

EAST AYRSHIRE COUNCIL

NORTHERN LOCAL PLANNING COMMITTEE: 8 OCTOBER 2010

10/0526/PP: RE-SITING OF DRY RISER INLETS AT FORMER JOHNNIE WALKER BUILDING, CROFT STREET AND STRAND STREET, KILMARNOCK BY ALCHEMIST PROPERTIES

10/0527/LB: RE-SITING OF DRY RISER INLETS AT FORMER JOHNNIE WALKER BUILDING, CROFT STREET AND STRAND STREET, KILMARNOCK BY ALCHEMIST PROPERTIES

Click for Application Details: <http://eplanning.east-ayrshire.gov.uk/online/caseFile.do?category=application&caseNo=10/0526/PP>
<http://eplanning.east-ayrshire.gov.uk/online/caseFile.do?category=application&caseNo=10/0527/LB>

Report by Head of Planning and Economic Development

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 It is proposed as part of the overall refurbishment works currently taking place, to relocate 2 vertical dry riser inlets on the exterior of the building. One inlet will be formed facing onto Croft Street close to a previous inlet (which has now been infilled with sandstone) at ground floor level of the building. The new inlet is to be positioned at a slightly higher level than the previous dry riser at 600mm above ground level.

1.2 The second inlet will be located on Strand Street within an infill area where it is to be formed a pedestrian access to the building. The inlet will also replace an existing inlet previously located further along Strand Street and will be located 400mm above ground level.

1.3 The dry riser inlets are required to provide a connection to a water supply in the event of an emergency. The inlets are of a standard design with a solid red steel door. In both cases the inlets will be 605mm in height and 405 mm in width, located flush with the front elevation.

2. RECOMMENDATION

2.1 It is recommended that planning application no. 10/0526/PP should be approved subject to the advisory note indicated on the attached sheet.

2.2 It is recommended that listed building application no. 10/0527/LB should be approved subject to the advisory note indicated on the attached sheet and that the issue of the decision note be withheld until the application has been formally cleared with Historic Scotland under the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

3. CONCLUSIONS

3.1 As indicated in Section 5 of the report the applications are appropriate in terms of the provisions of the Development Plan.

3.2 There are no material considerations relevant to these applications as indicated in Section 6 of the report which would suggest that the applications should be refused. The proposed works will replace two existing dry riser units with new inlets which are in relocated positions on the external face of the building which have been sited appropriately having due regard to the surrounding listed buildings and established character of the Outstanding Conservation Area. The new dry risers have however been sited as sensitively as possible as the applicant's agent has attempted to keep the units as discreet as possible noting that they are both required for an emergency situation should one arise. The design and locations have been amended further to consultation with Historic Scotland and it is noted that Historic Scotland do not object to the applications.

CONTRARY DECISION NOTE

Should the Committee agree that the applications be refused contrary to the recommendation of the Head of Planning and Economic Development, the applications would not require to be referred to Council, under the terms of the Scheme of Delegation, because this would not be a significant departure from 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.

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Report by Head of Planning and Economic Development

1. PURPOSE OF REPORT

1.1 The purpose of this report is to present for determination, an application for planning permission and an application for Listed Building Consent, which are to be considered by the Northern Local Planning Committee under the scheme of delegation as this Council has an interest in the building.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site is located within the Kilmarnock town centre and is currently being renovated for use as offices with the exception of the areas of the building occupied by Torbet's (retail) and Café Da Vinci (restaurant).

2.2 The site comprises a B Listed Building (the Warehouse) located just within the John Finnie Street and Bank Street Outstanding Conservation Area. It is bound by other town centre properties comprising a range of commercial uses and listed buildings including the Laigh Kirk and Civic Centre (North and South). To the east of the site lies a modern building at 6 Croft Street which is currently occupied by the Planning and Economic Development Service and which lies outwith the Outstanding Conservation Area Boundary.

2.3 **Proposed Development:** It is proposed as part of the overall refurbishment works currently taking place, to relocate 2 vertical dry riser inlets on the exterior of the building. One inlet will be formed facing onto Croft Street close to a previous inlet (which has now been infilled with sandstone) at ground floor level of the building. The new inlet is to be positioned at a slightly higher level than the previous dry riser at 600mm above ground level.

2.4 The second inlet will be located on Strand Street within an infill area where is to be formed a pedestrian access to the building. The inlet will also replace an existing inlet previously located further along Strand Street and will be located 400mm above ground level.

2.5 The dry riser inlets are required to provide a connection to a water supply in the event of an emergency. The inlets are of a standard design with a solid red steel door. In both cases the inlets will be 605mm in height and 405 mm in width, located flush with the front elevation.

3. CONSULTATIONS AND ISSUES RAISED

3.1 Bonnyton Community Council have not responded to their consultation at the time of writing this report.

3.2 Historic Scotland has no objections to the principle of re-siting the existing dry-riser inlets although they have requested that certain aspects of the design be reconsidered.

Noted. These matters were discussed with the applicant's agent who has amended the design and position of both dry riser inlets on the external elevation of the building. Historic Scotland have further advised that they have no objections and consider that the proposed works will not adversely affect the character and appearance of the listed building or on the John Finnie Street and Bank Street Outstanding Conservation Area.

3.3 East Ayrshire Council Conservation Area Regeneration (CARS) Team has advised that where possible the dry risers should be located internally within stairwell enclosures.

It is noted that these applications seek to relocate two existing dry riser inlets from other locations on the exterior of this building. The applicant's agent was however contacted and has provided information which clarifies that the dry risers require to be located on the external face of the building.

The Croft Street location is close to the existing inlet and its pipework but is slightly higher than the original inlet. The applicant's agent has managed to relocate the inlet from its initial position and it is now reduced in size to ensure that it impacts upon a smaller area of sandstone.

The Strand Street inlet is located within an entrance opening and does not impact upon the building's stonework and it is considered

to be acceptable. Its position within the entrance doorway and window has also been amended to ensure that the inlet has less visual impact upon the listed building.

4. REPRESENTATIONS

4.1 No letters of objection have been received relating to the proposed development following public advertisement of the proposals.

Noted.

5. ASSESSMENT AGAINST DEVELOPMENT PLAN

5.1 Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 require that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise. The development plan comprises the Approved Ayrshire Joint Structure Plan (AJSP) (2007) and the Adopted East Ayrshire Local Plan (EALP) (2003).

Ayrshire Joint Structure Plan

5.2 There are no specific policies in the adopted Structure Plan to assess the development against. The application therefore falls to be assessed against the policies of the adopted local plan.

Adopted East Ayrshire Local Plan (EALP) (2003)

5.3 Policy ENV4 states that the Council will seek to ensure that all development within or affecting the setting of a Conservation Area or affecting the appearance or setting of a Listed Building, is sympathetic to the area or building concerned in terms of its layout, size, scale, design, siting, materials and colour of finish. Wherever possible, all proposals should seek to preserve, enhance or incorporate features, which contribute positively to the character or appearance of the area and have due regard to the architectural and historic qualities of the area or building concerned.

These applications seek to relocate two dry riser inlets which are required in the event of an emergency to provide a water supply. The inlets are of a standard design and have been located as sensitively as possible on the external face of the building. The Strand Street inlet has been located as close as possible to ground level on the building to ensure that it is not located at eye level which would detract from the listed character of the building and the surrounding Outstanding Conservation Area. The applicant's agent

has considered various options and has also sought to amend the position of the inlets to satisfy Historic Scotland. In this respect, the proposal is appropriate in terms of Policy ENV 4.

5.4 Through Policy ENV7, the Council will actively encourage and demand the highest possible standards of design from applicants in the formulation of their development proposals. All developers will be expected to comply fully with the Council's existing design guidance documents relating to, and advising on, the particular type of development proposed. Developments which do not meet the required design standards detailed in these documents will require to be fully justified and may not be supported by the Council.

There is no specific design guidance in relation to the formation of dry riser inlets. In general terms the Council's design guidance refers to miscellaneous attachments to properties and states that these should be sensitively located so as not to mask architectural features and of a colour consistent with the colour scheme of the building. In this respect the dry riser units have been located as sensitively as possible although their red colour finish is the standard colour to highlight their existence in an emergency situation.

6. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

6.1 The principal material considerations relevant to the determination of this application are the East Ayrshire Local Plan Finalised Version with Modifications, consultation responses, the planning history of the site and the supplementary planning guidance comprising the Conservation Area Management Plan.

Alteration to the East Ayrshire Local Plan (Finalised Version with Modifications)

6.2 Through Policy ENV9, the Council will actively encourage and demand the highest possible standards of design from applicants in the formulation of their development proposals. All developers will be expected to comply fully with the Council's existing design guidance documents relating to, and advising on, the particular type of development proposed. Developments which do not meet the required design standards detailed in these documents will require to be fully justified and may not be supported by the Council.

As detailed in Section 5.4 above there is no specific design guidance in relation to the formation of dry riser inlets. In general terms the Council's design guidance refers to miscellaneous attachments to properties and states that these should be sensitively located so as not to mask architectural features and be of a colour consistent with the colour scheme of the building. In this respect the dry riser units

have been located as sensitively as possible although their red colour finish is the standard colour to highlight their existence in an emergency situation.

Consultation Responses

6.3 The consultation responses have been addressed in Section 3 of the report and the replies received do not suggest that the applications should be refused.

Planning History

6.4 Planning Application No. 07/0608/FL; Proposed Change of Use of Part of Building to Office on Upper Floors and Office/Retail on Ground Floors and Associated Alterations and Formation of Car Park at Croft Street was granted planning consent on 11 October 2007 under delegated powers.

6.5 Listed Building Consent No. 07/0609/LB; Proposed Alterations to and Refurbishment of The Johnnie Walker Building and Demolition of 6 Croft Street was granted consent on 1 November 2007.

Both of the above applications were granted under delegated powers prior to the new Development Management Regulations which came into force on 3 August 2009 that now require all applications where East Ayrshire Council is the applicant or has an interest in a site to be considered by the appropriate committee.

6.6 Planning application No. 10/0515/PP and Listed Building Application No. 10/0525/LB for a new entrance for the Torbet's retail unit and a new entrance into the office accommodation are before this Committee for determination as part of a separate report. These applications propose amendments to the approved scheme for this building although the dry riser proposed for Strand Street would be within the entrance applied for as part of the applications detailed in this report.

Supplementary Planning Guidance

6.7 In March 2009 the Council approved the Conservation Area Management Plan as Supplementary Planning Guidance which is a material planning consideration for any application for Listed Building Consent within the Outstanding Conservation Area. This document states that the Council recognises that our historic environment is a finite and non-renewable resource. Any proposals must understand that our most important heritage and townscape assets include the architecture of this Outstanding Conservation Area.

It is noted that this application seeks to undertake alterations to a listed building which are part of the overall renovation works to bring this building back into use. The application is considered to be appropriate in terms of this guidance.

SHEP

6.8 Historic Scotland produce the Scottish Government's Scottish Historic Environment Policy (SHEP) which provides guidance for proposals which affect listed buildings and conservation areas. Whilst there is no specific guidance on the installation of dry riser inlets, the Guidance states in general that equipment to be fixed to the exterior of buildings should be sited as sensitively as possible and the equipment should be positioned upon the building where it does the least possible visual and structural damage.

The apparatus which is proposed has been reduced in size and scale and the position of both dry riser inlets on the building have been amended to ensure that the proposals meet with Historic Scotland's requirements and are as sensitively located as possible noting this is a listed building which is also located within an Outstanding Conservation Area.

7. FINANCIAL AND LEGAL IMPLICATIONS

7.1 The Council has an interest in this site as it has a tenancy agreement for this building which will result in the Council occupying this property upon completion of the renovation/conversion works. Therefore under the Scheme of Delegation, the applications require to be referred to this Committee for determination.

7.2 Although this Council has an interest in the property, there are no financial implications as a result of these applications because the work is being undertaken by the developer.

7.3 If Members agree to the grant of listed building consent, the application requires to be referred to Historic Scotland for ratification purposes before any decision notice is released.

8. CONCLUSIONS

8.1 As indicated in Section 5 of the report the applications are appropriate in terms of the provisions of the Development Plan.

8.2 There are no material considerations relevant to these applications as indicated in Section 6 of the report which would suggest that the applications

should be refused. The proposed works will replace two existing dry riser units with new inlets which are in relocated positions on the external face of the building which have been sited appropriately having due regard to the surrounding listed buildings and established character of the Outstanding Conservation Area. The new dry risers have however been sited as sensitively as possible as the applicant's agent has attempted to keep the units as discreet as possible noting that they are both required for an emergency situation should one arise. The design and locations have been amended further to consultation with Historic Scotland and it is noted that Historic Scotland do not object to the applications.

9. RECOMMENDATION

9.1 It is recommended that planning application no. 10/0526/PP should be approved subject to the advisory note indicated on the attached sheet.

9.2 It is recommended that listed building application no. 10/0527/LB should be approved subject to the advisory note indicated on the attached sheet and that the issue of the decision note be withheld until the application has been formally cleared with Historic Scotland under the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

CONTRARY DECISION NOTE

Should the Committee agree that the applications be refused contrary to the recommendation of the Head of Planning and Economic Development, the applications would not require to be referred to Council, under the terms of the Scheme of Delegation, because this would not be a significant departure from Policy.

**Alan Neish
Head of Planning & Economic Development**

28 September 2009

FMF

FV/DVM

LIST OF BACKGROUND PAPERS

1. Application Forms/Plans.
2. Statutory Letters/Certificates.
3. Consultations Responses
4. Approved Ayrshire Joint Structure Plan.
5. Adopted East Ayrshire Local Plan.
6. Alteration to the East Ayrshire Local Plan, Finalised Draft with Modifications
7. Application No 07/0608/FL
8. Application No 07/0609/LB

Anyone wishing to inspect the above papers please contact Fiona Finlay, Principal Planning Officer, on 01563 576798.

Implementation Officer: Dave Morris

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application No: 10/0526/PP

Location	Former Johnnie Walker Building Strand Street Kilmarnock East Ayrshire
Nature of Proposal:	Re-siting of dry riser inlets at Croft Street and Strand Street
Name and Address of Applicant:	Alchemist Properties Suite 2/3 135 Buchanan Street Glasgow G1 2JA
Name and Address of Agent	I10 Design Ltd 4 Woodside Place Glasgow G3 7QF

Officer's Ref: Fiona Finlay
01563 576798

The above Planning Permission application should be APPROVED.

Advisory Note

1. For the avoidance of doubt this consent grants only permission in so far as it relates to the siting of dry riser inlets and does not convey any consent for the proposed signage zones or other detail shown on the submitted plans which will be addressed separately.

Reason for this Decision

The application is considered to be appropriate in terms of the Development Plan and there are no material considerations which would otherwise indicate refusing consent.

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application No: 10/0527/LB

Location	Former Johnnie Walker Building Strand Street Kilmarnock East Ayrshire
Nature of Proposal:	Re-siting of dry riser inlets at Croft Street and Strand Street
Name and Address of Applicant:	Alchemist Properties Suite 2/3 135 Buchanan Street Glasgow G1 2JA
Name and Address of Agent	I10 Design Ltd 4 Woodside Place Glasgow G3 7QF

Officer's Ref: Fiona Finlay
01563 576798

Subject to notification to the Scottish Ministers

The above Listed Building application should be APPROVED

Advisory Note

1. For the avoidance of doubt this consent grants only permission in so far as it relates to the siting of dry riser inlets and does not convey any consent for the proposed signage zones or other detail shown on the submitted plans which will be addressed separately.

Reason for this Decision

The application is considered to be appropriate in terms of the Development Plan and there are no material considerations which would otherwise indicate refusing consent.

NOTES ORIGINAL 3

DO NOT SCALE FROM THIS DRAWING. ALL DIMENSIONS TO BE CHECKED ON SITE. REFER ANY DISCREPANCIES TO ARCHITECT. THIS DRAWING IS SUBJECT TO COPYRIGHT.

- Denotes Development Site
- Denotes 3m wayleave
- Denotes additional area owned by others

REVISED	DATE	DRAWN	CHECKED
1	May 10	A.J.F.	B.J.M.

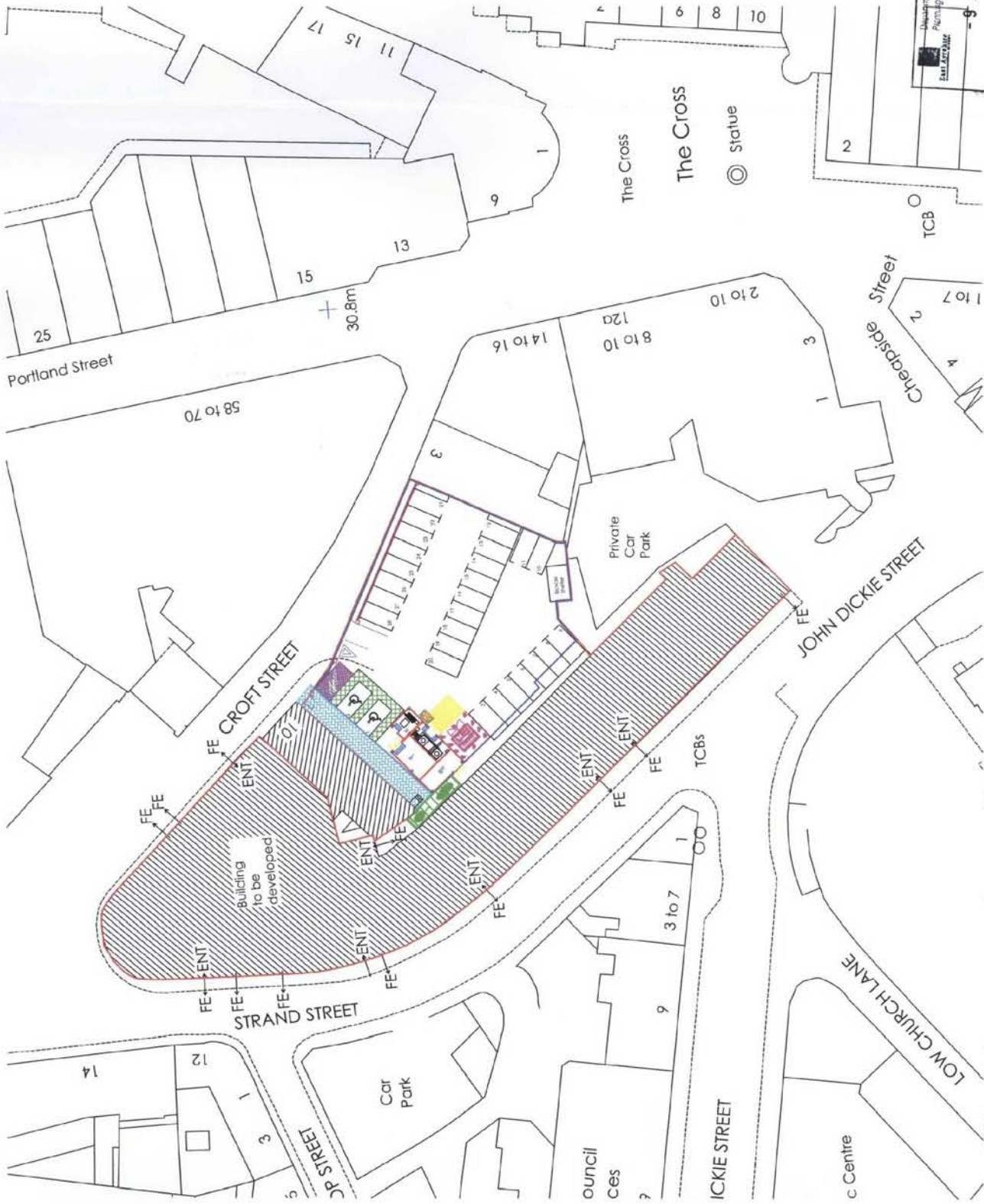
SCALE 1:500

PROJECT PROPOSED OFFICE DEV. STRAND ST. KILMARNOCK for EAC

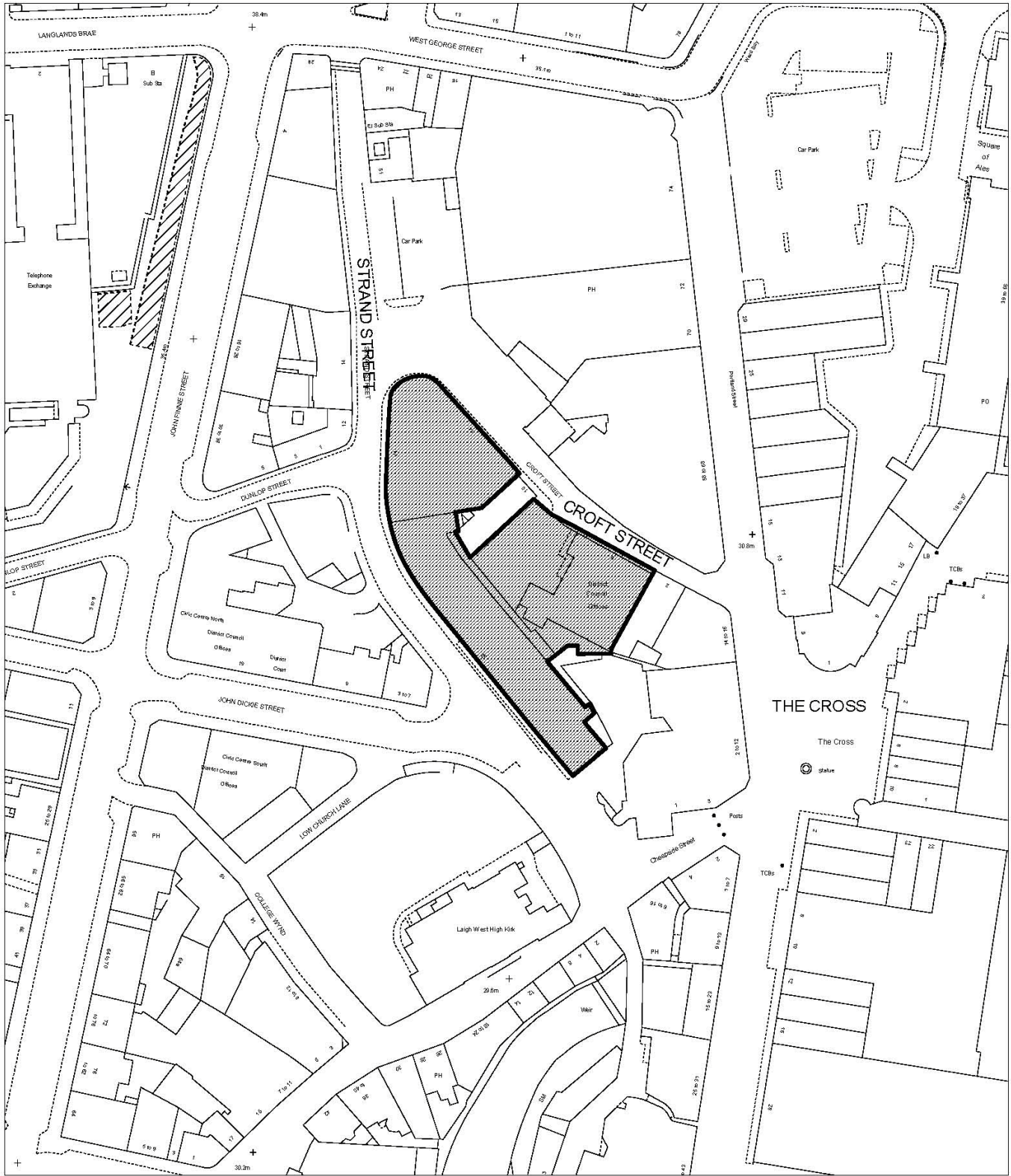
DRAWING SITE LAYOUT AS APPROVED

DRAWING NO. 10-001-EAC-D-007

i10 design
 i10 is a division of
 i10 Group
 10001 EAC D-007
 JUN 2010
 Architectural Design
 Planning, Surveying
 Landscape
 Project Management
 Tel: 0141 268 1411



Site Layout as Proposed



<p>Title/Location</p>	<p>Former Johnnie Walker Building, Strand Street, Kilmarnock Application No. 10/0526/PP 10/0527/LB</p>	<p>East Ayrshire Council Department of Neighbourhood Services Planning & Economic Development Service. 6 Croft Street Kilmarnock KA1 1JB Tel: (01563) 576790 Fax: (01563) 576774 E-Mail : Planning@east-ayrshire.gov.uk</p>	
<p>Key</p>	 <p>Application Site</p>	<p>Com Date: 8/10/2010</p>	

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