

EAST AYRSHIRE COUNCIL

NOTHERN LOCAL PLANNING COMMITTEE: 29 JANUARY 2010

**09/0614/AD: INSTALLATION OF FASCIA SIGNAGE AT THE COFFEE
TRADER 3 FOREGATE SQUARE, KILMARNOCK
BY MR DAVID JEAL**

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 The proposals comprise the installation of a fascia signage of 2.3 metres long x 0.6 metres in height internally illuminated with lettering 0.240 metres in height.

2. RECOMMENDATION

2.1 It is recommended that the application 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 The application is considered to be compliant with the Development Plan and there are no material changes 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.

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 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.

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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 owns the land.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site comprises an existing coffee shop (Coffee Trader) within the Foregate, Kilmarnock. To the front (West) is the Foregate shopping complex within the designated core shopping area of Kilmarnock Town Centre; to the side (North and South) is the continuation of the Foregate; and to the rear (East) is the Burns Mall.

2.2 **Proposed Development:** The proposals comprise the installation of a fascia signage of 2.3 metres long x 0.6 metres in height internally illuminated with lettering 0.240 metres in height.

3. CONSULTATIONS RECEIVED

3.1 East Ayrshire Council Roads and Transportation Division have no objections.

3.2 Bonnyton Community Council have not responded to their consultation.

3.3 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.

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 The proposal is compliant with Policy ENV7 of the adopted East Ayrshire Local Plan which refers to the Council's Design Guidance in respect of Advertisements. The proposed signage is appropriate to the surrounding area in terms of amenity and is new signage as a result of a change of use of an existing business.

6. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

6.1 The principal material considerations relevant to the determination of this application 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 proposal is compliant with Policy ENV9 which refers to the Design Guidance as detailed in paragraph 5.2 of this report.

Consultation Responses

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

Amenity

6.4 The proposed signage would not have an adverse effect on amenity of the Kilmarnock Town Centre.

7. FINANCIAL AND LEGAL IMPLICATIONS

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

9. RECOMMENDATION

9.1 It is recommended that the application be approved.

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 Full Council as that would not be a significant departure from Council Policy.

Alan Neish
Head of Planning and Economic Development

18 January 2010

RDB/ KMc
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. Finalised Draft with Modifications East Ayrshire Local Plan.

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

TP24

East Ayrshire Council

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application No: 09/0614/AD

Location	The Coffee Trader 3 Foregate Square Kilmarnock East Ayrshire
Nature of Proposal:	Installation of fascia signage
Name and Address of Applicant:	Mr David Jeal 1A Dukesway Court Team Valley Gateshead NE11 0PJ
Name and Address of Agent	Ian Belsham 4 Keelrow The Watermark Gateshead NE11 9SZ

DPOs Reference: RDB/KMc

The above application for Advertisement Consent should be Approved.