

Argyll and Bute Council
Development and Infrastructure Services

Delegated or Committee Planning Application Report and Report of handling as required by Schedule 2 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 relative to applications for Planning Permission or Planning Permission in Principle

Reference No: 12/01798/PP

Planning Hierarchy: Local Application

Applicant: Argyll and Bute Council

Proposal: Amendment to planning permission reference 11/00007/PP (alterations to Colquhoun Square including alterations to road layout, formation of service accesses, provision of parking spaces and hardstanding, installation of street furniture, cycle stands and bollards and provision of landscaping) - alterations to road layout, increase in soft landscaping and decrease in hard landscaping.

Site Address: Colquhoun Square, Helensburgh

DECISION ROUTE

(i) Local Government Scotland Act 1973

(A) THE APPLICATION

(i) Development Requiring Express Planning Permission

Installation of areas of hard surfacing within Colquhoun Square;
Change of use of road to public open space.

(ii) Other specified operations

Re-surfacing of road;
Installation of street furniture.

(B) RECOMMENDATION:

It is recommended that planning permission be approved subject to conditions.

(C) HISTORY:

11/00007/PP - Alterations to Colquhoun Square including alterations to road layout, formation of service accesses, provision of parking spaces and hardstanding, installation of street furniture, cycle stands and bollards and provision of landscaping
Approved 23/3/11.

(D) CONSULTATIONS:

Area Roads Engineer (dated 21/9/12): No objections subject to conditions.

Scottish Water (dated 4/9/12): No objections.

(E) PUBLICITY:

ADVERT TYPE: Listed Building/Conservation Advert
EXPIRY DATE: 27.09.2012

(F) REPRESENTATIONS:

(i) Summary of issues raised

Three letters of representation have been received from:

Mr I. G. Plenderleith, Dunfillan, 2 Upper Adelaide Street, Helensburgh G84 7HT (undated);
Lorna Howie by email dated 4/9/12;
St. Andrew's Kirk, Colquhoun Square, Helensburgh G84 8UP (dated 14/9/12).

The points of representation and my comments on them are summarised below.

There is concern that the comet lamp standards are to be scrapped rather than looking in to the possibility of upgrading them.

Comment: This is a minor material planning consideration. The Comet light standards are Victorian in design, do not provide the desired level of illumination, are not as energy efficient and there are questions regarding their structural integrity, for example, the lantern components are badly corroded, the embellishments require repair etc. Under the previous application the lamp standards were to be removed. The Agent has advised that it is still the intention to remove them, assess their condition and look at reusing them elsewhere.

There appear to be over one hundred polished granite bollards strewn about the square with no apparent reason why they should be there other than to mark the boundaries of roads. This is an expensive indulgence which could be limited to effect a saving.

Comment: The bollards are there to discourage errant vehicles driving into the main public space areas.

There is concern about traffic movements within Colquhoun Street and Colquhoun Square including the turning area opposite the church and the limited connectivity between Colquhoun Square and Colquhoun Street.

Comment: *There is no change in the design detail to these areas from the original approved application. The Colquhoun Street vehicle turning area has been checked using Swept Path Analysis including the possibility of turning for larger vehicles e.g. wedding and funeral limousines. The Road Network Manager has confirmed that the road layout is satisfactory.*

The proposal would result in excessive noise and disruption during the construction phase.

Comment: *This is not a material planning consideration. If there is a noise nuisance during construction, it will be a matter for Environmental Health to deal with under separate legislation.*

The above represents a summary of the issues raised. Full details of the letters of representation are available on the Council's Public Access System by clicking on the following link <http://www.argyll-bute.gov.uk/content/planning/publicaccess>.

(G) SUPPORTING INFORMATION

Has the application been the subject of:

- (i) **Environmental Statement:** No
- (ii) **An appropriate assessment under the Conservation (Natural Habitats) Regulations 1994:** No
- (iii) **A design or design/access statement:** Yes – A materials and planning supplement has been submitted in support of the application. This gives further details on proposed hard materials and landscaping.
- (iv) **A report on the impact of the proposed development eg. Retail impact, transport impact, noise impact, flood risk, drainage impact etc:** No

(H) PLANNING OBLIGATIONS

- (i) **Is a Section 75 agreement required:** No

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- (I) Has a Direction been issued by Scottish Ministers in terms of Regulation 30, 31 or 32:** No
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(J) Section 25 of the Act; Development Plan and any other material considerations over and above those listed above which have been taken into account in the assessment of the application

(i) List of all Development Plan Policy considerations taken into account in assessment of the application.

'Argyll and Bute Structure Plan' 2002

STRAT DC 1 – Development within the Settlements
STRAT DC 9 – Historic Environment and Development Control

'Argyll and Bute Local Plan' 2009

LP ENV 1 – Impact on the General Environment
LP ENV 13a – Development Impact on Listed Buildings
LP ENV 19 – Development Setting, Layout and Design

LP TOUR 1 – Tourist Facilities and Accommodation, including Caravans
LP TRAN 1 – Public Access and Rights of Way
LP TRAN 2 – Development and Public Transport Accessibility
LP TRAN 3 – Special Needs Access Provision

Appendix A – Sustainable Siting and Design Principles

(ii) List of all other material planning considerations taken into account in the assessment of the application, having due regard to Annex A of Circular 4/2009.

Argyll & Bute Sustainable Design Guidance (2006)

(K) Is the proposal a Schedule 2 Development not requiring an Environmental Impact Assessment: No

(L) Has the application been the subject of statutory pre-application consultation (PAC): No

(M) Has a sustainability check list been submitted: No

(N) Does the Council have an interest in the site: Yes

(O) Requirement for a hearing (PAN41 or other): Not required

(P) Assessment of determining issues and material considerations

Planning permission is sought for an amendment to a previously approved application in Colquhoun Square relating to the Council's CHORD project. These changes follow on from a further period of consultation with the residents of Helensburgh which involved a referendum.

Although the view has been taken that the proposals represent a material amendment to the previously approved scheme, they are comparatively minor in nature in relation to the overall scheme. The changes comprise an increase in the soft landscaped areas with a consequent decrease in hard surface, the introduction of additional internal paths through the landscaping, increased seasonal planting display areas and the retention of the existing road alignment of West Princes Street. All of the materials, street furniture, bollard design and signage would remain the same with the bus stops retained outwith the square. In addition, there is no change for the original application to the proposed stopping up of the traffic on Colquhoun Street within the square, nor to the traffic movement within the north part of the square.

The determining issues in this application for an amendment therefore relate to the retention of the existing road layout, the revised proportions of hard and soft landscaping and the introduction of new footpaths through the landscaped areas as the acceptability of all other aspects has already been established by the determination of the first planning application.

It is considered that the amended proposal would accord with the requirement of Policy LP ENV 1 and Policy LP ENV 19 which require that developments have a high standard of appropriate design which effectively integrates with the urban setting.

There are a number of listed buildings which face onto Colquhoun Square, namely St. Andrew's Kirk (formerly West Kirk), the flats at 19-25 Colquhoun Square, the former bank building and the Post Office. The Celtic Cross within the square is also listed. While all of the work would be taking place in front of the principal elevations of the listed buildings, I am not of the view that they would have an impact on their character or appearance. Indeed, the environmental upgrading of the square may allow for a greater appreciation of the listed buildings and improve their setting. I am therefore of the view that the proposal would accord with Policy LP ENV 13(a) which requires development affecting a listed building's setting to be of a high quality.

The Road Network Manager has advised that he would have no objections to the proposal subject to the bollards along the kerb line being set back on West Princes Street to ensure vehicle clearance. In addition, the proposal will safeguard and upgrade important pedestrian access routes and encourage pedestrian use linked with public transport supporting visits to the town centre in accordance with Policies LP TRAN 1, 2 and 3. The redevelopment of the square will also be more flexible as a space for public events which may attract further visitors to the town. This aspect would accord with Local Plan Policy LP TOUR 1 which presumes in favour of new or improved tourist facilities.

The Council's Sustainable Design Guide contains a section on Public Realm. Here it is noted that *"it is important that the elements of public realm adopt an appropriate style and approach to overall design, finishes and street furniture"*. The proposal should reduce clutter and provide a coordinated design which reinforces the character of the area. In accordance with the principles of the design guide, the CHORD proposal represents a coordinated approach to the overall design of the square and uses high quality materials. The issue of visual clutter of street furniture is to be addressed through the use of high quality products such as polished granite bollards, some incorporating artwork, stainless steel cycle stands and bins and timber seating.

(Q) Is the proposal consistent with the Development Plan: Yes

(R) Reasons why planning permission or a Planning Permission in Principle should be granted

It is considered that the proposed development is acceptable and accords with Local Plan Policies. Reducing the amount of traffic flow within the square and the creation of event space and the general regeneration of the area will enhance the character and appearance of the area, which is in accordance with Policies LP ENV 1, LP ENV 19 and Appendix A of the Argyll & Bute Local Plan. The enhancement of the square will positively contribute to the setting of the adjacent listed buildings and the monuments within the square and as such is in accordance with Policy LP ENV 13(a) of the Argyll & Bute Local Plan. The formation of spaces for public art, events and the pedestrianisation of most of the square will allow for an informal space used for residents and visitors alike. This is hoped will facilitate events and provide an attractive town centre which would help to boost tourism in the area and as such is in accordance with Policy LP TOUR 1 of the Argyll & Bute Local Plan.

(S) Reasoned justification for a departure to the provisions of the Development Plan

Not applicable

(T) Need for notification to Scottish Ministers or Historic Scotland: Not required

Author of Report: Sandra Davies

Date: 27/9/12

Reviewing Officer: Howard Young

Date: 28/9/12

Angus Gilmour
Head of Planning and Regulatory Services

CONDITIONS AND REASONS RELATIVE TO APPLICATION REF. NO.12/01298/PP

1. The development shall be implemented in accordance with the details specified on the application form dated 20/8/12 and the approved drawing reference numbers GA(004), L(90)12, L(90)004, L(90)0010, L(90)007, A(90)053, A(90)018, A(90)054, A(90)020, A(90)019, A(90)011, A(90)010, A(90)015, A(90)021, A(90)017, A(90)001, 17 of 18 and 18 of 18 unless the prior written approval of the planning authority is obtained for other materials/finishes/for an amendment to the approved details under Section 64 of the Town and Country Planning (Scotland) Act 1997.

Reason: For the purpose of clarity, to ensure that the development is implemented in accordance with the approved details.

2. Notwithstanding the details shown on the approved plan, the bollards on West Princes shall be set back 450 mm from the kerb line, full details of which shall be submitted to and approved in writing by the Planning Authority prior to the commencement of development.

Reason: In the interests of road safety in order to ensure vehicle clearance.

3. Development shall not begin until samples of materials to be used in construction of hard standings has been submitted to and approved in writing by the Planning Authority. Development shall thereafter be carried out using the approved materials or such alternative as may be agreed in writing with the Planning Authority.

Reason: In order to integrate the development into its surroundings.

4. Details of any works of public art or graphic information displays on plinths or bollards shall be submitted to and approved in writing by the Planning Authority prior to being placed on site.

Reason: In the interests of visual amenity.

NOTES TO APPLICANT

1. **The length of this planning permission:** This planning permission will last only for three years from the date of this decision notice, unless the development has been started within that period. [See section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).]
2. In order to comply with Section 27A(1) of the Town and Country Planning (Scotland) Act 1997, prior to works commencing on site it is the responsibility of the developer to complete and submit the attached 'Notice of Initiation of Development' to the Planning Authority specifying the date on which the development will start.
3. In order to comply with Section 27B(1) of the Town and Country Planning (Scotland) Act 1997 it is the responsibility of the developer to submit the attached 'Notice of Completion' to the Planning Authority specifying the date upon which the development was completed.
4. An application is required to be submitted in accordance with the Roads Scotland Act 1984 to alter the road layout.

APPENDIX TO DECISION APPROVAL NOTICE

Appendix relative to application **12/01798/PP**

(A) Has the application required an obligation under Section 75 of the Town and Country Planning (Scotland) Act 1997 (as amended).

No

(B) Has the application been the subject of any “non-material” amendment in terms of Section 32A of the Town and Country Planning (Scotland) Act 1997 (as amended) to the initial submitted plans during its processing.

No

(C) The reason why planning permission has been approved.

It is considered that the proposed development is acceptable and accords with Local Plan Policies. Reducing the amount of traffic flow within the square and the creation of event space and the general regeneration of the area will enhance the character and appearance of the area, which is in accordance with Policies LP ENV 1, LP ENV 19 and Appendix A of the Argyll & Bute Local Plan. The enhancement of the square will positively contribute to the setting of the adjacent listed buildings and the monuments within the square and as such is in accordance with Policy LP ENV 13(a) of the Argyll & Bute Local Plan. The formation of spaces for public art, events and the pedestrianisation of most of the square will allow for an informal space used for residents and visitors alike. This is hoped will facilitate events and provide an attractive town centre which would help to boost tourism in the area and as such is in accordance with Policy LP TOUR 1 of the Argyll & Bute Local Plan.