

EAST AYRSHIRE COUNCIL

NORTHERN LOCAL PLANNING COMMITTEE: 17 SEPTEMBER 2009

09/0519/LB: REPAIRS TO SANDSTONE RETAINING WALL AROUND BOUNDARY OF STATION FLORAL CLOCK EMBANKMENT AT KILMARNOCK RAILWAY STATION, LANGLANDS BRAE, KILMARNOCK BY EAST AYRSHIRE COUNCIL

Report by Head of Planning and Economic Development

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 The existing floral clock sits on the embankment of Kilmarnock Railway Station, and faces down John Finnie Street. As part of the 2008/09 budget, the Council proposed a set of initiatives including a comprehensive redevelopment of the Floral Clock. The clock occupies a prominent position within Kilmarnock's town centre and is located within the John Finnie Street and Bank Street Outstanding Conservation Area. The proposed redevelopment of the clock and the repairs to the embankment seek to create a high profile local landmark.

1.2 This application seeks to undertake repairs to the boundary wall to facilitate the new floral clock. Further details of the scheme, comprise the repointing, repair and cleaning of the retaining stone wall which frames the whole site. In summary, it is proposed to replace some sections of the work with new red sandstone indents, make good previous concrete repairs with a more appropriate lime mortar, replace broken coping stones on the top of the wall and clean and rebed other stones. It is also proposed to install new drainage, cut back all grassy herbaceous growth as required by hand in order to protect the masonry and generally clean all exposed external stonemasonry surfaces with a fungicidal wash.

1.3 Planning permission was granted on 31 July 2009 to regenerate and redesign the floral clock from a traditional floral arrangement to a modern design with feature lighting, water features and hard landscaping. As detailed above, this application considers repairs to the boundary wall of the Station which structurally supports the land occupied by the clock. The works seek to ensure the longevity of the wall and also visually enhance the surrounding area.

2. RECOMMENDATION

2.1 It is recommended that this listed building application should be approved subject to the conditions indicated on the attached sheet subject to notification to 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 application is in accordance with the Development Plan. The repair/restoration of the boundary wall of the Railway Station, will not only ensure the longevity of the listed station complex but it will also result in a highly prominent site being re-developed with a positive contribution to adjacent listed buildings and to the Outstanding Conservation Area as a whole. It also has other regeneration implications for Kilmarnock and East Ayrshire noting that the visual improvements will facilitate a welcoming feature for visitors and residents in this central location. Kilmarnock Railway Station is a primary public transport node and these works will enable significant environmental improvements to take place in the form of the new floral clock and new landscaping proposed as part of the overall scheme, in conjunction with other projects to enhance the John Finnie Street and Bank Street Outstanding Conservation Area. Therefore given the terms of Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 the application should be approved unless material considerations indicate otherwise.

3.2 There are no material considerations relevant to this application as indicated in Section 6 of the report which would suggest that the application should be refused and the consultation responses are supportive of the proposal. The proposed works are entirely respectful of the surrounding listed buildings and outstanding Conservation Area and the proposal also accords with the broader aims of the Conservation Area Management Plan which has been adopted by this Council as Supplementary Planning Guidance.

CONTRARY DECISION NOTE

Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning and Economic Development, the application would not require to be referred to the full Council, by the terms of the Scheme of Delegation which became operational on the 3 August 2009.

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.

EAST AYRSHIRE COUNCIL

NORTHERN LOCAL PLANNING COMMITTEE: 17 SEPTEMBER 2009

09/0519/LB: REPAIRS TO SANDSTONE RETAINING WALL AROUND BOUNDARY OF STATION FLORAL CLOCK EMBANKMENT AT KILMARNOCK RAILWAY STATION, LANGLANDS BRAE, KILMARNOCK BY EAST AYRSHIRE COUNCIL

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 Listed Building Consent, which is 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:** Kilmarnock Railway Station is a Category B listed building and its boundary features are listed, as these sit within the curtilage of Kilmarnock Railway Station. The station was built in 1878 and incorporates later additions. The site is sloping and features mainly 2-storeys premises diminishing to single storey at the east, with an Italianate tower at the south east corner. The railway station, although situated on a hill, is linked to the major streets of the town by means of pedestrian subways. The most ornate route is the John Finnie / West George / Garden Street and Langlands Brae subway, which has a castellated entrance (which is listed separately). The main station is constructed of red sandstone, as is the boundary wall. This application site comprises the embankment which currently accommodates the Floral Clock.

2.2 **Proposed Development:** The existing floral clock sits on the embankment of Kilmarnock Railway Station, and faces down John Finnie Street. As part of the 2008/09 budget, the Council proposed a set of initiatives including a comprehensive redevelopment of the Floral Clock. The clock occupies a prominent position within Kilmarnock's town centre and is located within the John Finnie Street and Bank Street Outstanding Conservation Area. The proposed redevelopment of the clock and the repairs to the embankment seek to create a high profile local landmark.

2.3 This application seeks to undertake repairs to the boundary wall to facilitate the new floral clock. Further details of the scheme, comprise the repointing, repair and cleaning of the retaining stone wall which frames the whole site. In summary, it is proposed to replace some sections of the work with new

red sandstone indents, make good previous concrete repairs with a more appropriate lime mortar, replace broken coping stones on the top of the wall and clean and rebed other stones. It is also proposed to install new drainage, cut back all grassy herbaceous growth as required by hand in order to protect the masonry and generally clean all exposed external stonemasonry surfaces with a fungicidal wash.

2.4 Planning permission was granted on 31 July 2009 to regenerate and redesign the floral clock from a traditional floral arrangement to a modern design with feature lighting, water features and hard landscaping. As detailed above, this application considers repairs to the boundary wall of the Station which structurally supports the land occupied by the clock. The works seek to ensure the longevity of the wall and also visually enhance the surrounding area.

3. CONSULTATIONS AND ISSUES RAISED

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

Noted.

3.2 Historic Scotland have no objections.

Noted.

3.3 The Architectural Heritage Society of Scotland have indicated their support for the proposal.

Noted.

3.4 The Scottish Civic Trust have welcomed this application.

Noted.

3.5 East Ayrshire Council Conservation Area Regeneration (CARS) Team have indicated their support for the proposal, advising that the proposed conservation and repair scheme as designed, accords with the ideals of the conservation area and will ensure longevity of the sandstone wall. The specification of works, the proposed materials and methodology applied demonstrates a desire to maintain this structure using best practice and is welcomed. Additional technical advice is offered relative to drainage matters.

Noted. If Members choose to grant consent, it is considered that appropriately worded conditions can address the technical points raised.

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 ENV2 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. There will be a presumption against the demolition or partial demolition of all such properties.

The proposed development involves the restoration and renovation of a listed structure, which will help to ensure the historic fabric's survival, in the long term at this prominent location. In this respect the proposal accords with Policy ENV2.

5.4 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 proposal and palette of materials selected have been considered carefully in relation to the adjacent listed building and outstanding conservation area and it is noted that the civic amenity bodies all indicate their support for the proposed works. In this respect, the proposal accords with Policy ENV 4.

5.5 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 proposal has been accompanied by a design brief presenting detailed justification for the proposed design, scale and materials. It is considered that the design is appropriate for the site entrance and its characteristics use materials appropriate to the age of the existing listed wall.

6. ASSESSMENT AGAINST OTHER 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 and representations, 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 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 or its 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.

In this instance, it is noted that this proposal aims to undertake repair works to the sandstone wall which supports the embankment at Kilmarnock Railway Station. It is a significant and extremely prominent site at the top of John Finnie Street which is important to the architectural and cultural heritage of Kilmarnock and to the wider East Ayrshire area. The works aims to preserve the listed wall to

ensure its long term survival and it is therefore considered that the design and scale of the proposed works is appropriate, and accord with policy ENV 4.

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.

The proposal has been accompanied by a design brief presenting detailed justification for the proposed design, scale and materials. It is considered that the design is appropriate for the site entrance and uses materials appropriate to the age of the existing listed wall.

Consultation Responses and Representations Received

6.4 The consultation responses have been addressed in Section 3 of the report and the replies received support the proposed works in the interests of the longevity of the boundary wall. There are no issues that would warrant the refusal of this application. It is noted that the CARS Project Team have raised technical issues that can be addressed by appropriately worded conditions. No letters of representation were received.

Planning History

6.5 Planning Application No 09/0406/FL; Proposed Engineering and Groundworks to Railway Embankment and Replacement and Renewal of Floral Clock with Hard and Soft Landscaping including Water Features and Lighting was granted planning consent on 31 July 2009 under the previous approved scheme of delegation. It was submitted prior to the new Development Management Regulations which came into force on 3 August 2009 which now require all applications where East Ayrshire Council is the applicant to be considered by the appropriate committee.

Kilmarnock Town Centre Strategy

6.6 The proposal is in-keeping with the aims of the Kilmarnock Town Centre Strategy, which states that gateways or entry points to the town have an immediate impact on the town centre's image. The floral clock and station embankment is a major focal point and the proposed repair works will facilitate environmental improvements works to ensure that interest is maintained in this focal point. New materials and design will reflect a modern interpretation of the Floral Clock whilst using traditional finishes to respect the historic architectural

and cultural core of the town. This work will create a positive image to visitors and residents of Kilmarnock. The proposed works under this application are integral to the already consented works to the embankment which re-vamp the Floral Clock.

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 repair and conservation works to a boundary wall which is integral the retention and improvement of a local landmark, which will also facilitate large scale environmental improvements to benefit to Kilmarnock's historic core. The application is considered to comply with this guidance.

7. FINANCIAL AND LEGAL IMPLICATIONS

7.1 The Council is the applicant for the above application, which under the scheme of delegation that came into force on 3 August this year, means that the council has an interest in the proposal and the matter is therefore referred to this Committee for determination.

7.2 There are financial implications as this application seeks consent for works to a B listed structure to be undertaken by this Council. These works are being funded, subject to receiving the statutory consents, primarily through the Leaders Initiative Budget, from a grant through the Railway Heritage Trust and is also dependant on a successful bid through the CARS Project Scheme.

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 application is in accordance with the Development Plan. The repair/restoration of the boundary wall of the Railway Station, will not only ensure the longevity of the listed station complex but it will also result in a highly prominent site being re-developed with a positive contribution to adjacent listed buildings and to the Outstanding Conservation

Area as a whole. It also has other regeneration implications for Kilmarnock and East Ayrshire noting that the visual improvements will facilitate a welcoming feature for visitors and residents in this central location. Kilmarnock Railway Station is a primary public transport node and these works will enable significant environmental improvements to take place in the form of the new floral clock and new landscaping proposed as part of the overall scheme, in conjunction with other projects to enhance the John Finnie Street and Bank Street Outstanding Conservation Area. Therefore given the terms of Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 the application should be approved unless material considerations indicate otherwise.

8.2 There are no material considerations relevant to this application as indicated in Section 6 of the report which would suggest that the application should be refused and the consultation responses are supportive of the proposal. The proposed works are entirely respectful of the surrounding listed buildings and outstanding Conservation Area and the proposal also accords with the broader aims of the Conservation Area Management Plan which has been adopted by this Council as Supplementary Planning Guidance.

9. RECOMMENDATION

9.1 It is recommended that this listed building application should be approved subject to the conditions indicated on the attached sheet subject to notification to Historic Scotland under the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

CONTRARY DECISION NOTE

Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning and Economic Development, the application would not require to be referred to the full Council, by the terms of the Scheme of Delegation which became operational on the 3 August 2009.

Alan Neish
Head of Planning & Economic Development

9 September 2009
MF/KW
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 09/0406/FL

Anyone wishing to inspect the above papers please contact Marion Fergusson, Senior Planning Officer, on 01563 576769.

Implementation Officer: Dave Morris

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

APPLICATION NO: 09/0406/FL

Location	Kilmarnock Train Station Kilmarnock Rail Station Access Road Off Langlands Brae Kilmarnock
Nature of Proposal:	Proposed Engineering And Groundworks To Railway Embankment And Replacement And Renewal Of Floral Clock With Hard And Soft Landscaping Including Water Features And Lighting
Name and Address of Applicant:	East Ayrshire Council Council Headquarters London Road Kilmarnock KA3 7BU
Name and Address of Agent	David Wilson Associates Aros House 121 Cadzow Street Hamilton ML3 6JA

Officer's Ref: MH/KW

Subject to **[notification to the Scottish Ministers]**

The above full Application should be approved subject to the following conditions:

Conditions

1. Notwithstanding the approved drawings, the sub-surface irrigation channel serving the floral clock shall be extended and continue along the site to provide the same service to the boundary wall. Details of this aspect of the works shall be submitted to and approved in writing by the Planning Authority prior to the works commencing on site. All details shall be adhered to on site as approved and maintained at all times thereafter.

REASON: In order for the Planning Authority to consider this aspect in detail and to ensure a connection is made to the sub-surface drain at the Floral Clock.

2. Details and samples of all external materials, including the specification of the proposed lime mortar, and any proposed sandstone shall be submitted to and approved in writing by the Planning Authority in respect of type, colour and texture, prior to the commencement of works on site. All materials shall be used on site as approved and maintained at all times thereafter.

REASON: To protect against any adverse visual impact on the adjacent listed buildings and in the interests of protecting the wider visual amenity and character of the surrounding John Finnie Street and Bank Street Outstanding Conservation Area.