

Perth and Kinross Council
Development Control Committee – 17 March 2010
Report of Handling by Development Quality Manager

**Repainting of Bandstand, Reconfiguration and Refurbishment of Railings
MacRosty Park, Comrie Road, Crieff PH7 4LJ**

Ref. No: 10/00034/LBC
Ward No: 6 - Strathearn

Summary

This report recommends approval of the application for Listed Building Consent for refurbishment and repainting works to the railings and bandstand at MacRosty Park, Crieff, subject to referral to Historic Scotland.

BACKGROUND AND DESCRIPTION

- 1 The application site is located to the north-west of Crieff in a predominantly residential area. Although MacRosty Park covers an area of some 10.2ha, works are only proposed at three locations: the bandstand at the centre of the Park, the railings to the north-eastern boundary onto the A85(T) road and the railings/access to Mungall Park at the south-west of the Park. The bandstand is listed Category B. The boundary walls, gatepiers, gates and railings are listed separately as Category C(s). The eastern boundary of the Park borders the Crieff Conservation Area.
- 2 The bandstand is to have electrical sockets inserted into the floor and downlighters inserted into the ceiling. It is to be repainted with the colours for the finish of the bandstand to be cream, dark blue and light blue. There will be some detailing in gold leaf.
- 3 The vehicular access at the South Gate is to be rearranged to allow vehicles to pull off the main road prior to the gates being opened. Existing, repositioned and new sections of railings are to be painted in black gloss. The lettering on the gates at the South Gate is to be highlighted in gold leaf. No realignment works are proposed for the North Gate though the pedestrian gate and path to the south are to be closed up and removed.
- 4 The access at Mungall Park is to be realigned, again to provide the facility for authorised vehicles to pull off the road to permit access. New railings are to be installed. Vehicles will be prevented from entering the Park by way of a security chain.

NATIONAL POLICY AND GUIDANCE

Scottish Planning Policy (February 2010)

- 5 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.

6 Of relevance to this application are paragraphs 110 to 124 relate to Historic Environment with paragraphs 113 and 114 relating specifically to listed buildings. The Policy states 'change to a listed building should be managed to protect its special interest while enabling it to remain in active use'.

Scottish Historic Environment Policy (October 2008)

7 Historic Scotland's SHEP confirms Scottish Ministers are committed to the sustainable use and management of the historic environment. Listing is applied to afford protection, where possible, to buildings of special architectural or historic interest for future generations. The Policy confirms that where a proposal involves alteration or adaption which will sustain or enhance the beneficial use of the building and does not adversely affect the special interest of the building, consent should normally be granted.

DEVELOPMENT PLAN

8 The Development Plan for the area comprises the Approved Perth and Kinross Structure Plan 2003 and the Adopted Strathearn Area Local Plan 2001.

Perth and Kinross Structure Plan 2003

Environment and Resources Policy 8

9 This policy confirms that Perth and Kinross Council will seek to ensure that the rich and varied cultural heritage resources are protected and enhanced as appropriate.

Strathearn Area Local Plan 2001

Policy 27: Listed Buildings

10 Carries a presumption against works that would be detrimental to the essential character of the listed building.

Policy 28: Listed Buildings

- 11 Encourages the restoration, correct maintenance and sensitive enhancement of buildings on the Statutory List.

OTHER POLICIES

- 12 None.

SITE HISTORY

- 13 In 2009 permission was granted for renovation and regeneration works of MacRosty Park (08/02216/FUL). This included the realignment of the accesses.

CONSULTATIONS

- 14 No consultations were required.

REPRESENTATIONS

- 15 No representations have been received in respect of this application.

ADDITIONAL STATEMENTS RECEIVED

16

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

- 17 Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan in this instance comprises the Perth and Kinross Structure Plan 2003 and the Strathearn Area Local Plan 2001.
- 18 The determining issues in this case are 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.

POLICY

- 19 The proposed refurbishment and reinstatement of MacRosty Park is considered to be in full accordance with both national and local policies. The detailing of the proposals will ensure that the character and integrity of the listed buildings are protected and enhanced.

Design and Built Heritage

- 20 The proposed painting scheme is considered to be appropriate for the bandstand and the railings. The alterations to the railings and the replacement of some parts are considered to be fully acceptable. The inclusion of electrical outlets and downlighters into the bandstand will not compromise the integrity of the listed bandstand.
- 21 The Conservation and Regeneration Team has no objection to the colour scheme proposed and note from the submitted design statement that the bandstand has been painted in different colour schemes over the years. The proposed scheme will respect the architectural form and enhance the reading of the mouldings. There are no concerns regarding the remedial works proposed and the replacement of the existing plastic rainwater goods with painted metal in the original ogee pattern is welcomed. An additional railing will be provided on one side of the steps, which will be painted. This small-scale addition will not adversely affect the character or appearance of the listed building.
- 22 The proposed refurbishment works including the bases of the boundary railings on Comrie Road being modified and encapsulated for protection and the south gates and associated railings reconfigured and re-orientated, raise no objections.
- 23 The installation of electrical facilities will allow a wider use of the bandstand which will be to the benefit of the Listed Building and the people of Crieff.

Vehicular Access

- 24 The realignment of entrances to allow better access is considered to be fully acceptable in listed building terms and will not impact adversely on the listed nature of the railings and walls.

LEGAL AGREEMENTS

- 25 There is no requirement for any legal agreement to be entered into in respect of this application.

DIRECTION BY SCOTTISH MINISTERS

- 26 Under the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997 section 73 there is a direction by the Scottish Government in respect of notification relating to this application.

CONCLUSION AND REASONS FOR RECOMMENDATION

- 27 The proposed repainting of bandstand, reconfiguration and refurbishment of the railings is considered to be in full accordance with the Development Plan and with national policy. There are no material considerations which warrant departing from the approved Development Plan and therefore the application is recommended for approval.

RECOMMENDATION

A Approve the application subject to the following conditions:

Conditions:-

- 1 The development shall be begun within a period of three years from the date of this consent.
- 2 The proposed development must be carried out in accordance with the approved plans, unless otherwise provided for by conditions imposed on the planning consent.

Reasons:-

- 1 To comply with Section 16 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, as amended by Section 20 of the Planning etc. (Scotland) Act 2006.
- 2 To ensure that the development is carried out in accordance with the plans approved.

B JUSTIFICATION:

The proposal is in accordance with the Development Plan and there are no material reasons which justify departing from the Development Plan.

C PROCEDURAL NOTES

The application requires to be referred to Historic Scotland for the issuing of the decision notice.

D INFORMATIVES

- 1 Under section 27A of the Town and Country Planning (Scotland) Act 1997 (as amended) the person undertaking the development is required to give the planning authority prior written notification of the date on which it is intended to commence the development. A failure to comply with this statutory requirement would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.

- 2 As soon as practicable after the development is complete, the person who completes the development is obliged by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give the planning authority written notice of that position.
- 3 An application for Building Warrant may be required.

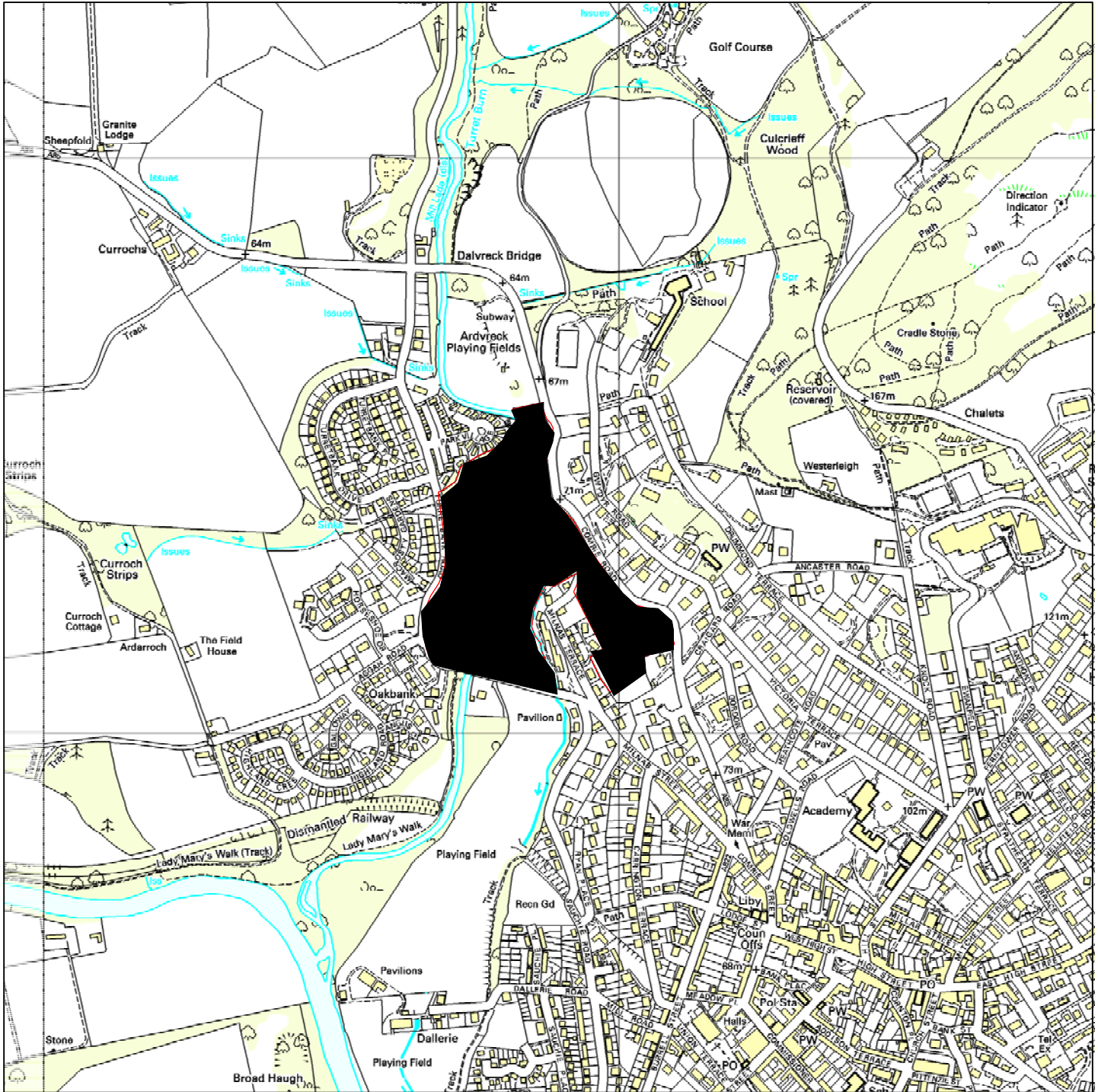
Background Papers: None.

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Date: 22 February 2010

Nick Brian
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Repainting bandstand & reconfiguration of railings, Macrosty Park, Crieff



Scale : 1:10000

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Organisation	Perth & Kinross Council
Department	Planning
Comments	
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