

## PLANNING APPLICATION: 10/00220/APP

*In the event that a recommendation on this planning application is overturned the Committee is reminded of the advice contained on the front page of the agenda for Reports on Applications*

### The Proposal

- Alterations to existing elevations and roof
- Demolition of existing public entrance
- Provide new public entrance to offices

### The Site

- The site is approx. 4400sqm in area and irregular in shape
- Former supermarket site, now disused
- Located within Elgin Central Conservation Area. The building was designed to reflect the surrounding historic townscape.

### Policy / Objections-Representations / Consultations - See Appendix

### History

- 09/01209/FUL** - Change of use of former supermarket premises to offices 2 High Street Elgin Moray IV30 1BY - Permitted 08/10/09
- 03/01137/ADV** - Proposed signage at Safeway 2-10 High Street Elgin Moray IV30 1BY - Permitted 25/07/03
- 03/01136/FUL** - Install an ATM through wall at Safeway 2-10 High Street Elgin Moray IV30 1BY - Permitted 18/08/03
- 94/01061/FUL** - Erect communication satellite antenna at Safeway 2-10 High Street Elgin Moray IV30 1BY - Permitted 18/10/94
- 91/00547/ADV** - Proposed illuminated wall mounted signs at Norco 2-10 High Street Elgin Moray - Permitted 17/07/91
- 91/00171/ADV** - Erect wall mounted roundels at Norco 2-10 High Street Elgin Moray - Permitted 23/04/91
- 89/00527/FUL** - Erect a superstore and car parking at 2-10 High Street Elgin Moray - Permitted 01/09/89

**88/00950/OUT** - Erect a superstore with car parking on Site On The Corner Of South College Street, Glover Street And Greyfriars Street Elgin Moray - Permitted 30/01/89

**86/00085/FUL** - Change of use and minor extension to store to form retail unit at 2 High Street Elgin Moray - Permitted 20/05/86

### **Advertisement**

Advertised as a planning application affecting a Listed Building/Conservation Area.

### **Observations**

The main determining issues are:

#### **Impact of the development on the Conservation Area and surrounding environment (Policy BE3 and IMP1)**

In considering an application for planning permission in a conservation area, the 1997 Act directs planning authorities to ensure that new development will preserve and enhance the character and appearance of an area. The aim is to ensure that the development will enhance an area's quality and therefore the experience of visitors and residents alike.

The modern supermarket building located on the grounds of what was Dunfermline House won acclaim when it was completed for its successful integration into the surrounding historic townscape. This was achieved largely through the sensitive use of finishing materials and of the consideration given to its scale and massing in relation to its elderly neighbours. The building is currently unused and is beginning to show signs of deterioration through lack of use and proper maintenance. Instances of vandalism are also taking their toll.

The key changes proposed involve modernising the street frontage, alterations to the roof and a full reworking of the main entrance design:

- The new window detailing on the North and East elevations enhances the street façade within the context of the original building design.
- The roof of the building is to have existing slates and flashing made good where required and the addition of a new single ply membrane with maintenance access walkways on flat areas. Additional wind chimneys/catchers are to be added. This will allow fresh air to be captured and circulated around the new council building.
- The removal/demolition of the existing entrance and annexe, and replacement with new entrance, will not have a detrimental impact on the character and appearance of the existing building. The design of the new entrance integrates well with the existing building. Conservation Area consent is not required for this element of the proposal as the demolition does not represent entire or even substantial demolition; substantial being defined as the removal of 3 out of 4 walls of the building as a whole.

It is considered that the changes proposed comply with Council policy BE3: Conservation Areas and that they will have a neutral effect on the character and appearance of the conservation area.

Built into the wall of the current main entrance to the supermarket building lies a small-carved stone that identifies the location of an ancient well. No provision has been made in this application for its retention but given its historical importance attempts have been made to retain the stone in some way on this site. The Estates department of this Council has agreed that the stone should be kept at the site. Discussions as to how best to incorporate this into the new development will continue between all parties involved and a condition seeking its retention shall form part of the final consent.

The proposal is not a departure from development plan policy and does not need to be notified to the Scottish Ministers in accordance with the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009. (Circular 3)

No consultees have objected to the proposed development.

Application recommended for approval.

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***DONALD LUNAN***  
***PLANNING & DEVELOPMENT MANAGER***

## **APPENDIX**

### **POLICY**

#### **Moray Structure Plan 2007 and/or Moray Local Plan 2008**

##### **Policy 2: Environment and Resources**

The Moray Structure Plan Strategy will be supported by: -

- f) conserving and enhancing the areas built heritage resources and their settings.

##### **BE3: Conservation Areas**

Development proposals within Conservation Areas will require to be submitted as full detailed planning applications and will be refused if they adversely affect the character or appearance of the Conservation area in terms of scale, height, materials, colour, detailed design and use.

All development within a Conservation Area should preserve or enhance the established traditional character and appearance of the area.

Development proposals involving the demolition of buildings within a Conservation area will be refused unless the building is considered not to make a positive contribution to the character and appearance of the area. Where redevelopment is proposed, consent to demolish will only be granted where there are acceptable proposals for the site. Conditions will be attached to any planning permission/conservation area consent prohibiting demolition until contracts have been let for the redevelopment of the site.

Boundary walls, fences and ground surfaces must relate to the individual building and to the established amenity of the Conservation area. Boundary walls and fences will not be permitted over the height of 1 metre in the interests of existing character, amenity and safety unless the character of the area suggests otherwise.

##### **Shop Fronts and Security Devices**

Shops in conservation areas should retain original signs where possible. Where archive drawings and/or photography exists the Council will encourage the reinstatement of the original shop fronts which have been lost. New shop fronts must be designed in relation to the whole elevation of a building so that the new shop front relates to established doors and windows; floor height and vertical alignment of buildings. They should be constructed in materials appropriate to the original building and be of painted timber construction. Security devices in the form of removable and/or fold away grilles are preferred although perforated roller shutters will be permitted provided that box devices do not project beyond the building line.

##### **Satellite Dishes and Other Fittings**

The Council will approve in principle external fixtures to important buildings, which are deemed to be essential to the use of that building e.g. satellite equipment, TV aerials, telecommunication cables, security boxes, CCTV where they do not adversely affect the character or fabric of the building.

## **Advertisements**

Advertising within Conservation Areas will be permitted where it is sensitive to the historic nature of the area. New signage should respect the historic fascia line and height on the adjoining properties and be finished in a matt non reflective finish.

Illumination will only be permitted where an appropriate discreet projecting light source can be provided. No internally illuminated signage will be permitted. Projecting hanging signs should be fixed at fascia level and if illuminated this should be provided with a discreet projecting light source. Projecting light sources and internal illuminated signs will not be permitted. Internal illuminated plastic fascias will only be permitted if no alternative solution can be found.

## **Article 4 Directions**

The Council may apply to the Scottish Ministers for Article 4 Directions for its conservation areas which will permit the Council to require planning applications for matters otherwise classed as permitted development.

## **R1: Retail and Commercial Development in Town Centres**

Retail and commercial development within town centres will be approved if:

- a. sensitive design solutions are applied on sites within or adjacent to designated conservation areas, or on high visibility landmark sites on main routes, and
- b. adequate servicing and infrastructure is available including road capacity, public transport, pedestrian links and car and cycling parking provision, where appropriate through the provision of a Transport Assessment; sewerage links; provision for water run-off and sustainable urban drainage systems (SUDS); and, provision to deal with any flood implications.

## **EP9: Contaminated Land**

Development proposals on potentially contaminated land will be approved if:

- a. site specific risk assessments are undertaken by the applicant to identify any actual or possible significant risk to human health or safety, or to the environment and that any previous historic uses are not continuing to cause significant pollution to the water environment, and
- b. effective remediation measures are agreed to ensure the site is made suitable for any new use granted consent, and
- c. appropriate measures for the disposal of any contaminated material is agreed with the Council.

The Council will consult SEPA in respect of pollution of controlled waters and licensing issues arising from remediation works.

## **OBJECTIONS-REPRESENTATIONS**

No objections/representations received.

## **CONSULTATIONS**

**Environmental Health Manager, Development Services** - No objection. Further info to be passed to applicant.

**Contaminated Land, Development Services** - No objection.

**Environmental Protection Manager, Direct Services** - No comment.

**Regional Archaeologist** - No objection.

**Building Standards Manager, Development Services** - No objection - Building Warrant required