will prejudice the area enhancement priorities set out in Policy EQ7 by virtue of visual intrusion;*
 - they will compromise residential amenity; or*
 - they are likely to cause driver distraction, or interfere with visibility at conflict points such as junctions, pedestrian crossings, hazard warning signs, low bridges and sections of road with poor forward visibility.”*

7b.5 The application would remove existing advertisement clutter at the application site, through a proliferation of signage, inappropriate fascia board positioning, colour selection and size of lettering. The proposed replacement signage is sensitive to the properties on which it is mounted in terms of scale, design and positioning and is part of the overall design of the properties. The application does not relate to illuminated adverts, advance directional signage or advertising boards. The application accords with the above policy.

7b.6 Policy EQ12 - 'Conservation Areas' 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.”*

7b.7 The above policy reinforces policies BNS 39 'Conservation Areas' and policy BNS 40 'Bo'ness Town Conservation Area' of the adopted Bo'ness Local Plan. The application relates to the replacement of features, signage, on an unlisted building within the Outstanding Conservation Area. The application is acceptable in terms of appearance, detailing and materials and would enhance the Conservation Area. The application accords with the above policy.

National Planning Policies and Guidance

7b.8 The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 advises that, with respect to any buildings or land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area.

7b.9 Scottish Planning Policy (SPP) 23 'Planning and the Historic Environment' advises that Conservation Areas are areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance. In considering applications for planning permission within conservation areas, planning authorities should have regard to the following:

- Proposed development that fails to preserve or enhance the character or appearance of the area should normally be refused planning permission;
- Proposed development that would have a neutral effect upon the character or appearance of the area (i.e. does no harm) should be treated as being one which preserves the area's character or appearance; and
- Proposed development that would have negative and positive impacts should be weighed against each other and the proposals considered as a whole.

- 7b.10 Historic Scotland's Managing Change in the Historic Environment Guidance Notes, Appendix 1 'Guidelines for the Detailed Consideration of Listed Building and Conservation Area Consent Cases' advises that shopfronts of definite quality should always be retained. Where replacement of an unsympathetic modern shopfront is proposed, a more sensitive design should always be sought. If the fascia is excessively deep or encroaches upon the first floor facade the opportunity should be taken to remove it and to create a fascia of more appropriate depth and height. Inappropriate modern materials should not be accepted.
- 7b.11 The application would preserve and enhance the character and appearance of the Outstanding Conservation Area and as such accords with The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and SPP 23.
- 7b.12 The application relates to the removal of unsympathetic signage on the building. The proposed new signage is appropriate in terms of the materials, colours and the size and style of lettering selected. The signage will be located comfortably within the original fascia. The application accords with the advice of Historic Scotland.

Supplementary Planning Guidance

- 7b.13 Falkirk Council's Supplementary Planning Guidance Note on Shopfronts advises that signage should be generally restricted to the main fascia. The lettering should be well composed and set comfortably within the frame of the fascia with a maximum height of 300mm. Hand painted lettering on matt painted timber fascia board is preferred with individual letters mounted on a timber or matt Perspex fascia board or stone frieze may also be given consideration.
- 7b.14 The existing shopfronts are considered unsympathetic to the Outstanding Conservation Area as a result of the overlarge and garish signage, advertisements which obliterate the original detail, inappropriate application of colour and advertisement clutter. The proposed signage would restore the parade of shops to an elevational composition, material finish and colouring in keeping with the building and adjoining streetscape. The application accords with Falkirk Council's Supplementary Planning Guidance Note on Shopfronts.

7c Conclusion

- 7c.1 The application has been assessed and accords with the terms of the Development Plan and emerging Falkirk Local Plan. There are no material considerations that would justify the laying aside of the terms of the Development Plan.
- 7c.2 The application is recommended for approval subject to the imposition of appropriate conditions.

8. RECOMMENDATION

8.1 It is recommended that Committee grant advertisement consent subject to the following conditions:-

- (1) Development shall not commence on site until samples of the paint to be used on the signage have been submitted for the consideration of the Planning Authority and no work shall begin until written approval has been given**

Reason(s):-

- (1) In order that the works do not detract from the appearance of the building and Outstanding Conservation Area.**

Informative(s)

- (1) For the avoidance of doubt, the plans to which this decision refers bear our reference 01 and 02.**

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Director of Development Services

Date: 27 October 2009

LIST OF BACKGROUND PAPERS

1. Falkirk Council Structure Plan
2. Bo'ness Local Plan
3. Falkirk Council Local Plan Finalised Draft (Deposit Version)
4. Falkirk Council's Supplementary Planning Guidance Note on Shopfronts
5. The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997
6. Scottish Planning Policy (SPP) 23 'Planning and the Historic Environment'
7. Historic Scotland's Managing Change in the Historic Environment Guidance Notes, Appendix 1 'Guidelines for the Detailed Consideration of Listed Building and Conservation Area Consent Cases'

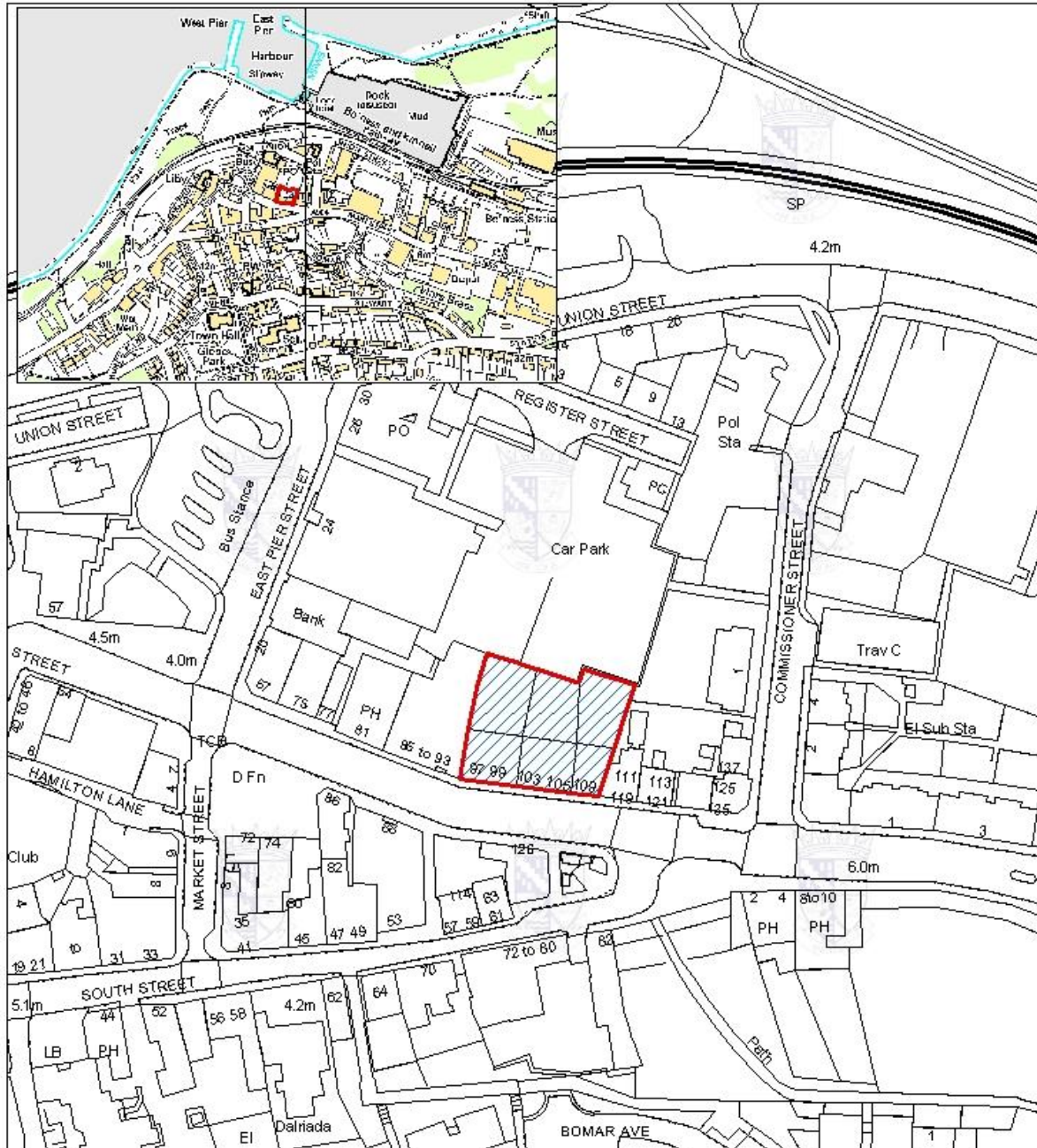
Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504880 and ask for Julie Seidel (Planning Officer).

Regulatory Committee

Planning Application Location Plan

P/09/0606/ADV

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



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