

EAST AYRSHIRE COUNCIL

NORTHERN LOCAL PLANNING COMMITTEE: 4 MARCH 2011

10/1014/AD: PROVISION OF MALL SIGNAGE AT BURNS PRECINCT, THE
CROSS, KILMARNOCK
BY ZURICH ASSURANCE LTD

Report by Head of Planning and Economic Development

Click for Application Details: <http://eplanning.east-ayrshire.gov.uk/online/caseFile.do?category=application&caseNo=10/1014/AD>

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 The proposals comprise the installation of new corporate signage to the Burns Mall shopping centre. The adverts will be a combination of internally illuminated and non illuminated signage. The signage will have a white aluminium background with lettering and graphics in warm grey and purple colour scheme. All existing corporate signage will be removed. The proposals are for:

- *West exterior of the building adjacent to The Cross, sign No. 6; 4.5 metres long x 1.4 metres in height with lettering internally illuminated;*
- *North exterior of the building adjacent to entrance at Foregate Square sign 2: 5 metres long x 3 metres in height with lettering internally illuminated.*
- *East exterior of building above entrance leading to subway and to Palace Theatre, sign 3: 5.8 metres long x 1.4 metres in height with lettering internally illuminated.*
- *East exterior of building adjacent to Kilmarnock Bus Station sign 4: 2 metres long x 0.75 metres in height with lettering non illuminated.*
- *East exterior of building above entrance leading to subway and to Palace Theatre, graphics 1: inserted to the inside of glazing on entrance doors with lettering.*
- *North West exterior of building at entrance doors, Graphics 2 and 5 inserted inside of glazing on entrance doors and covering glazing to entrance atrium.*

For the purposes of clarification, the applicant's agent has recently deleted a further sign facing The Cross, from the proposals.

2. RECOMMENDATION

2.1 It is recommended that the application be approved subject to conditions.

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 The application is considered to be compliant with the Development Plan and there are no material considerations which indicate otherwise. The proposed signage is appropriate in design, scale and size to the subject property and is in-keeping with the signage in the surrounding commercial area within Kilmarnock's town centre.

CONTRARY DECISION NOTE

Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning and Economic Development then the application will not require to be referred to 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.

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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 advertisement consent which is to be considered by the Northern Local Planning Committee under the scheme of delegation as the Council has an ownership interest in the Burns Mall.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site comprises the Burns Mall Shopping Centre. To the front (west) is The Cross which is surrounded by commercial premises, to the side (north) is The Foregate Square beyond which lies the Foregate Shopping complex and Foregate Multi-storey car park; to the rear (east) is Sturrock Street and the one-way traffic system adjacent to which is the Palace Theatre; and to the north-east is the Kilmarnock Bus Station. The site lies within the designated core shopping area of Kilmarnock Town Centre.

2.2 **Proposed Development:** The proposals comprise the installation of new corporate signage to the Burns Mall shopping centre. The adverts will be a combination of internally illuminated and non illuminated signage. The signage will have a white aluminium background with lettering and graphics in warm grey and purple colour scheme. All existing corporate signage will be removed. The proposals are for:

- *West exterior of the building adjacent to The Cross, sign No. 6; 4.5 metres long x 1.4 metres in height with lettering internally illuminated;*
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- *North West exterior of building at entrance doors, Graphics 2 and 5 inserted inside of glazing on entrance doors and covering glazing to entrance atrium.*

For the purposes of clarification, the applicant's agent has recently deleted a further sign facing The Cross, from the proposals.

3. CONSULTATIONS RECEIVED

3.1 Piersland-Bentinck Community Council have been consulted and there is no response at the time of writing.

3.2 East Ayrshire Council Estates Management have indicated that the property is located upon land owned by the Council and leased to Zurich Assurance Ltd. As landlord, Estates Management have no objection to the proposal.

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 (2010) (EALP).

Adopted East Ayrshire Local Plan

5.2 The proposal is compliant with Policy ENV9 of the adopted East Ayrshire Local Plan which refers to the Council's Design Guidance in respect of Advertisements. 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 signage is appropriate to the surrounding area in terms of amenity and comprises updated signage as a part of a modernised corporate programme replacing existing identification and directional signage. With regard to sign No 3 this is considered to be too large and a smaller sign has been agreed with the applicant's agent and can be covered by condition. The background to the signs is shown as brilliant white and it is considered that to lessen the visual impact, the background shall be a matt finish and this can be covered by condition. Overall, the design of the signage is acceptable, introduces colour onto the exterior of the building, and it will not be detrimental in terms of visual amenity nor add clutter to the town centre streetscape.

6. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

6.1 The principal material considerations relevant to the determination of this application are the consultation responses and amenity considerations in respect of the location of this site.

Consultation Responses

6.2 None of the consultation responses recommend that the application should be refused.

Amenity

6.3 The proposed signage would not have an adverse effect on the amenity of the Kilmarnock Town Centre noting that the signage proposals seek to provide a more updated advertisement of the main covered shopping centre within the town centre.

7. FINANCIAL AND LEGAL IMPLICATIONS

7.1 There are no financial implications for the Council relative to this application.

7.2 In terms of legal implications, the 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 The application is considered to be compliant with the Development Plan and there are no material considerations which indicate otherwise. The proposed signage is appropriate in design, scale and size to the subject property and is in-keeping with the signage in the surrounding commercial area within Kilmarnock's town centre.

9. RECOMMENDATION

9.1 It is recommended that the application be approved subject to conditions.

CONTRARY DECISION NOTE

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

Alan Neish
Head of Planning and Economic Development

23 February 2011

RDB/RH

FV/DVM

LIST OF BACKGROUND PAPERS

1. Application forms and plans
2. Statutory Notices and Certificates
3. Consultation Responses
4. Adopted East Ayrshire Local Plan
5. Email from 'Workman' dated 23 February 2011

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

Implementation Officer: Dave Morris

East Ayrshire Council

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application No: 10/1014/AD

Location	Burns Precinct King Street Kilmarnock East Ayrshire
Nature of Proposal:	Provision of mall signage
Name and Address of Applicant:	Zurich Assurance Ltd Workman LLP 78 St Vincent Street Glasgow G2 5UB
Name and Address of Agent	Alan Ray 78 St Vincent Street Glasgow G2 5UB

Officer's Ref: Robert Beaton
01563 576770

The above application for Advertisement Consent should be approved subject to the following conditions:

1. Notwithstanding the approved plans, sign 3 shall be a maximum of 3 metres long x 1 metre in height.

Reason: In the interests of visual amenity.

2. The background finish to all signs shall be a matt finish.

Reason: In the interests of visual amenity.

3. Notwithstanding the details shown on the approved plans, sign no 5 does not form part of the approved signage.

Reason: Sign no 5 has been deleted from the proposals by the applicant's agent.



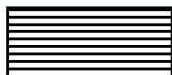
Title/Location **Burns Precinct, Kings Street**
Kilmarnock
Application No. 10/1014/AD

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



Key



Application Site

Com Date: 4/3/2011



NB Responsibility is not accepted for errors made by others using this plan. The user must ensure that the plan is used for the intended purpose and that the user is aware of the limitations of the plan.

A3



Department of Neighbourhood Services
Planning & Economic Development
101217-A02-001
01 FEB 2011

Project BURNS SHOPPING MALL KILMARNOCK	
Client ZURICH ASSURANCE LTD	
THE NEW SIGNAGE PROPOSED LOCATIONS	
Drawn by GIS	Date JANUARY 2011
Scale 1:500 @ A3	Sheet Number 101217-A02-001