

**EAST AYRSHIRE COUNCIL**

**SOUTHERN LOCAL PLANNING COMMITTEE: 30 OCTOBER 2009**

**09/0070/LB: ERECTION OF LIFT FOYER EXTENSION AND INTERNAL ALTERATIONS**

**&**

**09/0071/FL: ERECTION OF LIFT FOYER EXTENSION AND INTERNAL ALTERATIONS**

**AT THE BAIRD INSTITUTE, 3 LUGAR STREET, CUMNOCK**

**EXECUTIVE SUMMARY**

**1. DEVELOPMENT DESCRIPTION**

1.1 Listed Building Consent and Full Planning Consent are sought for the creation of an external lift foyer located between the boiler house and the front tower within an already existing void. The foyer has an area of approximately 3m<sup>2</sup> and is 2.8 metres in height to the top of the roof. The foyer will be finished in red sandstone to match the existing building with a timber door and lead flat roof with rolled joints. Internally a non load bearing modern stud partition will be removed, an opening in a non load bearing modern stud partition will be formed and the erection of new timber stud partition with all the down taking timber and tongue and groove panelling to be re-used in the new partition.

**2. RECOMMENDATIONS**

**2.1 It is recommended that the application for Listed Building Consent be approved but the issue of the decision notice be withheld until the application has been formally cleared by Historic Scotland.**

**2.2 It is recommended that the application for Full Planning Consent be approved.**

**3. SUMMARY OF ANALYSIS**

3.1 As indicated in Section 5 of the report the applications are considered to be 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. As indicated in Section 6 there are material considerations relevant to

these applications however it is considered that these are supportive of the applications.

3.2 The improvement works to the Baird Institute assist in bringing this historic building in line with the requirements for modern day use. The works are categorised into two areas; those works affecting the exterior and those required internally. The consultation responses indicate support for the interior works however the Architectural Heritage Society of Scotland note concerns in relation to the external works with the formation of the lift foyer. Historic Scotland's response supports the proposal and has contributed to the design process at an earlier. Consequently it is considered that the material considerations do not indicate that the proposals should be refused.

3.3 The works applied for have been undertaken and are now complete and therefore the applications represent a retrospective submission however the works are considered to be compliant with the provisions of the development plan with material considerations do not indicate that the proposals should be refused.

## **CONTRARY DECISION NOTICE**

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 Full Council as this would not constitute a 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.**

# EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE: 30 OCTOBER 2009

09/0070/LB: ERECTION OF LIFT FOYER EXTENSION AND INTERNAL ALTERATIONS

&

09/0071/FL: ERECTION OF LIFT FOYER EXTENSION AND INTERNAL ALTERATIONS

AT THE BAIRD INSTITUTE, 3 LUGAR STREET, CUMNOCK

BY EAST AYRSHIRE COUNCIL NEIGHBOURHOOD SERVICES

Report by Head of Planning and Economic Development

## 1. PURPOSE OF REPORT

1.1 The purpose of this report is to present jointly for determination an application for Listed Building Consent and Full Planning Consent, to be considered by the Southern Local Planning Committee under the revised scheme of delegation due to Council ownership of the site.

## 2. APPLICATION DETAILS

2.1 **Site Description:** The Baird Institute is located within the central core of Cumnock Town Centre nestled within a cluster of buildings between the Square and the Tanyard with access available from both Lugar Street and Brick Lane. The building has a rich historic background and was given to the people of Cumnock by John Baird to be used as a museum, recreation space and reading rooms. The Baird Institute was opened in March 1891. The building itself benefits from a category C(s) listing and is a fine example of traditional design and use of materials. The building is finished in red sandstone walls with a traditional slate roof with each gable framed with crow steps. A tower is located on the front elevation to the north east, which incorporates the main entrance opening onto a widened area of footpath off Lugar Street which links to Brick Lane. To the rear/west the building the ground falls and is bounded by the Cumnock Post Office delivery yard.

2.2 **Proposed Development:** Listed Building Consent and Full Planning Consent are sought for the creation of an external lift foyer located between the boiler house and the front tower within an already existing void. The foyer has an area of approximately 3m<sup>2</sup> and is 2.8 metres in height to the top of the roof. The foyer will be finished in red sandstone to match the existing building with a timber door and lead flat roof with rolled joints. Internally a non load bearing modern

stud partition will be removed, an opening in a non load bearing modern stud partition will be formed and the erection of new timber stud partition with all the down taking timber and tongue and groove panelling to be re-used in the new partition.

### 3. CONSULTATIONS AND ISSUES RAISED

3.1 Historic Scotland has raised no objection to the proposed development and advises that following an amendment to the lift foyer design and discussions with the applicant's architect, it is content with the revised scheme.

***Noted.***

3.2 The Architectural Heritage Society of Scotland find the internal alterations acceptable however question the validity of the design of the lift foyer stating that "it seems that only a serious deficiency in the existing facilities could justify the visual distortion such an addition could inflict on a main aspect of this significant building. We therefore object to this feature of the application. We also suggest that the concept of the foyer that requires infilling a void between an angle and a curve will be basically at odds with the aesthetic of the architectural idiom."

***The response raises concerns regarding the external extension of the lift foyer, however the applicants architect has been in discussions with Historic Scotland and such discussions have led to this submission. Historic Scotland has raised no concerns in its response detailed in section 3.1. It is considered that the location of the foyer within a void between the boiler room and the front tower coupled with the use of matching materials will ensure the extension will not visually detract from, and will have minimal impact, on the main elevation features.***

3.3 Cumnock Community Council has not responded at the time of writing this report.

***Noted.***

3.4 Scottish Power has no objection to the proposed development however advise that apparatus within the area may require alteration or protection depending on the extent of the development.

***Noted.***

3.5 The Cumnock and Doon Valley Access Panel has raised no objections to the proposal advising on minor alterations to internal fittings and the functionality of the existing lift facility.

***The alterations to the internal fittings are not something which can be considered at the planning stage however these have been addressed in the building warrant submission. Additional comments were made on the functionality of the existing lift facility however this has simply undergone a refurbishment.***

#### **4. REPRESENTATIONS**

4.1 No third party representations have been received with regard to the proposed development.

#### **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 be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of this application the development plan comprises the Approved Ayrshire Joint Structure Plan and the Adopted East Ayrshire Local Plan (EALP).

##### Ayrshire Joint Structure Plan

5.2 No specific policies are relevant to this proposal.

##### East Ayrshire Local Plan

5.3 As stated in Policy ENV4, 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.

***It is considered that the proposed alterations to the Institute are in keeping with the character of the building. The extent of the proposed alterations represents the minimum required to make the building suitable for modern day public access whilst respecting the character and appearance of the building.***

## **6. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS**

6.1 The principal material considerations relevant to the determination of this application are the Alterations to the East Ayrshire Local Plan (finalised version with modifications) and the consultation responses received which are addressed in Section 3 of the report.

### 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 reuse 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, 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 proposed alterations to the Institute are considered to be in keeping with the building as it currently stands and are of an appropriate scale and layout, incorporating a good use of materials.***

### Consultation Responses

6.3 The consultation responses are detailed in the report and have been carefully considered. The submissions do not raise any issues of sufficient weight to warrant refusal of the applications. The Architectural Heritage Society of Scotland have noted an objection in their response which is detailed in section 3 of this report. Whilst this raises some valid planning issues the focus is on the external works to the building. Historic Scotland has been involved in detailed discussion and considers the external works to be appropriate.

## **7. FINANCIAL AND LEGAL IMPLICATIONS**

7.1 The Council has ownership and operational interests in the site and therefore financial implications will arise through in the implementation of the works by the Client Department of the Council.

## **8. CONCLUSIONS**

8.1 As indicated in Section 5 of the report the applications are considered to be 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. As indicated in Section 6 there are material considerations relevant to these applications however it is considered that these are supportive of the applications.

8.2 The improvement works to the Baird Institute assist in bringing this historic building in line with the requirements for modern day use. The works are categorised into two areas; those works affecting the exterior and those required internally. The consultation responses indicate support for the interior works however the Architectural Heritage Society of Scotland note concerns in relation to the external works with the formation of the lift foyer. Historic Scotland's response supports the proposal and has contributed to the design process at an earlier. Consequently it is considered that the material considerations do not indicate that the proposals should be refused.

8.3 The works applied for have been undertaken and are now complete and therefore the applications represent a retrospective submission however the works are considered to be compliant with the provisions of the development plan with material considerations do not indicate that the proposals should be refused.

## **9. RECOMMENDATIONS**

**9.1 It is recommended that the application for Listed Building Consent be approved but the issue of the decision notice be withheld until the application has been formally cleared by Historic Scotland.**

**9.2 It is recommended that the application for Full Planning Consent be approved.**

## **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 Full Council as this would not constitute a significant breach of policy.

**Alan Neish**  
**Head of Planning and Economic Development**  
20 October 2009  
RG/RG  
FV/DVM

## **LIST OF BACKGROUND PAPERS**

1. Application Forms/Plans.
2. Statutory Letters/Certificates.
3. Consultations.
4. Approved Ayrshire Joint Structure Plan.
5. Adopted East Ayrshire Local Plan.
6. Finalised East Ayrshire Local Plan

Anyone wishing to inspect the above papers please contact Robin Ghosh  
Planning Officer, on 01563 555483.

***Implementation Officer: Dave Morris***

TP24

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application No: 09/0070/LB

---

Site of Proposal:	Baird Institute, 3 Lugar Street, Cumnock
Nature of Proposal:	Erection of lift foyer extension and internal alterations
Name & Address of Applicant:	Neighbourhood Services, Council Offices, Lugar

---

DPO's Reference: Robin Ghosh

The above Listed Building Consent application should be granted.

TP24

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application No: 09/0071/FL

---



Site of Proposal:	Baird Institute, 3 Lugar Street, Cumnock
Nature of Proposal:	Erection of lift foyer extension and internal alterations
Name & Address of Applicant:	Neighbourhood Services, Council Offices, Lugar

---

DPO's Reference: Robin Ghosh

The above Full Planning application should be granted.



<p>Title/Location    <b>Baird Institute, 3 Lugar A Street</b></p> <p>                         <b>Cumnock</b></p> <p>                         <b>Application No. 09/0071/FL 09/0070/LB</b></p>	<p>East Ayrshire Council          Planning &amp; Economic          Development Division.          6 Croft Street          Kilmarnock KA1 1JB          Tel: (01563) 576790    Fax: (01563) 576774          E-Mail : Planning@east-ayrshire.gov.uk</p>
<p>Key</p> <p> <b>Application Site</b></p>	<p>Com Date: 30/10/09    Checked By</p> <p style="text-align: right;"></p>