

Perth and Kinross Council
Planning and Placemaking Committee – 22 February 2023
Report of Handling by Head of Planning & Development
(Report No. 23/68)

PROPOSAL: Alterations

LOCATION: The Ell Shop, 9 The Cross, Dunkeld PH8 0AN

Ref. No: [22/01816/LBC](#)

Ward No: P5- Strathtay

Summary

This report recommends approval of the application as the proposal has due regard to the special interest of the listed building, and it complies with the development plan.

BACKGROUND AND DESCRIPTION OF PROPOSAL

- 1 The application property comprises the ground floor of a category B listed building known as The Ell House (Historic Environment Scotland ref: LB5646) and lies within the Dunkeld Conservation Area. The property was previously in use as a shop (Class 1). In 2021, planning permission (20/01886/FLL) was granted for the property to be used as an office for professional services (Class 2). The property is currently in use as an estate agency.
- 2 Listed building consent is sought to paint the two entrance doors on the ground floor of the east elevation black. The doors are currently pale yellow.
- 3 Listed building consent is also sought to install a non-illuminated sign above the ground floor windows in the centre of the east (front) elevation of the property. The sign is to be formed from MDF and is to be painted in Dusted Moss 1 with painted black letters. It will be 2440mm wide, 485mm high and 18mm deep and will not project from the building. To attach the sign to the building, there will be two elongated interlocking French cleats along the top and bottom of the sign that will have fixings into the stonework.
- 4 An application for planning permission (ref: 22/01817/FLL) to paint the two entrance doors on the ground floor of the east elevation black is also under consideration by this committee. Advertisement consent (ref: 22/01818/ADV) for the display of the sign has previously been approved under delegated powers.

Pre-Application Consultation

- 5 The proposed development is not classed as a Major development in terms of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009, therefore the applicant was not required to undertake any formal pre-application consultation with the local community.

National Policy and Guidance

- 6 The Scottish Government expresses its planning policies through The National Planning Frameworks, Planning Advice Notes (PAN), Creating Places, Designing Streets, National Roads Development Guide and a series of Circulars.

National Planning Framework 4

- 7 The National Planning Framework 4 (NPF4) was approved by the Scottish Parliament on 11 January 2023 and adopted on 13 February 2023. NPF4 has an increased status over previous NPFs and comprises part of the statutory development plan.

Planning Advice Notes

- 8 The following Scottish Government Planning Advice Notes (PANs) and Guidance Documents are of relevance to the proposal:
- PAN 40 Development Management

DEVELOPMENT PLAN

- 9 The Development Plan for the area comprises NPF4 (as mentioned above) and the Perth and Kinross Local Development Plan 2019.

National Planning Framework 4

- 10 NPF4 is the Scottish Government's long-term spatial strategy with a comprehensive set of national planning policies. This strategy sets out how to improve people's lives by making sustainable, liveable and productive spaces.
- 11 The Council's assessment of this application has considered the following policy of NPF4:
- 12 Policy 7 Historic Assets and Places states:
- c) Development proposals for the reuse, alteration or extension of a listed building will only be supported where they will preserve its character, special architectural or historic interest and setting. Development proposals affecting the setting of a listed building should preserve its character, and its special architectural or historic interest.

Perth and Kinross Local Development 2019

- 13 The Local Development Plan 2 (2019) (LDP2) sets out a vision statement for the area and states that, *“Our vision is of a Perth and Kinross which is dynamic, attractive and effective which protects its assets whilst welcoming population and economic growth.”* It is the most recent statement of Council policy and is augmented by Supplementary Guidance.
- 14 The principal relevant policy is, in summary;
- Policy 27A: Listed Buildings

OTHER POLICIES

Historic Environment Policy for Scotland 2019

- 15 This policy supersedes the Historic Environment Policy Statement 2016 and provides guidance to planning authorities on decision-making where it will affect the historic environment.

SITE HISTORY

- 16 [20/01886/FLL](#) Full Planning Permission was approved on 15 February 2021 for change of use from shop (Class 1) to office for professional services (Class 2).
- 17 [22/00901/ADV](#) Advertisement Consent application was withdrawn on 13 October 2022 for display of sign, as the wrong address had been used on the application.
- 18 [22/01213/LBC](#) Listed Building Consent application was withdrawn on 13 October 2022 for alterations, as the wrong address had been used on the application.
- 19 [22/01817/FLL](#) Full Planning Permission currently under consideration for alterations to change door colour.
- 20 [22/01818/ADV](#) Advertisement Consent was approved on 12 December 2022 for the display of a sign.

CONSULTATIONS

- 21 As part of the planning application process the following bodies were consulted:

External

- 22 **Historic Environment Scotland:** No comments.
- 23 **Dunkeld and Birnam Community Council:** Object to the position of the proposed sign, as the central positioning of the sign would give the impression that the new business is run from the entire building (including the residential

property above the application property), detracting from the building's heritage and history. Suggest that the proposed sign should occupy the same space on the building as the previous sign, i.e. above the southernmost window and adjacent entrance door on the east elevation of the building, to protect the historic appearance of the building.

Internal

- 24 **Conservation Team:** No comments or concerns.

REPRESENTATIONS

- 25 No representations were received.

ADDITIONAL STATEMENTS

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Screening Opinion	EIA Not Required
Environmental Impact Assessment (EIA): Environmental Report	Not applicable
Appropriate Assessment under Habitats Regulations	Habitats Regulations AA Not Required
Design Statement or Design and Access Statement	Not Required
Report on Impact or Potential Impact eg Flood Risk Assessment	Not Required

APPRAISAL

- 27 Sections 14 & 59 of The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requires the Council to have special regard to the desirability of preserving Listed Buildings or their settings or any features of special architectural historic interest which the building possesses. The determining issue in this case is therefore the effect of the proposal on the character and special interest of the category B listed building.

Historic buildings considerations

- 28 The two doors on the front (east) elevation are to be painted black. Black is a traditional colour that is generally considered to be appropriate for doors on a listed building. As such, the proposed colour for the doors does not adversely affect the character and special interest of the listing building.
- 29 The proposed sign has a simple design. It is not to be illuminated and is not to project from the building. The use of MDF is acceptable and is preferable to the use of plastic. The sign is to be finished in a neutral colour with painted lettering. For these reasons, the proposed sign does not detract from the character or special interest of the listed building.

- 30 Dunkeld and Birnam Community Council (DBCC) has objected to position of the proposed sign and has suggested that it should be repositioned to be above the southern of the two entrance doors. The proposed sign is to be installed above the ground floor windows in the centre of the front (east) elevation; this is an appropriate location for a sign, which does not detract from the character of the listed building. If the sign was to be located above one of the doors, it is possible that the business may require another sign above the other door. By displaying one sign in the centre of the building, separate signs above both entrance doors are not required, to the benefit of the appearance of the listed building.
- 31 To help protect the fabric of the listed building, a condition is recommended to ensure non-ferrous materials are used to attach the sign to the stonework and holes into the stonework are minimised.
- 32 The application property is surrounded by listed buildings. Given the scale, nature and siting of the proposal, the proposal is not detrimental to the setting of the neighbouring listed buildings.
- 33 Given the above, the colour, design, materials, scale and siting of the proposal are appropriate to the character and appearance of the listed building and its setting and are not detrimental to any features of special architectural historic interest. As such, the proposal meets the requirements of Sections 14 & 59 of The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.
- 34 For the reasons detailed above, the proposal is in accordance with Policy 7: Historic Assets and Places of NPF4 and Policy 27A: Listed Buildings of LDP2.

Economic Impact

- 35 The proposed sign is likely to be beneficial to the business operating from the application property.

PLANNING OBLIGATIONS AND LEGAL AGREEMENTS

- 36 None required.

CONCLUSION AND REASONS FOR RECOMMENDATION

- 37 To conclude, the application must be determined having regard to Section 14 (2) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and in accordance with the adopted Development Plan unless material considerations indicate otherwise. In this respect, the proposal is considered to comply with NPF4 and the adopted Local Development Plan 2 (2019). Account has been taken account of the relevant material considerations and none has been found that would justify overriding the adopted Development Plan.
- 38 Accordingly the proposal is recommended for approval subject to the following conditions.

A RECOMMENDATION

Approve the application

Conditions and Reasons for Recommendation

1. The development hereby approved must be carried out in accordance with the approved drawings and documents, unless otherwise provided for by conditions imposed by this decision notice.

Reason - To ensure the development is carried out in accordance with the approved drawings and documents.

2. Non-ferrous materials shall be used to attach the sign to the stonework and the holes into the stonework shall be the minimum necessary.

Reason - In the interests of protecting the special character of the Listed Building.

B JUSTIFICATION

The proposal has due regard to the special interest of the listed building, and it complies with the development plan.

C PROCEDURAL NOTES

None.

D INFORMATIVES

1. This listed building consent will last only for 3 years from the date of this decision notice, unless the development has been started within that period (see 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. This is approval of your application Ref no 22/01816/LBC for listed building consent only. It does not include any approval for your related planning application Ref no 22/01817/FLL. No work should commence until planning permission is granted.

Background Papers: No letters of representation
Contact Officer: David Rennie
Date: 10 February 2023

DAVID LITTLEJOHN
HEAD OF PLANNING & DEVELOPMENT

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