

EAST AYRSHIRE COUNCIL

NORTHERN LOCAL PLANNING COMMITTEE: 05 MARCH 2010

**10/0051/PP: INSTALLATION OF POLE MOUNTED CCTV CAMERA WITH
ANCILLARY EQUIPMENT AT BANK STREET/SANDBED STREET,
KILMARNOCK**

&

**10/0052/PP: INSTALLATION OF POLE MOUNTED CCTV CAMERA WITH
ANCILLARY EQUIPMENT AT THE NELSON STREET CAR PARK,
KILMARNOCK
BY EAST AYRSHIRE COUNCIL**

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 For both planning applications, it is proposed to install an eight metre height pole which will be painted black and be in-keeping with other street furniture particularly the street lighting columns in the town centre. A dome shaped camera will be located on top of the pole. There will also be a small broadband wireless panel located on each pole to allow the CCTV pictures to be received and monitored back at the Council's Risk Management Centre.

1.2 Both applications are submitted in order to extend the existing CCTV coverage within Kilmarnock's town centre. Both these locations are currently not covered by the existing cameras and the Risk Management Centre have advised that security in the town centre would be improved as a result of the proposed developments.

2. RECOMMENDATION

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

3. CONCLUSIONS

3.1 As indicated at Section 5 of the report the applications are considered to accord with the policies of the Adopted Local Plan. Therefore 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 As indicated at Section 6 of the report there are material considerations relevant to these applications. The proposal accords with Policy ENV4 of the Finalised EALP with Modifications as it is not considered that the proposed CCTV cameras and external lighting will have an adverse impact on the visual quality of the John Finnie Street and Bank Street Outstanding Conservation Area. The positions of the proposed cameras and supporting poles have been fully considered and these can be accommodated satisfactorily without adding clutter into the area's historic fabric.

CONTRARY DECISION NOTE

Should the Committee agree that the applications be refused contrary to the recommendation of the Head of Planning and Economic Development they will not require to be referred to the Full Council as there would be no significant breach of 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 two 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:** These applications relate to two sites which both lie within Kilmarnock's town centre and the John Finnie Street and Bank Street Outstanding Conservation Area.

2.2 The site for application reference 10/0051/PP is located at Sandbed Street at the junction of Bank Street/Cheapside Street and the CCTV pole will replace an existing signage column at the Bank Street/Sandbed Street junction. The application site is bound by commercial properties and the Laigh Kirk to the north.

2.3 The site for application reference 10/0052/PP is located to the north of the Nelson Street car park. The pole is to be located within an area of overgrown shrubs. The car park is bounded by the Kilmarnock Water and commercial properties.

2.4 **Proposed Development:** For both planning applications, it is proposed to install an eight metre height pole which will be painted black and be in-keeping with other street furniture particularly the street lighting columns in the town centre. A dome shaped camera will be located on top of the pole. There will also be a small broadband wireless panel located on each pole to allow the CCTV pictures to be received and monitored back at the Council's Risk Management Centre.

2.5 Both applications are submitted in order to extend the existing CCTV coverage within Kilmarnock's town centre. Both these locations are currently not covered by the existing cameras and the Risk Management Centre have advised that security in the town centre would be improved as a result of the proposed developments.

3. CONSULTATIONS RESPONSES

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

Noted.

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

Noted.

3.3 East Ayrshire Council's Roads and Transportation Division have no objections.

Noted.

4. REPRESENTATIONS

4.1 No representations have been received.

5. ASSESSMENT AGAINST DEVELOPMENT PLAN

5.1 For the purposes of these applications the development plan comprises the Adopted East Ayrshire Local Plan (EALP) (2003).

The Adopted East Ayrshire Local Plan (EALP)

5.2 Policies ENV4 and ENV7 of the Adopted EALP are specifically relevant in the consideration of these applications.

5.3 Policy ENV4 seeks to ensure that all development within or affecting the setting of a Conservation Area or affecting the setting of a listed building is sympathetic to the area of building concerned in terms of its layout, size, scale, design, siting, materials and colour of finish. The Policy also states that development 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. Policy ENV7 states that any development shall comply with the Council's Design Guidance.

It is considered that the proposed works comply with Policies ENV4 and ENV7 of the Adopted East Ayrshire Local Plan noting that the design and siting of the proposals are in keeping with the existing street furniture in the Outstanding Conservation Area and will not affect the visual appearance or quality of the surrounding 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 and the supplementary planning guidance comprising 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.

Care has been taken to site both cameras and poles so as to have minimal impact on the historic fabric and streetscape of the Outstanding Conservation Area. Appropriately worded conditions can be incorporated in this respect, should Members choose to grant consent to ensure that the poles are finished in an appropriate manner. It is therefore considered that the design and scale of the proposed works is appropriate and in accordance with Policy ENV4.

Consultations Responses And Representations Received

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

Planning History

6.4 There are no outstanding applications or planning history relevant to the site that would affect the determination of these applications.

Kilmarnock Town Centre Strategy

6.5 The proposal is in-keeping with the aims of the Kilmarnock Town Centre Strategy, which seeks to improve all of the various functions that the town centre provides.

The proposed works under these application are integral to the operational needs and security of the town centre ensuring the long term safety and security of the immediate environment within the Outstanding Conservation Area.

Scottish Historic Environmental Policy

6.6 Scottish Historic Environmental Policy (SHEP) is Historic Scotland's main source of advice to planning authorities on a range of matters affecting listed buildings and conservation areas. New development in conservation areas which is well designed, respects the character of the area and contributes to its enhancement, should be welcomed.

Conservation Areas are protected under the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. In assessing such applications the planning authority is required to have special regard to the desirability of preserving the setting, or any features of special architectural or historic interest which it possesses. It is considered that the camera poles and associated equipment have been sensitively sited so as not to have a significant impact on the established traditional historic character of the surrounding area noting the replacement of existing street signage poles and location away from the main view at Nelson Street.

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 important heritage and townscape assets include the architecture of this Outstanding Conservation Area.

These applications seek the installation of CCTV and external lighting to improve the security of the town centre vicinity

benefitting the surrounding historic building fabric. Noting that the application sites are the least prominent locations for the CCTV and lighting, in turn, this will benefit Kilmarnock's historic core by ensuring that the security of the area is not compromised. The applications are considered therefore to comply with this guidance.

7. FINANCIAL AND LEGAL IMPLICATIONS

7.1 There are financial implications for the Council in the determination of these applications as they seek permission for works to be implemented through partnership funding comprising the Scottish Government's Town Centre Regeneration Fund and allocated East Ayrshire Council funds.

7.2 There are no legal implications as the applications do not require to be referred to the Scottish Government under Circular 3: 2009 'Notification of Planning Applications'.

8. CONCLUSIONS

8.1 As indicated at Section 5 of the report the applications are considered to accord with the policies of the Adopted Local Plan. Therefore 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 As indicated at Section 6 of the report there are material considerations relevant to these applications. The proposal accords with Policy ENV4 of the Finalised EALP with Modifications as it is not considered that the proposed CCTV cameras and external lighting will have an adverse impact on the visual quality of the John Finnie Street and Bank Street Outstanding Conservation Area. The positions of the proposed cameras and supporting poles have been fully considered and these can be accommodated satisfactorily without adding clutter into the area's historic fabric.

9. RECOMMENDATION

9.1 It is recommended that these two 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 they will not require to be referred to the Full Council as there would be no significant breach of policy.

Alan Neish
Head of Planning and Economic Development

22 February 2010

FMF/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. Finalised East Ayrshire Local Plan with Modifications 2009.
6. Scottish Historic Environment Policy
7. East Ayrshire Council Conservation Area Management Plan

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

East Ayrshire Council

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application No: 10/0051/PP

Location	Bank Street Kilmarnock East Ayrshire
Nature of Proposal:	Replacement of existing street pole installation of pole mounted CCTV Camera with ancillary equipment
Name and Address of Applicant:	East Ayrshire Council Risk Management Centre Council Head Quarters London Road KA3 7BU
Name and Address of Agent	East Ayrshire Council Cars/THI Project Office John Finnie Street Kilmarnock KA1 1DD

Officer's Ref: Fiona Finlay
01563 576798

The above Planning Permission application should be approved subject to the following conditions:

1. Within 3 months of such date as the cameras become redundant and are no longer required they shall be removed and the ground repaired in accordance with a scheme to be agreed in writing with the Planning Authority.

REASON: In the interest of the character of the Conservation Area.

2. Prior to the commencement of development on site, details of the proposed colour of the camera poles and all associated equipment including cameras shall be submitted to, and approved in writing, by the Planning Authority and shall be formed on site as approved and maintained thereafter.

REASON: In the interests of visual amenity.

3. Prior to their installation on site, details shall be submitted to and approved in writing by the Planning Authority, which confirm the extent of the area over which the proposed CCTV cameras will be able to view. The CCTV cameras shall thereafter operate at all times as approved.

REASON: In the interests of visual amenity.

East Ayrshire Council

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application No: 10/0052/PP

Location	Nelson Street Kilmarnock East Ayrshire
Nature of Proposal:	Installation of Pole mounted CCTV Camera with ancillary equipment
Name and Address of Applicant:	East Ayrshire Council Risk Management Centre Council Head Quarters London Road KA3 7BU
Name and Address of Agent	East Ayrshire Council Cars/THI Project Office John Finnie Street Kilmarnock KA1 1DD

Officer's Ref: Marion Fergusson
01563 576769

The above Planning Permission application should be approved subject to the following conditions:

1. Within 3 months of such date as the cameras become redundant and are no longer required they shall be removed and the ground repaired in accordance with a scheme to be agreed in writing with the Planning Authority.

REASON: In the interest of the character of the Conservation Area.

2. Prior to the commencement of development on site, details of the proposed colour of the camera poles and all associated equipment including cameras shall be submitted to, and approved in writing, by the Planning Authority and shall be formed on site as approved and maintained thereafter.

REASON: In the interests of visual amenity.

3. Prior to their installation on site, details shall be submitted to and approved in writing by the Planning Authority, which confirm the extent of the area over which the proposed CCTV cameras will be able to view. The CCTV cameras shall thereafter operate at all times as approved.

REASON: In the interests of visual amenity.