

Perth and Kinross Council
Development Control Committee – 12 May 2010
Report of Handling by Development Quality Manager

**Demolition of existing boating centre at
Loch Tay Boating Centre, Pier Road, Kenmore, PH15 2HG**

Ref. No: 09/00845/CON
Ward No: N4– Highland

Summary

This report recommends approval of the application to demolish the existing boating centre at Loch Tay, Pier Road, Kenmore as the building is not considered to be of any architectural or historic merit and the demolition of the building is not considered to have any detrimental impact on the character of the Kenmore Conservation Area and the proposal complies with the Development Plan.

BACKGROUND AND DESCRIPTION

- 1 Conservation Area consent is sought for the demolition of an existing single storey building which serves as Loch Tay Boating Centre on Pier Road in Kenmore. This application is associated with an application for full planning consent to erect a replacement boating centre (09/00849/FLL) which is also under consideration at this committee. This report relates solely to the merits of the demolition of the existing building.
- 2 The application site sits on the south side of Pier Road in the west of Kenmore Village. The current boathouse sits in the north west corner of the site and to the east is an existing slipway and jetty. The remainder of the site is currently occupied by a number of small boats. Loch Tay forms the southern boundary to the application site. To the north is Pier Road where there are private residential dwellinghouses. The application site is located within Kenmore Outstanding Conservation Area and is located just out with Taymouth Castle Designed Garden and Landscape. There are also a number of listed buildings within close proximity of the site, including the category B listed Kenmore Parish Church which sits directly north and at a higher level than the application site.
- 3 The existing boating centre building is a small, relatively recently built single storey building finished in dark red stained timber cladding with a shallow pitched roof. The building sits close to Pier Road.

NATIONAL POLICY AND GUIDANCE

The Scottish Planning Policy 2010

- 4 This SPP is a statement of Scottish Government policy on land use planning and contains:
 - the Scottish Government's view of the purpose of planning,

- the core principles for the operation of the system and the objectives for key parts of the system,
- statutory guidance on sustainable development and planning under Section 3E of the Planning etc. (Scotland) Act 2006,
- concise subject planning policies, including the implications for development planning and development management, and
- the Scottish Government's expectations of the intended outcomes of the planning system.

Of relevance to this application are

- Paragraphs 110 -124 : Historic Environment
- Paragraphs 113 -114: Listed Buildings

DEVELOPMENT PLAN

5 The Development Plan for the area consist of the Approved Perth and Kinross Structure Plan 2003 and the Adopted Highland Area Local Plan.

Perth and Kinross Structure Plan 2003

6 The principal relevant policies are in summary: -

Environment and Resources Policy 8

7 New development which would adversely affect Listed Buildings, Conservation Areas, or their setting will not be permitted unless there is a proven public interest ...'

Sustainable Communities Policy 9

8 Local Plans will ensure new development makes positive contribution to character/quality of built environment, contributes to sustainable development and encourages re-use of vacant buildings.

Highland Area Local Plan 2000

9 The principal relevant policies are in summary: -

Policy 2 Highland Development Criteria

10 All developments within the Plan area will be judged against a series of criteria including landscape framework capable of absorbing, and if necessary, screening the development, the scale, form, colour, and density of development, compatibility with its surroundings in land use terms, local road network, sufficient spare capacity in drainage, water and education services, the site should be large enough, buildings and layouts to be energy efficient, where possible be located in those settlements which are the subject of inset maps.

Policy 5 Design

- 11 The Council will require high standards of design for all development in the Plan Area. In particular encouragement will be given to: -
- (a) The use of appropriate and high quality materials.
 - (b) Innovative modern design incorporating energy efficient technology and materials.
 - (c) Avoidance of the use of extensive underbuilding on steeply sloping sites.
 - (d) Ensuring that the proportions of any building are in keeping with its surroundings.
 - (e) Ensuring that the development fits its location.
- 12 The design principles set out in the Council's Guidance on the Design of Houses in Rural Areas will be used as a guide for all development proposals.

Policy 87 Village Uses

- 13 Scope may exist for infill developments within these villages but only where this will not adversely affect the density, character or amenity of the village

Policy 95 Conservation Areas

- 14 There will be a presumption against development within conservation areas which would harm the character or appearance or which does not preserve or enhance the area.

OTHER POLICIES

- 15 None relevant.

SITE HISTORY

- 16 **89/0312/FUL** Replacement of 2 jetties by 1 floating pontoon jetty – Approved 10/4/89
- 17 **97/01095/FUL** Formation of gabion basket breakwater – Approved 27/8/97

CONSULTATIONS

- 18 None

REPRESENTATIONS

- 19 A total of 3 letters of representation have been received, all of which object to the proposal. The comments made in these letters refer to the proposed replacement building and raise no objection to the demolition of this building and therefore are not relevant to this application.

20 ADDITIONAL STATEMENTS

Environment Statement	Not required
Screening Opinion	Not required
Environmental Impact Assessment	Not required
Appropriate Assessment	Not required
Design Statement / Design and Access Statement	None
Report on Impact or Potential Impact	None submitted

APPRAISAL

Policy

- 21 In accordance with Regulation 5 of the Town and Country Planning (Listed Buildings and Buildings in Conservation Areas) (Scotland) Regulations 1987 the conservation area consent application has been advertised in the Local Press, Edinburgh Gazette and a site notice was posted on the 21 May 2009.
- 22 The determining issues in this case are:- the statutory requirement under Section 14 and 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 for the planning authority to have special regard to the desirability of preserving the building or its setting or any features of special architectural historic interest which it possesses; whether the proposal complies with Development Plan policy; whether the proposal complies with supplementary planning guidance; or if there are any other material considerations which justify a departure from policy.

Impact on Character of Conservation Area

- 23 The existing building is a relatively recent building and has no architectural or historic merit. It is a building which was built for purpose rather than to pay any particular respect to the Conservation Area or character of other traditional buildings in the area. I therefore have no objections to the demolition of the building.
- 24 The Council's Conservation and Regeneration Section has not objected to the proposal. The justification for the demolition of the building is to make way for the proposed replacement building which will allow for the existing boating centre to expand. This element is considered in more detail in the report for the replacement building (ref: 09/00849/FLL).
- 25 The demolition of the building is not considered to have any detrimental impact on the character of the Kenmore Conservation Area and may even be considered an enhancement to the Conservation Area. The proposal is therefore considered to comply with Policy 95 of the Highland Area Local Plan 2000.

LEGAL AGREEMENTS

26 None required

DIRECTION BY SCOTTISH MINISTERS

27 Under the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008, regulations 30 – 32 there have been no directions by the Scottish Government in respect of an Environmental Impact Assessment screening opinion, call in or notification relating to this application.

CONCLUSION AND REASONS FOR RECOMMENDATION

28 The demolition of this building is not considered to have any detrimental impact on the visual amenity or character of the Kenmore Conservation Area and is considered to comply with Highland Area Local Plan policy 95. There are no material considerations apparent in this instance which would justify a departure from the Development Plan. The application is recommended for approval.

RECOMMENDATION

A Approve the application subject to the following conditions:

- 1 The development shall be begun within a period of three years from the date of this consent.
- 2 This permission relates solely to the demolition of the existing boathouse. No consent is granted here for the erection of any replacement building which is subject to a separate full planning application (ref: 09/00849/FLL)

Reasons:-

- 1 In accordance with the terms of Section 58 of the Town and Country Planning (Scotland) Act 1997 as amended by Section 20 of the Planning etc (Scotland) Act 2006.
- 2 For the avoidance of doubt.

B JUSTIFICATION

- 1 The proposal is considered to comply with the contents of the Development Plan and no material considerations are apparent which would outweigh the contents of the Development Plan.

C PROCEDURAL NOTES

Application requires to be referred to Historic Scotland for clearance prior to any decision being issued

D INFORMATIVES

Nil

Background Papers: Three letters of representation
Contact Officer: John Williamson – Ext 75360
Date: 28 April 2010

Nick Brian
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