

SCOTTISH BORDERS COUNCIL

**APPLICATION TO BE DETERMINED UNDER POWERS DELEGATED TO
CHIEF PLANNING OFFICER**

PART III REPORT (INCORPORATING REPORT OF HANDLING)

REF : 16/00233/FUL

APPLICANT : Martha Gibson

AGENT :

DEVELOPMENT : External re-decoration (retrospective)

LOCATION: Shop
1 Leithen Road
Innerleithen
Scottish Borders
EH44 6HZ

TYPE : FUL Application

REASON FOR DELAY:

DRAWING NUMBERS:

Plan Ref	Plan Type	Plan Status
	Location Plan	Refused
	Photos	Refused

NUMBER OF REPRESENTATIONS: 1
SUMMARY OF REPRESENTATIONS:

One letter of objection received, describing concerns relating to:

- colour not being sympathetic to heritage of property; and
- colour not being sympathetic to the surrounding historical properties within the conservation area;

One letter of support received, grounds of support being:

- colour appropriate to building as it was a traditional Victorian shade - authentic appearance of shop;
- applied colour and adjacent cream complement one another.

PLANNING CONSIDERATIONS AND POLICIES:

Scottish Borders Consolidated Local Plan 2011:

Policies G1, BE4.

Adopted Supplementary Planning Guidance:

Shopfronts and Shop Signs (2011).

National Policy and Guidance:

Scottish Historic Environment Policy (SHEP)(2011)

Recommendation by - John Hiscox (Planning Officer) on 20th April 2016

The following report relates to a (full) application for planning permission. The application is for retention of a paint scheme that has been applied to a shopfront, the property being 1 Leithen Road, Innerleithen. The property is not a listed building, and does not adjoin any listed buildings. It is, however, quite prominent in the Innerleithen Conservation Area, is a traditional building befitting of its conservation setting, and is seen as a focal point when viewed looking east along the High Street. The painted shopfront is a typical traditional timber type.

The application has arisen from a planning enforcement case and hence is applied for in retrospect. Change of paint colour requires full planning permission if a building is in a conservation area. The colour is a shade of mauve - photographs taken during the planning site visit on 28 March 2016 show the property as it looks now - these can be viewed on Public Access. Prior to painting, the shopfront is understood to have been cream in colour.

There has been one letter of objection received, which describes two related concerns: "The new colour is not sympathetic to the heritage of the property or the surrounding historical properties in the conservation area of the town".

A letter of support has also been received, although it must be noted that it is submitted by the property owner (landlord of applicant/tenant). The letter discusses the present colour, suggesting that it is authentic and was one of the original exterior colour schemes many years ago when purples, browns and greens were traditional Victoriana favourites of the day (remarkable that this is no longer acceptable as a conservation colour). It is suggested that the contrast of the purple and cream complement each other well.

The letter also discusses economic issues, although it must be noted that in relation to this type of application they should not be influential.

The Innerleithen Community Council has described concerns about the visual impact but has also described sympathy towards the circumstances of the applicant. The response may be viewed in full on Public Access.

The main point to consider in this application is the visual impact the paint scheme has on the conservation area setting. Adopted planning policy and guidance require that any works or development requiring planning permission in conservations areas are sympathetic to the character and appearance of the conservation setting and not harmful.

In this case, the chosen colour is considered to give rise to a jarring juxtaposition between tones - the colour conflicts with the softer, neutral tones of the buildings it relates to and is incongruous in the wider setting of the conservation area. Further, because the building is prominent and the subject of a focussed view looking east along the High Street, the eyecatching colour is framed and stands out inappropriately from some distance. It is therefore not an appropriate colour - the paint scheme harms the setting of the conservation area unacceptably.

For these reasons, it would not be acceptable in planning terms to retain the shopfront as it stands now and the application is recommended for refusal.

REASON FOR DECISION :

The paint scheme on the shopfront conflicts with the conservation area setting by way of being poorly related to the colours and tones of surrounding materials in conservation area buildings and structures. The shopfront is prominently located at the end of the High Street and therefore the inappropriately coloured shopfront stands out as an incongruous and eye-catching item, harming both the character and the appearance of the conservation area, to the detriment of public amenity.

Recommendation: Refused

- 1 The development conflicts with Policies G1 and BE4 of the Scottish Borders Consolidated Local Plan 2011, and with adopted Supplementary Planning Guidance from 2011, in that due to:

- the poor relationship of the chosen paint colour on the shopfront with the colours and tones of surrounding materials in conservation area buildings and structures; and
 - the prominence of the shopfront in the conservation area and street scene due to its position at the end (focal point) of the High Street;
- the inappropriate colour stands out as an incongruous and eye-catching item, harming both the character and the appearance of the conservation area, to the detriment of public amenity.

“Photographs taken in connection with the determination of the application and any other associated documentation form part of the Report of Handling”.

