

**FALKIRK COUNCIL**

**Subject:** DEMOLITION OF WORKSHOP/STORE AT 189 CORBIEHALL,  
BO'NESS EH51 0AX FOR MR FORD - P/12/0449/CON  
**Meeting:** PLANNING COMMITTEE  
**Date:** 31 October 2012  
**Author:** DIRECTOR OF DEVELOPMENT SERVICES

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

**Community Council:** Bo'ness

**Case Officer:** Julie Seidel (Planning Officer), Ext. 4880

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

- 1.1 The application site for conservation area consent is located on the south side of Corbiehall, within the Bo'ness Town Centre Outstanding Conservation Area. The application site has flats to its west and east boundaries, a restaurant/open space to the north and open space to the south. The flats to the west of the application site are Category 'B' Listed.
- 1.2 This application relates to the demolition of an existing workshop /store building on the site. The building is a single storey building of modest, modern design and is attached to the adjacent flats on its eastern boundary. The proposed demolition is required to facilitate redevelopment of the application site (Ref: P/12/0348/FUL) for three flatted dwellinghouses and a one bedroom single storey studio dwellinghouse.

**2. REASON FOR COMMITTEE CONSIDERATION**

- 2.1 The application requires consideration by the Planning Committee as it should be considered in conjunction with submitted application P/12/0348/FUL, which deals with the proposed redevelopment of the application site.

**3. SITE HISTORY**

- 3.1 Application P/09/0861/PPP for the development of land for residential use at the same site was withdrawn by the applicant on 11 February 2010. This application was withdrawn to allow the preparation of detailed proposals.

3.2 Application P/12/0348/FUL for the erection of three flatted dwellinghouses, 1 studio dwellinghouse and associated external works is being considered in conjunction with this application.

#### **4. CONSULTATIONS**

4.1 Historic Scotland do not object to the application, advising that the existing building is of little architectural merit and does not make a positive contribution to the character of the conservation area.

4.2 The Scottish Civic Trust did not respond to the consultation.

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

5.1 The Bo'ness Community Council did not make comment in relation to the application.

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

6.1 No letters of 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***

7a.1 There are no policies of a strategic nature of relevance to the proposed demolition.

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

7a.2 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, or affecting their setting, 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 the relevant Historic Scotland guidance note 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.3 The proposal involves the demolition of an unlisted building within Bo’ness Town Centre Outstanding Conservation Area. It is considered that the building is unattractive and makes no material contribution to the character or appearance of the conservation area. The proposal accords with Historic Scotland’s guidance and is linked to an application for comprehensive redevelopment of the site, as such the loss of the building is considered justified. The proposal, including the redevelopment, would preserve or enhance the conservation area. The application accords with policy EQ12 ‘Conservation Area’.

7a.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.”*

7a.5 It is considered that the proposed demolition would not adversely affect the setting of the adjacent listed building. The building to be demolished is unattractive and makes no contribution to the character of the surrounding area. The application, accords with Policy EQ14 ‘Listed Buildings’.

7a.6 Accordingly, the proposal accords with the Development Plan.

## **7b Material Considerations**

7b.1 The material consideration to be assessed are national policies and guidance and the method statement and aftercare of the site.

## **Scottish Planning Policy**

- 7b.2 Scottish Planning Policy (SPP) states that conservation areas are areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance. Their designation provides the basis for the positive management of an area. Conservation area consent is required for the demolition of unlisted buildings in conservation areas. The merits of the building and its contribution to the character and appearance of the conservation area are key considerations when assessing demolition proposals. Where demolition is considered acceptable, careful consideration should be given to the design and quality of the replacement scheme.

## **Scottish Historic Environment Policy (SHEP)**

- 7b.3 Scottish Ministers' policy on conservation area consent states that the demolition of even a single building and the construction of a new building or buildings could result in harm to the character or appearance of a conservation area, or part of it. In deciding whether conservation area consent should be granted, planning authorities should therefore take account of the importance of the building to the character or appearance of any part of the conservation area, and of proposals for the future of the cleared site. If the building is considered to be of any value, either in itself or as part of a group, a positive attempt should always be made by the planning authority to achieve its retention, restoration and sympathetic conversion to some other compatible use before proposals to demolish are seriously investigated. In some cases, demolition may be thought appropriate, for example, if the building is of little townscape value, if its structural condition rules out its retention at reasonable cost, or if its form or location makes its re-use extremely difficult. In instances where demolition is to be followed by re-development of the site, consent to demolish should in general be given only where there are acceptable proposals for the new building.

## **Managing Change in the Historic Environment Guidance Note**

- 7b.4 Historic Scotland's Managing Change in the Historic Environment Guidance Note on Demolition favours retention of unlisted buildings in conservation areas where they make a contribution to the character, appearance, or history of the area. Proposals for demolition in a conservation area should be considered in conjunction with a full planning application for a replacement development. The key principle is that the character and appearance of the area should be preserved and enhanced, allowing consideration of the potential contribution that the replacement building may make to the area's character and appearance. Demolition should not begin until evidence is given of contracts let, either for the new development or for appropriate long-term treatment of open space, where that outcome conforms to the character of the area. Gap sites could be harmful to the character of the area or allowed to lie undeveloped for a significant time between demolition and redevelopment.

- 7b.5 The building is an unlisted building within the conservation area. It is considered that the building is of no architectural merit and has a detrimental impact on the character and appearance of the area. The proposed demolition is being considered in conjunction with an application for comprehensive redevelopment of the site (Ref: P/12/0348/FUL). The proposed redevelopment is assessed as being of the highest quality and would respect and enhance the architectural, historic and visual qualities that gave rise to the conservation area designation. Further it is considered that the proposed redevelopment for residential development is appropriate within the context of surrounding residential properties. The removal of the building is only considered acceptable as the application is linked to an application for appropriate redevelopment.
- 7b.6 Conditions should be applied to ensure the building is not demolished without the new development being implemented so as to avoid an unattractive gap site. There are no traditional building materials or other architectural features that should be retained or reused in the proposed redevelopment.

### **Method Statement and Aftercare of the Site**

- 7b.7 The method statement and aftercare plan for the site are considered acceptable.

### **7c Conclusion**

- 7c.1 It is considered that the proposal is acceptable and accords with the Development Plan and national policy and guidance. There are no material planning considerations which would justify a refusal of conservation area consent and the application is recommended for approval subject to the following conditions and referral to Scottish Ministers.

## **8. RECOMMENDATION**

- 8.1 **It is recommended that the Planning Committee indicates that they are minded to grant Conservation Area Consent subject to referral to Scottish Ministers, in accordance with Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, and the following conditions:-**
- (1) The development to which this permission relates must be begun within three years of the date of this permission.**
  - (2) No demolition shall take place until notice of the proposal has been given to the Royal Commission on the Ancient and Historical Monuments of Scotland and the Royal Commission have been given reasonable access to the building for at least 3 months following the granting of consent and giving notice to the Commission.**
  - (3) No demolition shall take place until the contract for the new development has been let and written evidence of this has been submitted to and approved in writing by the Planning Authority.**
  - (4) The demolition shall be carried out in accordance with the approved method statement (our online reference, Supporting Documents).**

- (5) Any material or topsoil scraped back as a result of the demolition process shall be stockpiled no higher than 1 metre in height.

**Reason(s):-**

- (1) In order to comply with Section 16 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.
- (2) To allow the building to be recorded.
- (3– 5) To safeguard the visual amenity of the area.

**Informative(s):-**

- (1) For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01A, 02A and Supporting Documents.

**Pp**

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**Director of Development Services**

**Date:** 23 October 2012

**LIST OF BACKGROUND PAPERS**

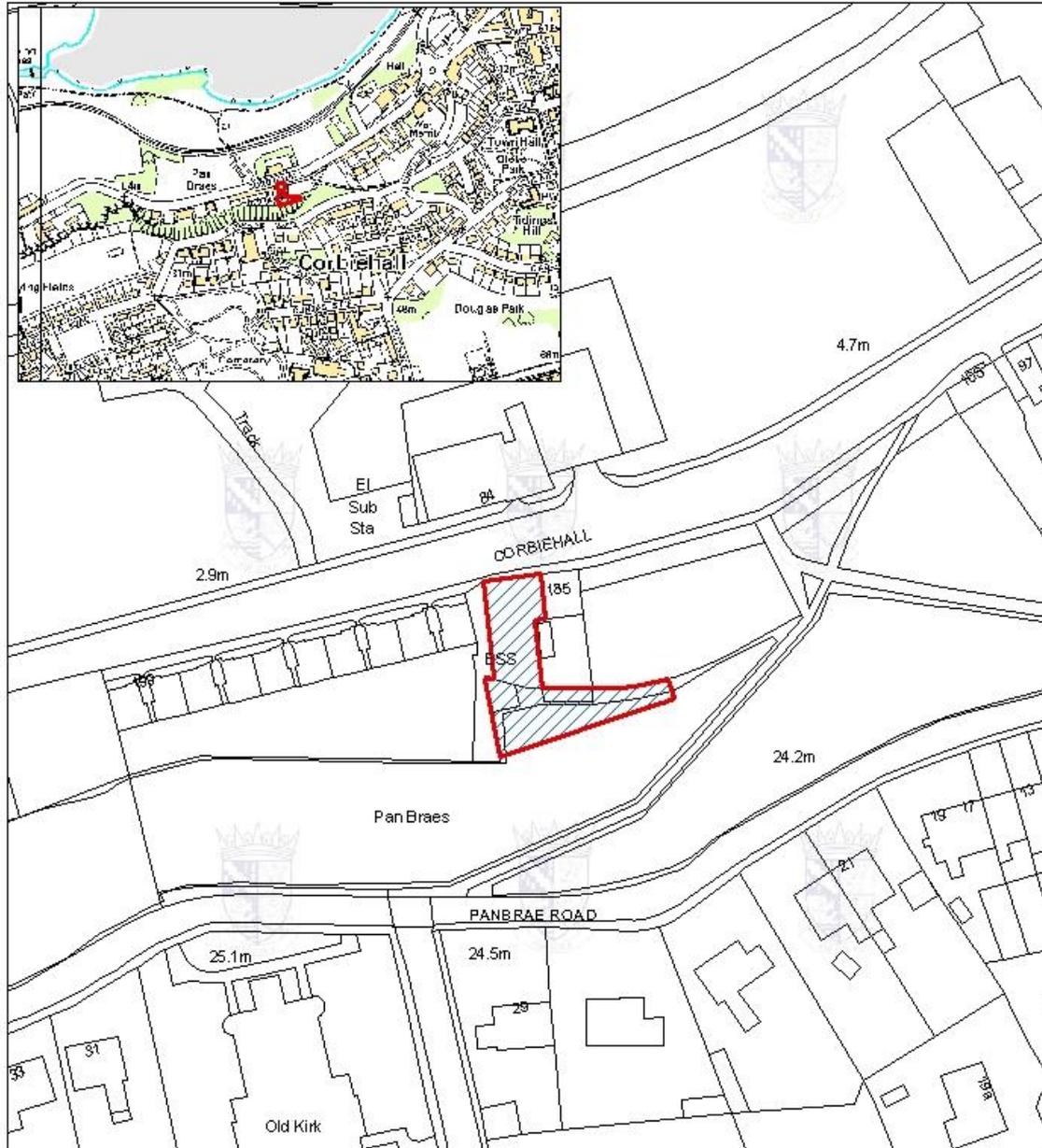
1. Falkirk Council Local Plan.
2. Scottish Planning Policy.
3. Scottish Historic Environment Policy.
4. Historic Scotland's Managing Change in the Historic Environment Guidance Note on Demolition.
5. Planning application P/12/0348/FUL - Erection of 3 Flatted Dwellings, 1 Studio Dwelling and Associated External Works at 189 Corbiehall, Bo'ness, EH51 0AX.

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

# Planning Committee

## Planning Application Location Plan P/12/0449/CON

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



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