

**FALKIRK COUNCIL**

**Subject:**        **INSTALLATION OF EXTERIOR LIGHTING ON NORTH AND SOUTH  
ELEVATION, ROOF LINE AND TOP OF TOWER AT ST MODANS &  
FALKIRK OLD PARISH CHURCH, MANSE PLACE, FALKIRK, FK1 1JN  
FOR GILLIAN SMITH – P/10/0409/FUL**

**Meeting:**       **PLANNING COMMITTEE**

**Date:**           **22 September 2010**

**Author:**        **DIRECTOR OF DEVELOPMENT SERVICES**

**Local Members:**        **Councillor David Alexander  
Councillor Craig R. Martin  
Councillor Cecil Meiklejohn  
Councillor Pat Reid**

**Community Council:**    **Falkirk Central**

**Case Officer:**         **Stephen McClure, 4702**

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

- 1.1       The proposal is to install exterior lighting to St Modans and Falkirk Old Parish Church, which is located within Falkirk Town Centre. The church and surrounding church yard are listed (Category B), and are within Falkirk Town Centre Conservation Area. The church yard and areas immediately adjacent are currently under going extensive works to improve the area and make it more accessible to the public. The church itself was also subject to improvement works, and the current proposal is a continuation of these works. The lighting proposals are further enhancements of the church and continue to take forward the regeneration of this important central landmark.

**2.        REASON FOR COMMITTEE CONSIDERATION**

- 2.1       Falkirk Council has a financial interest in this project and, under the Council's amended Scheme of Delegation, such applications require consideration by the Planning Committee.

**3.        SITE HISTORY**

- 3.1       The current application is a continuation of the approved works in applications P/09/0757/FUL and P/09/0773/LBC, to improve the surrounding church yard and the areas immediately outside the entrances.

#### **4. CONSULTATIONS**

- 4.1 No consultations were required or undertaken. (Historic Scotland has been consulted on the, separate, application for listed building consent).

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

- 5.1 Falkirk Central Community Council did not comment.

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

- 6.1 During consideration of the application, no letters of objection or representation were 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***

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

- 7a.2 Policy FAL 3.9 'Environmental Improvements' states:

*"The Council will seek to promote programmes of environmental improvement in the following priority areas, as resources permit:*

- (i) Falkirk Town Centre and the local shopping centres;*
- (ii) major transport routes;*
- (iii) the Green Belt and other urban fringe areas;*
- (iv) the canal network in association with the Millennium Link;*
- (v) public parks and open spaces;*
- (vi) areas of need under the Community Urban Regeneration Programme; and*
- (vii) existing industrial areas."*

- 7a.3 The proposal constitutes an enhancement to the environment of the Town Centre in the hours of darkness, and will further complement those works that are already underway. It is therefore considered that the proposal accords with Policy FAL 3.9.

7a.4 Policy FAL 3.11 'Conservation Areas' states:

*"The Council will protect the visual amenity and historic character of each Conservation Area, including its setting, buildings, open space and trees. 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 historic character in terms of size, scale, design and materials. The Council will give priority to a review of the boundaries of the Falkirk Town Centre Conservation Area."*

7a.5 The proposal will make a positive contribution to the appearance of the Conservation Area, and would be compatible with the historic character. The lighting apparatus are proposed to be placed in locations on the church that will not affect the overall appearance. It is therefore considered that the proposal accords with Policy FAL 3.11.

7a.6 Policy FAL 3.12 'Listed Buildings' states:

*"There will be a presumption against proposals which would destroy, or adversely affect, the architectural character, appearance or setting of Listed Buildings. The re-use of vacant Listed Buildings will be encouraged, provided that the proposal would have no adverse impact upon the character of the building, its setting or the amenity of the area."*

7a.7 The proposal will have some impact the architectural character, appearance or setting of the listed building. However, this is considered acceptable in visual terms. A separate application for listing building consent has been submitted. It is therefore considered that the proposal accords with Policy 3.12.

7a.8 Policy FAL 9.2 'Tourism' states:

*"The Council will encourage tourism-related development in Falkirk and will support proposals which enhance the quality and diversity of tourism infrastructure and attractions, subject to other Local Plan policies and proposals. Particular emphasis will be placed on the development of the following key themes and attractions:*

- (i) the Town Centre;*
- (ii) Callendar House, Park and Wood;*
- (iii) the Canal Network/Millennium Link;*
- (iv) Roman heritage at Roughcastle/Tamfourhill; and*
- (v) industrial heritage."*

7a.9 The proposed lighting is a further enhancement of the overall improvements to the church and the church yard, which will enhance the quality of the Town Centre for tourism purposes. It is therefore considered that the proposal accords with Policy FAL 9.2.

## **7b Material Considerations**

7b.1 The following matters were considered to be material in the consideration of the application:

***Falkirk Council Local Plan Finalised Draft (Deposit Version) (April 2007) as amended by the Final Proposed Modifications (June 2010)***

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 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.4 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.”*

7b.5 Policy EQ15 - ‘Re-Use Of Buildings ‘ states:

*“The Council will generally support the re-use or conversion of existing vacant buildings of architectural and townscape merit, provided that the building is structurally sound and capable of beneficial conversion, and an acceptable internal layout and level of amenity can be provided.”*

7b.6 The relevant policies contained within the Falkirk Council Local Plan Finalised Draft (Deposit Version) (April 2007) as amended by the Final Proposed Modifications (June 2010), can be seen to reinforce and affirm Policies of the Development Plan – namely policies FAL 3.9, FAL 3.11, FAL 3.12 and FAL 9.2. The proposal will be seen to continue the environmental improvements which are currently underway in the surrounding church yard. It is also considered that the lighting will help to enhance the overall character of the Conservation Area, whilst preserving the listed buildings character and appearance. The proposal will also be seen to continue to enhance the image and tourism profile of the Town Centre. It is therefore considered that the proposal accords with Policies EQ7, EQ12, EQ14 and EP15.

Accordingly, the proposal accords with the Development Plan.

***Falkirk Council Local Plan Finalised Draft (Deposit Version).***

**7c Conclusion**

7c.1 The proposal represents an acceptable form of development, is in accordance with the Development Plan and emerging policies of the Falkirk Council Local Plan Finalised Draft (Deposit Version) (April 2007) as amended by the Final Proposed Modifications (June 2010). There are no other material planning considerations which would outweigh this conclusion

**8. RECOMMENDATION**

**8.1 It is recommended that Committee grant planning permission subject to the following conditions:-**

- (1) The development to which this permission relates must be begun within three years of the date of this permission.**

**Reason(s):**

- (1) To accord with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997.**

**Informative(s):**

- (1) For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01, 02, 03 and 04.
- (2) This property is a category B Listed Building. Formal Listed Building Consent may also be required for alterations to the building. It is a criminal offence not to have obtained Listed Building consent before starting work on site. For advice please contact Falkirk Council Development Management, Abbotsford House, David's Loan, Falkirk, FK2 7YZ (tel: 01324 504748).
- (3) When fixing the cables necessary for any lighting scheme, the surface of the historic stone must not be damaged in any way. To ensure this we would recommend that where running cables across the stone surface of St Modans is unavoidable, the cable should be fixed into the mortar joints between the stones using non-ferrous fixing screws, so that they can be removed at a later date without damage to the historic fabric. This method should also be applied to the fixing of the proposed floodlight housing units on the stone elements of the church. When drilling any holes for fixing the wiring and electrical equipment or for passing cables through historic fabric, the electrical contractor should use an electric drill with an efficient vacuum cleaner attachment to ensure that all the dust is sucked away and does not settle. Cartridge fixing tools should not be used. Where the cables must pass through the walls, holes should be made using a diamond core drill (again with a vacuum attachment to remove the dust) so that a hole is neatly made with the minimum of damage to the historic masonry.

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**For Director of Development Services**

**Date:** 15 September 2010

**LIST OF BACKGROUND PAPERS**

1. Falkirk Local Plan.
2. Falkirk Council Local Plan Finalised Draft (Deposit Version) (April 2007) as amended by the Final Proposed Modifications (June 2010).

Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504702 and ask for Stephen McClure (Planning Officer).

# Planning Committee

## Planning Application Location Plan

**P/10/0409/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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