

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE: 30 SEPTEMBER 2011

**11/0571/LB: INSTALLATION OF DECORATIVE WALL MOUNTED LIGHTING
AT 1-2 THE SQUARE, CUMNOCK**

**11/0572/LB: INSTALLATION OF DECORATIVE WALL MOUNTED LIGHTING
AT 6 THE SQUARE, CUMNOCK**

**11/0573/LB: INSTALLATION OF DECORATIVE WALL MOUNTED LIGHTING
AT 7-9 THE SQUARE, CUMNOCK**

**11/0574/LB: INSTALLATION OF DECORATIVE WALL MOUNTED LIGHTING
AT 18-20 THE SQUARE, CUMNOCK**

**11/0575/LB: INSTALLATION OF DECORATIVE WALL MOUNTED LIGHTING
AT 20-22 THE SQUARE, CUMNOCK**

Report by Head of Planning and Economic Development

Click for Application Details:

<http://eplanning.east-ayrshire.gov.uk/online/caseFile.do?category=application&caseNo=11/0571/LB>

<http://eplanning.east-ayrshire.gov.uk/online/caseFile.do?category=application&caseNo=11/0572/LB>

<http://eplanning.east-ayrshire.gov.uk/online/caseFile.do?category=application&caseNo=11/0573/LB>

<http://eplanning.east-ayrshire.gov.uk/online/caseFile.do?category=application&caseNo=11/0574/LB>

<http://eplanning.east-ayrshire.gov.uk/online/caseFile.do?category=application&caseNo=11/0575/LB>

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 Listed Building Consent is sought for the introduction of new lamps on the aforementioned listed buildings within The Square. In all applications, the lamps proposed are of the same design as those already installed on other listed buildings within East Ayrshire. The lights comprise a black metal frame which would be fixed to the listed buildings by brackets using the appropriate wall fixings.

2. RECOMMENDATION

2.1 It is recommended that the listed building application nos. 11/0571/LB and 11/0574/LB should be approved subject to the conditions on the attached sheet.

2.2 It is recommended that the listed building application nos. 11/0572/LB, 11/0573/LB, and 11/0575/LB should be approved subject to the conditions on the attached sheet and that prior to any consent being released the applications should be referred to Historic Scotland under the Listed Buildings and Conservation Areas (Scotland) Act 1997.

3. CONCLUSIONS

3.1 As indicated in Section 5 of the report the applications are in accordance with the Development 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. The lighting of these buildings will result in a positive contribution to the public realm and to the Conservation Area as a whole in addition to benefiting the wider town centre in visual terms.

3.2 There are no material considerations relevant to the applications as indicated in Section 6 of the report which would suggest that they should be refused and the consultation responses are supportive of the proposals. The proposed lamps respect the traditional character of the surrounding area and listed buildings and architectural features of Cumnock's town centre and the Cumnock 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, the applications would not require to be referred to the Council that would not 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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AT 18-20 THE SQUARE, CUMNOCK**

**11/0575/LB: INSTALLATION OF DECORATIVE WALL MOUNTED LIGHTING
AT 20-22 THE SQUARE, CUMNOCK**

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 jointly present for determination, five applications for listed building consent, which are to be considered by the Southern Local Planning Committee under the scheme of delegation as the Council is the applicant.

2. APPLICATION DETAILS

2.1 **Site Description:** These applications comprise several buildings on The Square, in Cumnock's town centre and located within Cumnock Conservation Area. The buildings are at the following locations on The Square:-

- (i) 1-2 The Square: a 2 storey Category C(s) listed building;
- (ii) 6 The Square: a Category B listed building;
- (iii) 7-9 The Square: no. 7 is a Category B listed building and no. 9 is a Category C(s) building;
- (iv) 18-20 The Square: is a Category C(s) listed building; and

- (v) 20-22 The Square; a painted ashlar building, no. 20 is a Category C(s) listed building and a red sandstone building, no. 22 is a Category B listed building

2.2 Proposed Development: Listed Building Consent is sought for the introduction of new lamps on the aforementioned listed buildings within The Square. In all applications, the lamps proposed are of the same design as those already installed on other listed buildings within East Ayrshire. The lights comprise a black metal frame which would be fixed to the listed buildings by brackets using the appropriate wall fixings.

3. CONSULTATIONS AND ISSUES RAISED

3.1 Cumnock Community Council has not responded to their consultations at the time of writing this report.

3.2 Historic Scotland has no objections but note that any fixtures associated with this lighting scheme should be located in an inconspicuous position and careful attention should be paid in particular to the routing of cabling required. This should not run along the principal elevations to minimise the visual impact on the character of the building.

The applicant's agent was asked to consider these comments and has confirmed that it would be their intention to disguise as much of the cabling as possible hiding the cabling where possible and thereafter using coloured cable which blends with the existing building fabric.

4. REPRESENTATIONS

4.1 None.

5. ASSESSMENT AGAINST DEVELOPMENT PLAN

Adopted East Ayrshire Local Plan 2010

5.1 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.

The overall design for the proposed lamps has been carefully considered in relation to the surrounding Cumnock Conservation Area and the listed buildings in the vicinity. It is noted that Historic Scotland does not object to the proposed works. The works will be in character with the existing lighting already located in the surrounding area and, in this respect, the proposals accord with Policy ENV 4.

5.2 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.

It is considered that the proposals are appropriate for the Cumnock Conservation Area and will complement the surrounding area. The proposals are therefore compliant with this Policy.

6. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

6.1 The principal material considerations relevant to the determination of these applications are the consultation responses, the planning history of the sites and the Scottish Government's Scottish Historic Environment Policy (SHEP).

Consultation Responses

6.2 The consultation responses have been addressed in Section 3 of the report and the replies received indicate no outstanding issues that would warrant refusal of these applications. The applicant's agent has confirmed that they will take into account Historic Scotland's comments if consent is granted.

Planning History

6.3 There is no planning history that would warrant the refusal of these applications.

Scottish Historic Environment Policy

6.4 This Scottish Government policy document lays out those principles against which applications for listed building consent and applications for planning permission within Conservation Areas should be determined. The guidance states that new proposals should be sympathetic to the listed building and conservation area concerned and also that fixtures such as lighting to

buildings should not obscure important architectural features nor damage stonework.

The design of the slights is appropriate to the listed building and surrounding conservation area and is a style which has been used in these circumstances elsewhere in East Ayrshire, with the sanction of Historic Scotland. Conditions can be attached to ensure that the appropriate fixings are utilised in order to protect the stonework and to ensure that the final cabling route is appropriate, avoids the principal elevations as far as possible and does not interfere with any important architectural features. The proposals are therefore considered to be consistent with the policy provisions of SHEP.

7. FINANCIAL AND LEGAL IMPLICATIONS

7.1 There are no legal or financial implications for the Council in the determination of these applications other than in relation to the implementation of the proposals as the Council is the applicant.

8. CONCLUSIONS

8.1 As indicated in Section 5 of the report the applications are in accordance with the Development 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. The lighting of these buildings will result in a positive contribution to the public realm and to the Conservation Area as a whole in addition to benefiting the wider town centre in visual terms.

8.2 There are no material considerations relevant to the applications as indicated in Section 6 of the report which would suggest that they should be refused and the consultation responses are supportive of the proposals. The proposed lamps respect the traditional character of the surrounding area and listed buildings and architectural features of Cumnock's town centre and the Cumnock Conservation Area.

9. RECOMMENDATIONS

9.1 It is recommended that the listed building application nos. 11/0571/LB and 11/0574/LB should be approved subject to the conditions on the attached sheet.

9.2 It is recommended that the listed building application nos. 11/0572/LB, 11/0573/LB, and 11/0575/LB should be approved subject to the

conditions on the attached sheet and that prior to any consent being released the applications should be referred to Historic Scotland under the Listed Buildings and Conservation Areas (Scotland) Act 1997.

CONTRARY DECISION NOTE

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

Alan Neish
Head of Planning & Economic Development

23 September 2011
FMF
FV/HM

LIST OF BACKGROUND PAPERS

1. Application Forms/Plans.
2. Statutory Letters/Certificates.
3. Consultations Responses
4. Adopted East Ayrshire Local Plan.
5. Historic Scotland: Scottish Historic Environment Policy.

Anyone wishing to inspect the above papers please contact Robin Ghosh, Senior Planning Officer, on 01563 553505

Implementation Officer: Hugh Melvin

East Ayrshire Council

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application No: 11/0571/LB

Location	1-2 The Square Cumnock KA18 1BG
Nature of Proposal:	Installation of decorative wall mounted lighting.
Name and Address of Applicant:	Mr Colin McKee The Johnnie Walker Bond 15 Strand Street Kilmarnock KA1 1HU
Name and Address of Agent	Aled Davies The Johnnie Walker Bond 15 Strand Street Kilmarnock KA1 1HU

Officer's Ref: Robin Ghosh
(01563) 553505

The above Listed Building Consent application should be approved subject to the following conditions:

1. Notwithstanding the approved plans and prior to the lighting being installed on site, details of the method of fixing (which shall use non ferrous materials) to the building and routes for all cabling shall be submitted to and approved in writing by the Planning Authority. For the avoidance of doubt all fixtures and cabling shall be located in an inconspicuous position on the building as possible.

Reason: In the interests of preserving the quality of the stonework of this listed building.

2. Further to condition 1 above, the lighting shall be fixed to the building in accordance with the approved method and shall be maintained thereafter in accordance with the approved details.

Reason: In the interests of the quality of the stonework of this listed building.

3. Within 3 months of such date as the lighting becomes redundant and is no longer required all equipment including the lighting, shall be removed and the stonework repaired in accordance with a scheme agreed in advance and in writing, with the Planning Authority.

Reason: In the interest of the character of this listed building.

East Ayrshire Council

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application No: 11/0572/LB

Location	6 The Square Cumnock East Ayrshire KA18 1BG
Nature of Proposal:	Installation of decorative wall mounted lighting
Name and Address of Applicant:	Mr Colin McKee The Johnnie Walker Bond 15 Strand Street Kilmarnock KA1 1HU
Name and Address of Agent	Aled Davies The Johnnie Walker Bond 15 Strand Street Kilmarnock KA1 1HU

Officer's Ref: Robin Ghosh
(01563) 553505

The above Listed Building Consent application should be approved subject to the following conditions:

1. Notwithstanding the approved plans and prior to the lighting being installed on site, details of the method of fixing (which shall use non ferrous materials) to the building and routes for all cabling shall be submitted to and approved in writing by the Planning Authority. For the avoidance of doubt all fixtures and cabling shall be located in an inconspicuous position on the building as possible.

Reason: In the interests of preserving the quality of the stonework of this listed building.

2. Further to condition 1 above, the lighting shall be fixed to the building in accordance with the approved method and shall be maintained thereafter in accordance with the approved details.

Reason: In the interests of the quality of the stonework of this listed building.

3. Within 3 months of such date as the lighting becomes redundant and is no longer required all equipment including the lighting, shall be removed and the stonework repaired in accordance with a scheme agreed in advance and in writing, with the Planning Authority.

Reason: In the interest of the character of this listed building.

East Ayrshire Council

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application No: 11/0573/LB

Location	7-9 The Square Cumnock East Ayrshire KA18 1BG
Nature of Proposal:	Installation of decorative wall mounted lighting.
Name and Address of Applicant:	Mr Colin McKee The Johnnie Walker Bond 15 Strand Street Cumnock KA1 1HU
Name and Address of Agent	Aled Davies The Johnnie Walker Bond 15 Strand Street Cumnock KA1 1HU

Officer's Ref: Robin Ghosh
(01563) 553505

The above Listed Building Consent application should be approved subject to the following conditions:

1. Notwithstanding the approved plans and prior to the lighting being installed on site, details of the method of fixing (which shall use non ferrous materials) to the building and routes for all cabling shall be submitted to and approved in writing by the Planning Authority. For the avoidance of doubt all fixtures and cabling shall be located in an inconspicuous position on the building as possible.

Reason: In the interests of preserving the quality of the stonework of this listed building.

2. Further to condition 1 above, the lighting shall be fixed to the building in accordance with the approved method and shall be maintained thereafter in accordance with the approved details.

Reason: In the interests of the quality of the stonework of this listed building.

3. Within 3 months of such date as the lighting becomes redundant and is no longer required all equipment including the lighting, shall be removed and the stonework repaired in accordance with a scheme agreed in advance and in writing, with the Planning Authority.

Reason: In the interest of the character of this listed building.

East Ayrshire Council

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application No: 11/0574/LB

Location	18-20 The Square Cumnock East Ayrshire KA18 1AU
Nature of Proposal:	Installation of decorative wall mounted lighting.
Name and Address of Applicant:	Mr Colin McKee The Johnnie Walker Bond 15 Strand Street Kilmarnock KA1 1HU
Name and Address of Agent	Aled Davies The Johnnie Walker Bond 15 Strand Street Kilmarnock KA1 1HU

Officer's Ref: Robin Ghosh
(01563) 553505

The above Listed Building Consent application should be approved subject to the following conditions:

1. Notwithstanding the approved plans and prior to the lighting being installed on site, details of the method of fixing (which shall use non ferrous materials) to the building and routes for all cabling shall be submitted to and approved in writing by the Planning Authority. For the avoidance of doubt all fixtures and cabling shall be located in an inconspicuous position on the building as possible.

Reason: In the interests of preserving the quality of the stonework of this listed building.

2. Further to condition 1 above, the lighting shall be fixed to the building in accordance with the approved method and shall be maintained thereafter in accordance with the approved details.

Reason: In the interests of the quality of the stonework of this listed building.

3. Within 3 months of such date as the lighting becomes redundant and is no longer required all equipment including the lighting, shall be removed and the

stonework repaired in accordance with a scheme agreed in advance and in writing, with the Planning Authority.

Reason: In the interest of the character of this listed building.

East Ayrshire Council

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application No: 11/0575/LB

Location	20-22 The Square Cumnock KA18 1AU
Nature of Proposal:	Installation of decorative wall mounted lighting.
Name and Address of Applicant:	East Ayrshire Council FAO Colin McKee The Johnnie Walker Bond 15 Strand Street Kilmarnock KA1 1HU
Name and Address of Agent	East Ayrshire Council FAO Aled Davies The Johnnie Walker Bond 15 Strand Street Kilmarnock KA1 1HU

Officer's Ref: Robin Ghosh
(01563) 553505

The above Listed Building Consent application should be approved subject to the following conditions:

1. Notwithstanding the approved plans and prior to the lighting being installed on site, details of the method of fixing (which shall use non ferrous materials) to the building and routes for all cabling shall be submitted to and approved in writing by the Planning Authority. For the avoidance of doubt all fixtures and cabling shall be located in an inconspicuous position on the building as possible.

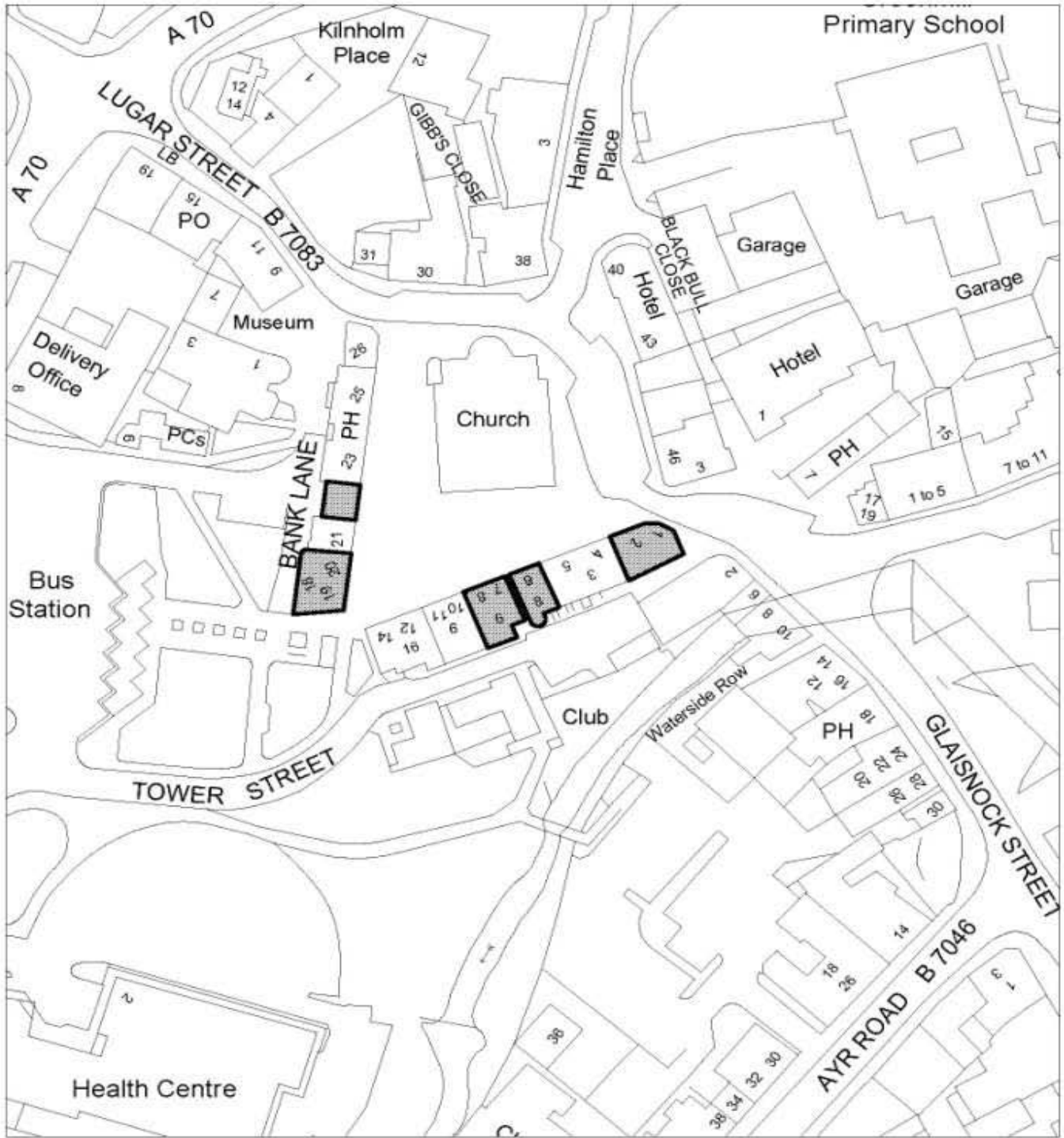
Reason: In the interests of preserving the quality of the stonework of this listed building.



2. Further to condition 1 above, the lighting shall be fixed to the building in accordance with the approved method and shall be maintained thereafter in accordance with the approved details.

Reason: In the interests of the quality of the stonework of this listed building.

3. Within 3 months of such date as the lighting becomes redundant and is no longer required all equipment including the lighting, shall be removed and the stonework repaired in accordance with a scheme agreed in advance and in writing, with the Planning Authority.

Reason: In the interest of the character of this listed building.



<p>Title/Location</p> <p>The Square</p> <p>Cumnock</p> <p>Application No. 11/0571/LB to 11/0575/LB</p>	<p>East Ayrshire Council</p> <p>Department of Neighbourhood Services Planning & Economic Development Service The Johnnie Walker Bond 15 Strand Street Kilmarnock KA1 1HU Tel: (01563) 576790 Fax: (01563) 554592 E-Mail : Planning@east-ayrshire.gov.uk Com Date: 30/09/2011</p> 
<p>Key</p>  <p>Application Site</p>	

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