

Perth and Kinross Council
Development Management Committee – 9 October 2013
Report of Handling by Development Quality Manager

Installation of window boxes, CCTV, hanging decorations and the display of advertisements (in retrospect) at 2 Barossa Place, Perth

Ref. No: 13/01169/LBC
Ward No: 12 – Perth City Centre

Summary

The report recommends approval of the application as the proposals are considered to be acceptable and in accordance with the Development Plan.

BACKGROUND AND DESCRIPTION

1. 2 Barossa Place is a category B listed building and is located in the Perth Central Conservation Area. The entrance to No 2 is located at the east end of Barossa Place but comprises the side elevation of Rose Terrace at its northern end. Rose Terrace, which overlooks the North Inch, has a category A group listing and is arguably one of the most important Georgian frontages in Perth.
2. On the Barossa Place elevation, the proposals involve the installation of hanging brackets to support hanging flower baskets and a small CCTV camera above the entrance door, adjacent to one of the aforementioned brackets. There is also a small, secure entry system to the left hand side of the entrance door complete with key code pad. On the Rose Terrace elevation are 8 window boxes on the window sills at first and second floor, each with a logo comprising the lettering "AR". This denotes 'Alexander Residence', which is the business name for the self-catering apartments at this address. It is not proposed that the lettering be illuminated as was initially the case. This antique gold coloured signage, together with a similar though larger logo above the Barossa Place entrance, was the subject of a separate display of advertisement application (13/01170/ADV), which has been recently been approved under delegated powers.
3. The matters which are the subject of the retrospective application resulted in an enforcement case being opened. As it was considered the works were likely to be approved, an application was invited instead of formal enforcement action being taken. This was in line with the Council's Enforcement Charter and Scottish Government guidance on enforcement.

NATIONAL POLICY AND GUIDANCE

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.

5. Of relevance to this application are:
 - Paragraphs 110 -124 : Historic Environment
 - Paragraphs 113 -114: Listed Buildings

Scottish Historic Environment Policy December 2011 (SHEP)

6. This document sets out Scottish Ministers' policies for the historic environment, provides greater policy direction for Historic Scotland and provides a framework that informs the day-to-day work of a range of organisations that have a role and interest in managing the historic environment.

DEVELOPMENT PLAN

7. The Development Plan for the area consists of TAYplan Strategic Development Plan 2012 – 2032 and the Perth Central Area Local Plan, 1997.

TAYplan Strategic Development Plan 2012-2032 - Approved June 2012

8. Under the TAYPlan the principal relevant policy is:-

Policy 3: Managing TAYplan's Assets

9. This recognises the importance of historic buildings and townscapes and identifies the importance of only allowing development where it does not adversely impact upon or preferably enhances these assets.

Perth Central Area Local Plan 1997

10. The Development Plan policies of relevance which are found in the Perth Central Area Local Plan, 1997 are:

Policy 14: Perth Central listed buildings

11. The Council will make use of its powers under the Town & Country Planning (Scotland) Act 1997 to protect Listed Buildings and their setting and exercise control within Conservation Areas (See Pol 49 - Pol 56 and Rec 4).

Policy 15: Perth Central listed buildings

12. There will be a presumption against the demolition of Listed Buildings and a presumption in favour of consent for development involving their sympathetic restoration.

Policy 54: Perth Central conservation area

13. Proposals for new buildings, changes to the appearance of existing buildings and, where appropriate, demolition of buildings will be assessed having regard to the design guidelines applicable to Conservation Areas contained in Annex 1 (See Policy 14).

PERTH AND KINROSS PROPOSED LOCAL DEVELOPMENT PLAN (PLDP) 2012

14. On 30 January 2012 the Proposed Plan was published. The Council's current adopted Local Plans will eventually be replaced by the Local Development Plan. The Council's Development Plan Scheme sets out the timescale and stages leading to adoption. The Proposed Local Development Plan underwent a period of representation ending in April 2012 and is currently the subject of an examination, but it not expected that the Council will be in a position to adopt the Local Development Plan before December 2014. The Proposed Local Development Plan 2012 is a material consideration in the determination of this application, reflecting a more up to date view of the Council than those contained in the relevant adopted Local Plan.
15. The principal policies of relevance are in summary:

Policy HE2 : Listed Buildings

16. There will be a presumption in favour of the retention of listed buildings, and the protection of their settings.

Policy HE3: Conservation Areas/Policy HE3A: New Development

17. There is a presumption in favour of development within a Conservation Area that preserves or enhances its character or appearance.

SITE HISTORY

18. 13/01170/ADV Display of adverts (in retrospect) - approved

CONSULTATIONS

19. None.

REPRESENTATIONS

20. Nine letters of representation have been received, including one from the Architectural Heritage Society of Scotland.

Summary of issues raised by objectors:

- 21.
- The proposals are not appropriate for Rose Terrace or Barossa Place;
 - The artificial plants in the window boxes are inappropriate;
 - The window boxes set a precedent for the rest of Rose Terrace;
 - The proposals detract from 2 Barossa Place which is B listed and forms part of an A listed group within a Conservation Area;
 - Perth and Kinross Council are not required to notify neighbours but should have nevertheless done so.

Response to issues raised by objectors:

22. The above points are discussed in the appraisal part of the report with the exception of the last issue. Although there is no neighbour notification requirement for listed building applications, the proposals were advertised in the local press, on a site notice, and appeared on the weekly list of applications which is published on the Council's website.

ADDITIONAL STATEMENTS

23.	Environment Statement	Not required
	Screening Opinion	Not required
	Environmental Impact Assessment	Not required
	Appropriate Assessment	Not required
	Design Statement / Design and Access Statement	Not required
	Report on Impact or Potential Impact	Not required

APPRAISAL

Policy

24. 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 structure or its setting or any features of special architectural historic interest which it possesses; how the proposal sits with National Policy; how the proposal relates to the adopted development plan; 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.
25. In terms of the Development Plan, the key policies of note are Policy 3 of the Tay Plan 2012 and Policies 14, 15 and 54 of the Perth Central Area Local Plan 1997,

all of which seek to ensure that the essential character of listed buildings are not adversely affected by inappropriate alterations. For reasons outlined below, I consider the proposal to be in accordance with the Development Plan.

Impact on the Listed Building and Conservation Area

26. In addition to the relevant Development Plan policies and National Guidance, in considering whether or not to grant listed building consent for alterations, the Council also has a statutory duty in relation to Listed Buildings.
27. The works involved have a relatively minor impact on the listed building and will neither significantly change the character or visual appearance of the building in question nor the conservation area in which it is located. My detailed consideration is as follows:
28. I have no objection to the hanging brackets either side of the signage. There was a bracket for a hanging basket above the door previously at a higher level. The holes for this bracket are still evident however and need to be filled with an appropriate lime mortar mix so as not to cause future deterioration of this soft sandstone. The keypad entry system alongside the entrance door is relatively unobtrusive and is visually acceptable.
29. Whilst the CCTV camera and associated electrical supply and signage do add a degree of visual clutter, it is nevertheless relatively small and unobtrusive. I do not therefore consider that it detracts from the character or appearance of the Barossa Place elevation to a material extent and consequently have no objection thereto.
30. The window boxes fitted at first and second floor level of the Rose Terrace frontage are black in colour and have the initials 'AR' The unobtrusive lettering was originally illuminated from behind when first fitted, but following discussions with the applicant are not now proposed for illumination. Although there are no other window boxes evident along the Rose Terrace frontage. clutter I do not consider that the window boxes are visually unacceptable, even with the low level advertising and artificial foliage which they incorporate.
31. The Council's Conservation Officer has no objections to the proposals on the Barossa Place elevation, with the exception of the CCTV which it is felt adds unnecessary visual clutter. However, concern has also been expressed about the window boxes as it is considered they add unacceptable clutter to the Rose Terrace frontage and this could set an unwelcome precedent along the length of the terrace. Notwithstanding this view, I consider the proposals should on balance be viewed favourably for the reasons given above.

Economic Benefits

32. There are no significant economic benefits associated with this proposal other than to assist in the identification and promotion of the self-catering accommodation business at 'Alexander Residence'.

LEGAL AGREEMENTS

33. No legal agreement is required for this proposal.

DIRECTION BY SCOTTISH MINISTERS

34. 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

35. The proposed alterations and signage is on balance considered to be acceptable and will not have any significant adverse impact on the residential and visual amenity, or character of the area and is in consequence in accordance with the Development Plan.

RECOMMENDATION

- A** Approve the application subject to the following condition:

- 1 The holes associated with previous brackets above the Barossa Place entrance shall be filled in with an appropriate lime mortar mix within 6 months of the date of this approval.

Reason:

- 1 To ensure that the fabric of the listed building is suitably maintained.

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

- 1 This application is covered by Historic Scotland's scheme for non-notifiable listed building consent applications and is therefore not required to be ratified by Historic Scotland. The application will require to be sent to Historic Scotland within 5 days of Listed Building Consent being issued for monitoring purposes.

D INFORMATIVES

None.

Background Papers: Nine letters of representation
Contact Officer: Brian Stanford – Ext 75356
Date: 18 September 2013

Nick Brian
Development Quality Manager

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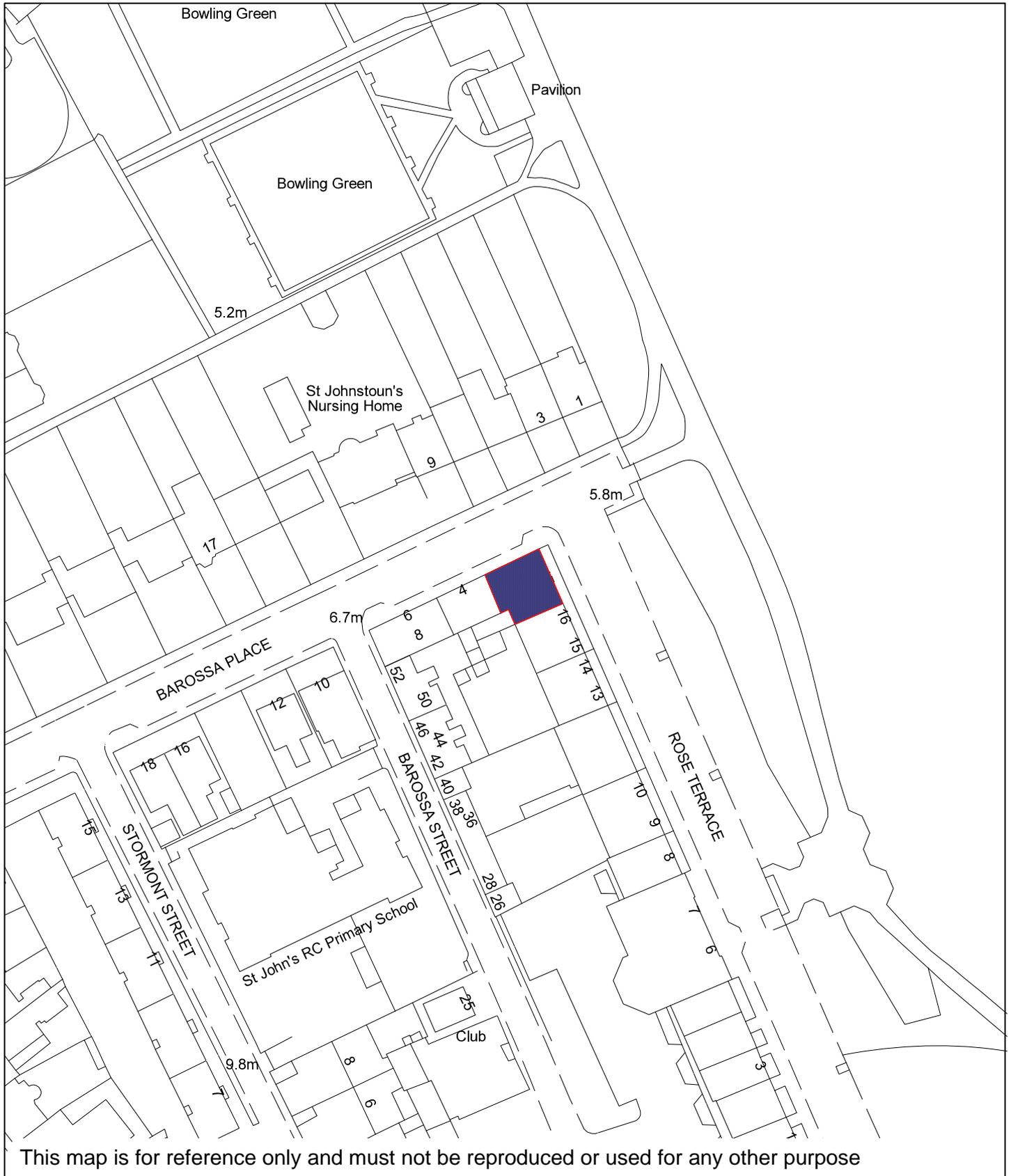
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Perth & Kinross Council

13/01169/LBC

Alexander Residence, 2 Barossa Place, Perth

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↑ Scale
1:1250

