

EAST AYRSHIRE COUNCIL

NORTHERN LOCAL PLANNING COMMITTEE: 12 MAY 2010

**10/0103/PP: ALTERATIONS AND FORMATION OF NEW SHOP FRONT
AND**

**10/0104/AD: INSTALLATION OF FASCIA AND PROJECTING SIGNAGE
AND AT: 8-10 KING STREET, KILMARNOCK
BY MR DARREN LINTERN OF NEW LOOK RETAILERS LTD**

Report by Head of Planning and Economic Development

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 Planning permission is sought for the formation of a new shopfront at the front elevation facing onto King Street which will utilise existing door and window openings and comprise a aluminium frame, finished with a black coating.

1.2 Advertisement Consent is sought for the installation of fascia signage, projecting signage and 2 high level signs on each gable end of the building. The fascia sign will utilise the existing fascia above the shopfront and one projecting sign will be located on the pillars at the southern most point on the front elevation. The high level signage comprises 2 signs on each gable wall of the building on the section that projects into King Street.

1.3 The high level signage as originally proposed on each gable end, was to be 6 metres in height x 1 metre in width. This has been amended by the applicant's agent and revised plans now show reduced signs of 5 metres in height.

2. RECOMMENDATION

2.1 It is recommended that planning application 10/0103/PP be approved.

2.2 It is recommended that advertisement application 10/0104/AD be approved.

3. CONCLUSIONS

3.1 Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 require that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise.

3.2 Both applications are considered to be compliant with the Development Plan and there are no material considerations which indicate otherwise. The formation of a new shopfront and associated alterations are consistent with the town centre location. The proposed signage is appropriate in design, scale and size to the subject property and is in-keeping with the signage in Kilmarnock's town centre.

CONTRARY DECISION NOTE

Should the Committee agree that the applications be refused contrary to the recommendation of the Head of Planning and Economic Development then the applications will not require to be referred to Full Council as that would not be a significant departure from Council Policy.

Alan Neish
Head of Planning and Economic Development

Note: This document combines key sections of the associated report for quick reference and should not in itself be considered as having been the basis for recommendation preparation or decision making by the Planning Authority.

EAST AYRSHIRE COUNCIL

NORTHERN LOCAL PLANNING COMMITTEE: 12 MAY 2010

10/0103/PP: ALTERATIONS AND FORMATION OF NEW SHOP FRONT
AND

10/0104/AD: INSTALLATION OF FASCIA AND PROJECTING SIGNAGE
AND AT: 8-10 KING STREET, KILMARNOCK
BY MR DARREN LINTERN OF NEW LOOK RETAILERS LTD

Report by Head of Planning and Economic Development

1. PURPOSE OF REPORT

1.1 The purpose of this report is to present for determination both an application for planning permission for alterations and formation of new shop front and an application for advertisement consent to be considered by the Northern Local Planning Committee under the scheme of delegation as the Council owns the land.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site comprises an existing retail unit (formerly Woolworths) at 8-10 King Street, Kilmarnock within the designated core shopping area of Kilmarnock Town Centre. The site is surrounded by other commercial units of the Burns Mall and King Street.

2.2 **Proposed Development:** Planning permission is sought for the formation of a new shopfront at the front elevation facing onto King Street which will utilise existing door and window openings and comprise a aluminium frame, finished with a black coating.

2.3 Advertisement Consent is sought for the installation of fascia signage, projecting signage and 2 high level signs on each gable end of the building. The fascia sign will utilise the existing fascia above the shopfront and one projecting sign will be located on the pillars at the southern most point on the front elevation. The high level signage comprises 2 signs on each gable wall of the building on the section that projects into King Street.

2.4 The high level signage as originally proposed on each gable end, was to be 6 metres in height x 1 metre in width. This has been amended by the applicant's agent and revised plans now show reduced signs of 5 metres in height.

3. CONSULTATIONS RECEIVED

3.1 East Ayrshire Council Roads and Transportation Service have no objections to these applications.

Noted.

3.2 Piersland - Bentinck Community Council have not responded to their consultation.

Noted.

3.3 East Ayrshire Council Information and Asset Management have indicated that the property is located upon land owned by the Council and leased to Zurich Assurance Ltd. As landlord, Information and Asset Management have no objections to the proposal.

Noted.

3.4 East Ayrshire Access Panel have indicated that the original proposal to remove automatic doors and replace with manually operated doors, was a detrimental step. It has been confirmed by the Applicant's agent that 1 automatic door will be installed and the amended plans clarify this matter.

Noted.

4. REPRESENTATIONS

4.1 No letters of representations have been received.

5. ASSESSMENT AGAINST DEVELOPMENT PLAN

5.1 For the purposes of this application, the Development Plan comprises the Adopted East Ayrshire Local Plan (2003) (EALP).

Adopted East Ayrshire Local Plan

5.2 Policy ENV7 is relevant to the formation of new shopfront and signage proposals and states that all developers will be expected to comply fully with the Council's existing and emerging Design Guidance and Policy documents relating to and advising on the particular type of development proposed. Developments which do not meet the required design standards will require to be fully justified and may not be supported by the Council.

The proposed shopfront is anodised aluminium, coloured black, with replacement of black tiles on the external pilasters and installation of new manual and automatic door arrangement. The proposals are appropriate in size, scale, materials and external finish for this town centre location.

The proposed signage is appropriate to the surrounding area in terms of amenity and comprises new signage as a result of a

relocation of an existing business within Kilmarnock Town Centre. The reduced scale of the high level signs is more appropriate to the surrounding commercial area, noting the scale of other high level signage on King Street and will not be detrimental to visual amenity nor add clutter to the streetscape.

6. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

6.1 The principal material considerations relevant to the determination of these applications are the Alteration to the East Ayrshire Local Plan, consultation responses and amenity considerations in respect of the location of this site.

Alteration to the East Ayrshire Local Plan

6.2 The proposals are compliant with Policy ENV9 which refers to the relevant Design Guidance as detailed in paragraph 5.2 of this report.

Consultation Responses

6.3 None of the consultation responses recommend that the applications should be refused.

Amenity

6.4 The proposed shop front alterations and projecting signage would not have an adverse effect on the amenity of the Kilmarnock Town Centre, noting that the shopfront and signage proposals are similar to the other retail/commercial units in the town centre and particularly on King Street.

7. FINANCIAL AND LEGAL IMPLICATIONS

7.1 There are no financial implications for the Council relative to these applications.

7.2 In terms of legal implications, this Council owns the land and there is no requirement to notify the Scottish Government under Circular 3/2009: 'Notification of Planning Applications', should Members choose to grant consent.

8. CONCLUSIONS

8.1 Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 require that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise.

8.2 Both applications are considered to be compliant with the Development Plan and there are no material considerations which indicate otherwise. The formation of a new shopfront and associated alterations are consistent with the town centre location. The proposed signage is appropriate in design, scale and size to the subject property and is in-keeping with the signage in Kilmarnock's town centre.

9. RECOMMENDATION

9.1 It is recommended that planning application 10/0103/PP be approved.

9.2 It is recommended that advertisement application 10/0104/AD be approved.

CONTRARY DECISION NOTE

Should the Committee agree that the applications be refused contrary to the recommendation of the Head of Planning and Economic Development then the applications will not require to be referred to Full Council as that would not be a significant departure from Council Policy.

Alan Neish
Head of Planning and Economic Development

5 May 2010

RDB/KW/FR

FV/DVM

LIST OF BACKGROUND PAPERS

1. Application forms and plans
2. Statutory Notices and Certificates
3. Representations
4. Consultation Responses
5. Adopted East Ayrshire Local Plan
6. East Ayrshire Local Plan, Finalised Draft with Modifications

Anyone wishing to inspect the above papers should contact Robert Beaton, Planning Officer on 01563 576770.

East Ayrshire Council

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application No: 10/0103/PP

Location	8 - 10 King Street Kilmarnock East Ayrshire KA1 1NU
Nature of Proposal:	Alterations and formation of new shop front
Name and Address of Applicant:	Mr Darren Lintern New Look Retailers Ltd Mercery Road Weymouth DT3 5HJ Dorset
Name and Address of Agent	Paul Spooner The Studios 6 Leverton Place Kentish Town London NW5 2LY

Officer's Ref: Robert Beaton
01563 576770

The above Planning Permission application should be Approved.

Reason for Decision

The proposed development complies with the Development Plan and there are no material considerations which justify refusing consent in this instance.

East Ayrshire Council

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application No: 10/0104/AD

Location	8 - 10 King Street Kilmarnock East Ayrshire KA1 1NU
Nature of Proposal:	Installation of fascia and projecting signage
Name and Address of Applicant:	Mr Darren Lintern New Look Retailers Ltd Mercery Road Weymouth DT3 5HJ Dorset
Name and Address of Agent	Paul Spooner The Studios 6 Leverton Place Kentish Town London NW5 2LY

Officer's Ref: Robert Beaton
01563 576770

The above Advert application should be Approved.

Reason for Decision

The proposed development complies with the Development Plan and there are no material considerations which justify refusing consent in this instance.