

EAST AYRSHIRE COUNCIL

NORTHERN LOCAL PLANNING COMMITTEE: 5 MARCH 2010

10/0050/PP: INSTALLATION OF NEW QUARTZ AGGREGATE SURFACE TO EXISTING PEDESTRIAN CROSSING AT JOHN FINNIE STREET/ DUNDONALD ROAD/ ST. MARNOCK STREET/ PORTLAND ROAD, KILMARNOCK

10/0053/PP: INSTALLATION OF NEW QUARTZ AGGREGATE SURFACE TO EXISTING PEDESTRIAN CROSSING AT DUNLOP STREET, JOHN FINNIE STREET JUNCTION, KILMARNOCK

10/0054/PP: INSTALLATION OF NEW QUARTZ AGGREGATE SURFACE TO EXISTING PEDESTRIAN CROSSING AT PEDESTRIAN CROSSING ON JOHN FINNIE STREET ADJACENT TO NELSON STREET, KILMARNOCK BY EAST AYRSHIRE COUNCIL

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 For all three application sites, it is proposed to apply a quartz aggregate surface across the public roadway comprising a grey/white colour to distinguish the line of the pedestrian crossing.

1.2 The applicant has advised that this project follows completion of a recent accident study which highlighted that previous pedestrian access and safety improvements throughout the town centre had been successful in reducing the severity of accidents. As a method of reducing numbers of accidents on the one-way system, a range of measures are being considered.

1.3 A major part of this design is to clearly delineate the pedestrian crossing routes and the Council's Roads and Transportation Division has been working closely with the Kilmarnock Town Centre Regeneration Team, to propose this material to delineate the existing pedestrian crossings. The light grey quartz colour will contrast with the darker tarmac road surface whilst complementing the existing granite sets and slabs in and around the Outstanding Conservation Area.

2. RECOMMENDATION

2.1 It is recommended that these three applications for planning permission should be approved subject to the conditions shown on the attached sheets.

3. CONCLUSIONS

3.1 As indicated in Section 5 of the report the applications are in accordance with the Development Plan. The proposed works will result in public realm and road safety improvements which will assist in the overall town centre regeneration for Kilmarnock and East Ayrshire. The proposals are consistent with the Adopted Local Plan and given the terms of Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 the applications should be approved unless material considerations indicate otherwise.

3.2 There are no material considerations relevant to these applications that would suggest that they should be refused and the consultation responses are supportive of the proposals. The proposed works will improve the visibility of the pedestrian crossings using materials which are in-keeping with the existing public realm works elsewhere in the town centre and Outstanding Conservation Area.

CONTRARY DECISION NOTE

Should the Committee agree that the applications be refused contrary to the recommendation of the Head of Planning and Economic Development, and on the grounds of the principle of environmental improvements, the applications would require to be referred to the full Council consistent with the Scheme of Delegation because that would 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 of Head of Planning and Economic Development

1. PURPOSE OF REPORT

1.1 The purpose of this report is to present three applications for planning permission, which are to be considered by the Northern Local Planning Committee under the Scheme of Delegation as this Council is the applicant.

2. APPLICATION DETAILS

2.1 **Site Description:** The three sites are at various locations within Kilmarnock town centre and are also located within the John Finnie Street and Bank Street Outstanding Conservation Area.

2.2 All three sites relate to the existing pedestrian crossings at:-

- The junctions of John Finnie Street/ Dundonald Road/ St. Marnock Street/ Portland Road.
- The junction of John Finnie Street and Dunlop Street and;
- The junction of John Finnie Street/ Nelson Street.

2.3 All three application sites are traffic light controlled with a pedestrian crossing.

2.4 **Proposed Development:** For all three application sites, it is proposed to apply a quartz aggregate surface across the public roadway comprising a grey/white colour to distinguish the line of the pedestrian crossing.

2.5 The applicant has advised that this project follows completion of a recent accident study which highlighted that previous pedestrian access and safety improvements throughout the town centre had been successful in reducing the severity of accidents. As a method of reducing numbers of accidents on the one-way system, a range of measures are being considered.

2.6 A major part of this design is to clearly delineate the pedestrian crossing routes and the Council's Roads and Transportation Division has been working closely with the Kilmarnock Town Centre Regeneration Team, to propose this material to delineate the existing pedestrian crossings. The light grey quartz colour will contrast with the darker tarmac road surface whilst complementing the existing granite sets and slabs in and around the Outstanding Conservation Area.

3. CONSULTATIONS AND ISSUES RAISED

3.1 Bonnyton Community Council, Grange Howard Community Council and the East Ayrshire Access Panel have not responded to their consultations at the time of writing this report.

3.2 East Ayrshire Council's Roads and Transportation Division have no objections noting the supporting statement in Section 2 of this report.

3.3 The West of Scotland Archaeological Service (WOSAS) have no objections as the proposals do not raise substantive archaeological issues.

4. REPRESENTATIONS

4.1 No letters of representation have been received.

5. ASSESSMENT AGAINST DEVELOPMENT PLAN

5.1 For the purposes of these applications the Adopted East Ayrshire Local Plan (EALP) (2003) is relevant.

5.2 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.

The overall design for the proposals and palette of materials selected have been considered carefully in relation to the surrounding John Finnie Street and Bank Street Outstanding

Conservation Area and the adjacent listed buildings in the vicinity. The proposed works will be commensurate with the existing high quality public realm works in the area and the use of a light grey/white quartz will not only stand out against the tarmac for road safety reasons, but it will compliment the granite setts and paving slabs in the surrounding area.

5.3 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.

The proposals have been accompanied by a Supporting Statement presenting detailed justification for the proposed design, scale and materials which have also been the subject of pre-application discussions to achieve a high quality finish. It is considered that the design is appropriate to the traditional historic character of the established Outstanding Conservation Area.

6. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

6.1 The principal material considerations relevant to the determination of these applications are the East Ayrshire Local Plan Finalised Version with Modifications, consultation responses and representations, the planning history of the sites, the Kilmarnock Town Centre Strategy, Conservation Area Management Plan and the Scottish Historic Environment Policy, (SHEP).

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

6.2 Policy ENV4 states that the Council will actively encourage the retention, restoration, renovation and re-use of listed buildings, unlisted buildings in Conservation Areas and other locally important, especially traditional older properties, throughout the area. Development affecting a listed building setting shall preserve the building, or its setting, or any features of special architectural or historic interest which it possesses. The layout, design, materials, scale, siting and use of any development shall be appropriate to the character and appearance of the listed building and its setting.

The overall design for the proposals and palette of materials selected have been considered carefully in relation to the surrounding John Finnie Street and Bank Street Outstanding Conservation Area and the adjacent listed buildings in the vicinity. The proposed works will be commensurate with the

existing high quality public realm works in the area and the use of a light grey/white quartz surface will not only stand out against the tarmac but it will compliment the granite setts and paving slabs in the surrounding area.

6.3 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 with paragraph 5.3 above, the proposed development is considered to accord with this Policy.

Consultations Responses and Representations

6.4 The consultation responses have been addressed in Section 3 of the report and there are no objections to the proposals as detailed in Section 4. There are no issues therefore that would warrant the refusal of these applications.

6.5 No letters of representation have been received.

Planning History

6.6 There are no issues in the vicinity of any of these sites which would impact on the determination of these applications currently before Committee.

Kilmarnock Town Centre Strategy

6.7 The proposals are in-keeping with the aims of the Kilmarnock Town Centre Strategy, which seeks to improve the visual appearance of the town centre.

Supplementary Planning Guidance

6.8 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 these applications seek to undertake road safety works which will compliment the larger overall environmental improvements to benefit users of the town centre.

6.9 Scottish Historic Environment Policy lays out those principles against which to determine applications for listed building consent and for planning permission within Conservation Areas.

The proposals are consistent with the terms of the SHEP.

7. FINANCIAL AND LEGAL IMPLICATIONS

7.1 As a result of being the applicant, the Council has an interest in these proposals and the matter is therefore referred to this Committee for determination. If Members choose to grant planning permission, there is no requirement to notify The Scottish Government under Circular 3:2009 'Notification of Planning Applications'.

7.2 There are financial implications as these proposals seek consent for works that are to be implemented through partnership funding comprising the Scottish Government's Town Centre Regeneration Fund and allocated East Ayrshire Council funds.

8. CONCLUSIONS

8.1 As indicated in Section 5 of the report the applications are in accordance with the Development Plan. The proposed works will result in public realm and road safety improvements which will assist in the overall town centre regeneration for Kilmarnock and East Ayrshire. The proposals are consistent with the Adopted Local Plan and given the terms of Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 the applications should be approved unless material considerations indicate otherwise.

8.2 There are no material considerations relevant to these applications that would suggest that they should be refused and the consultation responses are supportive of the proposals. The proposed works will improve the visibility of the pedestrian crossings using materials which are in-keeping with the existing public realm works elsewhere in the town centre and Outstanding Conservation Area.

9. RECOMMENDATION

9.1 It is recommended that these three applications for planning permission should be approved subject to the conditions shown on the attached sheets.

CONTRARY DECISION NOTE

Should the Committee agree that the applications be refused contrary to the recommendation of the Head of Planning and Economic Development, and on the grounds of the principle of environmental improvements, the applications would require to be referred to the full Council consistent with the Scheme of Delegation because that would be a significant departure from policy.

Alan Neish
Head of Planning and Economic development

5 March 2010
FMF/KW

FV/DVM

LIST OF BACKGROUND PAPERS

1. Application Forms/Plans.
2. Statutory Letters/Certificates.
3. Consultations Responses.
4. Adopted East Ayrshire Local Plan.
5. Alteration to the East Ayrshire Local Plan, Finalised Draft with Modifications
6. Conservation Area Management Plan
7. Kilmarnock Town Centre Strategy.

Anyone wishing to inspect the above papers please contact Marion Fergusson, Senior Planning Officer, on 01563 576769, or Fiona Finlay, Principal Planning Officer on 01563 576798.

Implementation Officer: Dave Morris

East Ayrshire Council

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application No: 10/0050/PP

Location	Crossroads At John Finnie Street / Dundonald Road / St Marnock Street / Portland Road Kilmarnock East Ayrshire
Nature of Proposal:	Installation of new quartz aggregate surface to existing pedestrian crossing
Name and Address of Applicant:	East Ayrshire Council 34 John Finnie Street Kilmarnock KA1 1DD
Name and Address of Agent	

Officer's Ref: Fiona Finlay
01563 576798

The above Planning Permission application should be approved subject to the following condition.

1. Notwithstanding the approved plans and prior to any work commencing on site, details and samples of the quartz aggregate shall be submitted to and approved in writing by the Planning Authority. The surface shall thereafter be applied as agreed and maintained thereafter.

Reason: In the interests of visual amenity.

East Ayrshire Council

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application No: 10/0053/PP

Location	Pedestrian Crossing Adjacent Dunlop Street/ John Finnie Street Kilmarnock East Ayrshire
Nature of Proposal:	Installation of new quartz aggregate surface to existing pedestrian crossing
Name and Address of Applicant:	East Ayrshire Council 34 John Finnie Street Kilmarnock KA1 1DD
Name and Address of Agent	

Officer's Ref: Marion Fergusson
01563 576769

The above Planning Permission application should be approved subject to the following condition.

1. Notwithstanding the approved plans and prior to any work commencing on site, details and samples of the quartz aggregate shall be submitted to and approved in writing by the Planning Authority. The surface shall thereafter be applied as agreed and maintained thereafter.

Reason: In the interests of visual amenity.

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East Ayrshire Council

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application No: 10/0054/PP

Location	Pedestrian Crossing On John Finnie Street Adjacent To Nelson Street Junction Kilmarnock East Ayrshire
Nature of Proposal:	Installation of new quartz aggregate surface to existing pedestrian crossing
Name and Address of Applicant:	East Ayrshire Council 34 John Finnie Street Kilmarnock KA1 1DD
Name and Address of Agent	

Officer's Ref: Fiona Finlay
01563 576798

The above Planning Permission application should be approved subject to the following condition.

1. Notwithstanding the approved plans and prior to any work commencing on site, details and samples of the quartz aggregate shall be submitted to and approved in writing by the Planning Authority. The surface shall thereafter be applied as agreed and maintained thereafter.

Reason: In the interests of visual amenity.