



**PLANNING AND ACCESS COMMITTEE**

**MEETING: NPA/PC/02/2014**

**DATE: 31<sup>st</sup> March 2014**

<b>REPORT No.</b>	<b>NPA/PC/02/2014/03</b>
<b>SUBMITTED BY:</b>	<b>Executive Director of Planning</b>
<b>APPLICATION NUMBER:</b>	<b>2013/0302/CON</b>
<b>APPLICANT:</b>	<b>Sir Malcolm Colquhoun Of Luss, Luss Estates</b>
<b>LOCATION:</b>	<b>Old Telephone Exchange Church Road Luss G83 8NZ</b>
<b>PROPOSAL:</b>	<b>Demolition of former telephone exchange</b>

<b>NATIONAL PARK WARD:</b>	Ward 5 (south west Loch Lomond)
<b>COMMUNITY COUNCIL AREA:</b>	Luss and Arden Community Council
<b>CASE OFFICER:</b>	Name: Catherine Stewart Tel: 01389 727731 E-mail: <a href="mailto:catherine.stewart@lochlomond-trossachs.org">catherine.stewart@lochlomond-trossachs.org</a>

**1 SUMMARY AND REASON FOR PRESENTATION**

1.1 The application is for the demolition of a building within Luss Conservation Area, to make way for a proposed new smokery building (see associated application 2013/0301/DET). The latter application is being reported to committee due to its location within the 1:200 year flood risk zone and, at the time of preparing this report, a statutory objection from SEPA and this application requires to be considered alongside the proposed replacement building.

**2 RECOMMENDATION**

**That Members:**

1. APPROVE the proposed development, subject to the imposition of the conditions contained in Appendix 1 of this report.

### 3 BACKGROUND

#### ***Site Description:***

- 3.1 The application site is located on Church Road in the south of Luss. To the north lies the new telephone exchange building, opposite is Manse Cottage, and to the south is Dell Cottage. Further along the road to the north is Luss Village Hall. The site is approximately 40 metres from the footbridge over the Luss Water (see Appendix 2 Site Location Plan).
- 3.2 The site is currently occupied by the former telephone exchange, a small building approximately 7 metres long by 3 metres wide. It is a white rendered building with a pitched slate roof and a window in the gable end facing onto the road (see Appendix 3 Photograph of former telephone exchange).

#### ***Environmental Impact Assessment (EIA):***

- 3.3 For the purposes of the Environmental Impact Assessment (Scotland) Regulations 2011 the National Park is identified as a 'Sensitive Area'. As a 'Competent Body' the National Park Authority has a statutory duty to consider whether proposals for development should be subject to the EIA process. The proposal does not fall under any of the Schedules within the Regulations so it does not require to be screened for an EIA.

#### ***Description of Proposal:***

- 3.4 The proposal is to demolish the former telephone exchange building, to make way for the erection of a new building on the site to be used as a smokery business with visitor area.

#### ***Planning History:***

- 3.7 The associated application for Planning Permission, for the Erection of Fish Smokery (Class 5 premises) with visitor viewing area, is currently pending consideration and is being reported to this Planning and Access Committee concurrently. The reference is 2013/0301/DET.
- 3.8 There were two previous consents granted concerning use of the former telephone exchange as a glass studio with sales area and workshop:
- 2002/0206/DET - Change of use (retrospective), alterations and extension of former telephone exchange to form glass studio, sales area and workshop.
- 2004/0018/DET - Variations to retrospective planning permission (Reference: LT/2002/0206/DET/A for a change of use, alterations and extension of former telephone exchange to form glass studio, sales area and workshop) to include rear extension

## 4 CONSULTATIONS AND REPRESENTATIONS

### *Responses to Consultations:*

- 4.1 Historic Scotland: We are satisfied that the building proposed for demolition does not contribute significantly to the character (special interest) and appearance of the conservation area. As such we are not seeking any statement justifying the demolition (in addition to the design and access statement) as we would in the case of the demolition of a structure which contributes to the conservation area.
- 4.2 NP Built Heritage Advisor: The site lies within the Luss Conservation Area, in close proximity to listed buildings. The application will involve the demolition of the old telephone exchange a simple rendered building with pitched slated roof. It is sympathetically designed but has been replaced by a larger building of similar design on the adjacent site. Its demolition has a minimal effect on the character of the conservation area. The proposed development will fit neatly onto small site between new telephone exchange and Dell Cottage. The proposed development is a simple, safe design using traditional materials reflecting those to be used in other new developments in the same street. It will have a positive impact on this part of the village providing interest where a duplicate utilitarian building is currently sited. More information is required on the following:
- Design of the entrance door
  - Materials, type of render, slate, ridges and rainwater goods
  - Rooflights – should be conservation rooflights
  - Flue

### *Representations Received:*

- 4.7 At the date of the preparation of this report no representations had been received.

## 5 POLICY CONTEXT

### *National Park Aims:*

- 5.1 The four statutory aims of the National Park are a material planning consideration. These are set out in Section 1 of the National Parks (Scotland) Act 2000 and are:
- (a) to conserve and enhance the natural and cultural heritage of the area;
  - (b) to promote sustainable use of the natural resources of the area;
  - (c) to promote understanding and enjoyment (including enjoyment in the form of recreation) of the special qualities of the area by the public; and
  - (d) to promote sustainable economic and social development of the area's communities.
- 5.2 Section 9 of the Act then states that these aims should be achieved collectively. However, if in relation to any matter it appears to the National Park Authority that there is a conflict between the first aim, and the other National Park aims, greater weight must be given to the conservation and enhancement of the natural and cultural heritage of the area.

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### ***Development Plan:***

#### 5.3 National Park Local Plan (Adopted 2011):

Relevant Policies:

ENV20 Conservation Areas

ENV4 Legally Protected Species

Full details of the policies can be viewed at:

<http://www.lochlomond-trossachs.org/planning/adopted-local-plan/menu-id-904.html>

### ***Other Material Considerations:***

#### National Park Partnership Plan (2012-2017)

- 5.4 All planning decisions within the National Park require to be guided by the policies of the Partnership Plan, where they are considered to be material, in order to ensure that they are consistent with the Park's statutory aims. In this respect the following policies are relevant:

Con Policy 2: Natural Heritage

Con Policy 6: Cultural Heritage

## **6 SUMMARY OF SUPPORTING INFORMATION**

- 6.1 The applicant submitted the following with the application on 28<sup>th</sup> November 2013:

- a copy of a letter from the applicant to local residents explaining what is proposed
- Design and Access Statement setting out an explanation of the proposed design, site layout and planting. It also refers to the employment opportunity offered by the proposal and the possibility of attracting younger families to Luss. Finally it sets out how the proposal would fit within the village, having a minimal impact in terms of discharges of smoke through the week compared to the extract flue from the cafe.
- An A4 Flood Risk Assessment document
- Photographs of the site and surrounding area
- Luss Fine Foods Limited Abbreviated Start Up Plan

This sets out the business background, operations, smokery layout within the proposed building, utilities required, numbers of staff required and projected, and logistics.

- 6.2 A letter from the applicant's agent together with supporting documents was submitted on 7<sup>th</sup> February 2014:

- The covering letter seeks to address matters raised through the letters of consultation, including the points raised by the Built Heritage officer

## **7 PLANNING ASSESSMENT**

- 7.1 The key local plan policy against which the proposed demolition should be assessed is: ENV20 Conservation Areas.

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### Principle

- 7.2 Proposals for demolition in a conservation area should be considered in conjunction with a full planning application for a replacement development. The key principle in such cases is that the character and appearance of the area should be preserved or enhanced. This proposal is for the demolition of an unlisted building which Historic Scotland acknowledge does not contribute significantly to the character (special interest) and appearance of the conservation area. Its demolition is therefore acceptable in principle. The proposed replacement building (considered under the accompanying planning application ref 2013/0301/DET) is considered to preserve and enhance the character of the conservation area.

### Natural Heritage – Bats (European Protected Species)

- 7.3 Where there is good reason to believe that a protected species may be present on a proposed development site, an ecological survey will be required to determine whether the species is present and any mitigation and compensation measures that will be undertaken. The former telephone exchange building could potentially be used for bat roosts, and therefore a bat survey requires to be carried out before this application for Conservation Area Consent can be determined.
- 7.4 Unfortunately the lack of bat survey was not identified until late in the processing of this application and although a request has now been made to the applicant for a survey to be carried out, at the time of writing this report the survey has not yet been received, although the applicant has agreed to action this. Therefore the results of the survey will be reported verbally to the planning committee alongside any proposed conditions.

## **8 CONCLUSION**

- 8.1 In conclusion the proposal is for the demolition of an unlisted building which does not contribute significantly to the character (special interest) and appearance of the conservation area. The proposed replacement building (considered under the accompanying planning application ref 2013/0301/DET) is considered to preserve and enhance the character of the Luss Conservation Area. The demolition of the former telephone exchange is therefore acceptable in principle, subject to the findings of the bat survey report.

**Background** <http://www.lochlomond-trossachs.org/planning/>

**Documents:** *Click on view applications, accept the terms and conditions then enter the search criteria as '2013/0301/DET'*

**List of Appendices:** *Appendix 1 Conditions/Informatives/List of Plans/Proposed Reason for Decision*

*Appendix 2 Site Location Plan*

*Appendix 3 Photograph of the former telephone exchange*

**Appendix 1 Reason for Decision/ Informatives/List of Plans/**

**Proposed Reasons for Approval**

The proposal is for the demolition of an unlisted building which does not contribute significantly to the character (special interest) and appearance of the conservation area. The proposed replacement building (considered under the accompanying planning application ref 2013/0301/DET) is considered to preserve and enhance the character of the conservation area. The demolition of the former telephone exchange is therefore acceptable in principle

**List of Plans**

<b>Title</b>	<b>Reference</b>	<b>Date Received</b>
Location Plan		28/11/13
Plan Site/Block Plan	1904.05	28/11/13

**Informatives**

1 Notification of Initiation of Development - 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. We recommend this is submitted 2 weeks prior to the start of work. A failure to submit the notice, included in the decision pack, would constitute a breach of planning control under section 123(1) of that Act, which may result in enforcement action being taken.

2 Notification of Completion of Development - As soon as practicable after the development is complete, the person who completes the development is required by section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) to give written notice to the planning authority of the completion of the building works. As before, there is notice for you to complete for this purpose included in the decision pack. In larger, phased developments, a notice of completion is to be submitted as soon as practicable after each phase is finished by the person carrying out the development.

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