

EAST AYRSHIRE COUNCIL

DEVELOPMENT SERVICES PLANNING COMMITTEE: 19 SEPTEMBER 2006

**06/0547/LA: ERECTION OF LOCAL OFFICE
AT THE EXISTING GAP SITE AVENUE STREET, STEWARTON
BY THE HEAD OF LEISURE, NEIGHBOURHOOD SERVICES**

Report by Head of Planning, Development and Building Standards

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 The proposal seeks to provide a new community building for Stewarton which incorporates two public halls, a police office, an East Ayrshire Council Housing and Social work office and an East Ayrshire Council Library.

1.2 The building measures approximately 30 metres by 40 metres in floor area and is principally single storey in nature with limited changing accommodation within both the basement and roof voids. At its highest point the building measures approximately 10m from ground level to ridge level on its southern elevation.

1.3 The building is of modern design utilising profiled composite roof cladding. The majority of the external walls of the building are to be finished with white dry dash render with a brick basecourse, while cream wall cladding boards are proposed for higher isolated levels of external walls on the building.

1.4 The proposal will provide 2 disabled parking spaces adjacent to the entrance and retain 29 of the existing parking spaces on the site.

2. RECOMMENDATION

It is recommended that this application subject to the Notice of Intention to Develop procedures be forwarded to the Scottish Ministers in accordance with the Development by Planning Authority Regulations 1981-1984 and subject to the conditions indicated on the attached sheet.

3. CONCLUSIONS

3.1 As indicated in Section 5 of the report, this application is considered to be in accordance with the Development Plan. Therefore, given the terms of section 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 As indicated in Section 6 there are material considerations relevant to this application however none are considered to be of such significant weight as would merit refusal of the application.

3.3 The functional design of the building is true to its purpose and is acceptable given its location outwith the conservation area and in a backland area with a number of neighbouring buildings being of modern design.

CONTRARY DECISION NOTE

Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning and Building Control the application will not require to be referred to the Development Services Committee because there would be no significant breach of policy.

Alan Neish

Head of Planning, Development and Building Standards

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

DEVELOPMENT SERVICES PLANNING COMMITTEE: 19 SEPTEMBER 2006

**06/0547/LA: ERECTION OF LOCAL OFFICE
AT THE EXISTING GAP SITE AVENUE STREET, STEWARTON
BY THE HEAD OF LEISURE, NEIGHBOURHOOD SERVICES**

Report by Head of Planning, Development and Building Standards

1. PURPOSE OF REPORT

1.1 The purpose of this report is to present for determination a planning application under the Notice of Intention to Develop procedures which is to be considered by the Development Services Committee under the scheme of delegation as it requires to be notified to the Scottish Ministers.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site comprises an area of vacant land and the public car park to the rear of 1 to 25 Avenue Street, Stewarton. The site measures 0.43 hectares in area and has no frontage onto Avenue Street or Dunlop Street. The site has two vehicle accesses onto Avenue Street and a pedestrian access onto Dunlop Street. The existing Avenue Street car park provides 67 parking spaces.

2.2 The site is bounded to the south by the telephone exchange building while the residential units of Hamilton Gardens form its eastern boundary. The rear of the properties at 1 to 25 Avenue Street form the western boundary of the site, with the rear of the properties at 2 to 10 Dunlop Street forming the northern boundary of the site. A small industrial unit located adjacent to the northwest corner of the application site fronts onto the site though it takes access from Dunlop Street.

2.3 **Proposed Development:** The proposal seeks to provide a new community building for Stewarton which incorporates two public halls, a police office, an East Ayrshire Council Housing and Social work office and an East Ayrshire Council Library.

2.4 The building measures approximately 30 metres by 40 metres in floor area and is principally single storey in nature with limited changing accommodation within both the basement and roof voids. At its highest point the building measures approximately 10m from ground level to ridge level on its southern elevation.

2.5 The building is of modern design utilising profiled composite roof cladding. The majority of the external walls of the building are to be finished with white dry dash render with a brick basecourse, while cream wall cladding boards are proposed for higher isolated levels of external walls on the building.

2.6 The proposal will provide 2 disabled parking spaces adjacent to the entrance and retain 29 of the existing parking spaces on the site.

3. CONSULTATIONS AND ISSUES RAISED

3.1 East Ayrshire Council's Roads and Transportation Division have no objection to the proposal however have indicated that the reduction in parking spaces within the Avenue Square car park will necessitate a greater usage of the on-street parking spaces in Avenue Street, Stewarton.

It is noted that the proposed development will result in more cars being parked in the on-street parking spaces on Avenue Street Stewarton.

3.2 Scotland Gas Network have no objection to the proposal.

Noted.

3.3 Stewarton District Community Council have indicated that they have no objection to the proposal however consider that the proposed community hall will have a smaller capacity 180 seats than the existing hall 230 seats. This is a retro-grade step as the population is expanding. The new hall 2 is a good deal smaller than the existing Lesser Institute Hall but now having level access this may mitigate the loss of floor space allowing wider use.

The proposal will result in a loss of parking spaces and the public toilet provision would appear to be inadequate. The colour scheme does not appear to match the surrounding buildings.

The Roads Division have indicated that they are satisfied with the parking provision in the proposal. The capacity of the hall is not a material planning consideration. The level of toilet provision required within the scheme is a building Standards matter and will be assessed at that stage of the proposal. With regards to the colour of the proposal it is considered that the colour scheme is acceptable.

Noted.

3.4 The Access Panel have no objection to make in relation to the above project as long as there is an adequate drop off point for any vehicles including 'dial-a-bus' etc.

A condition can be attached to any grant of planning consent addressing this matter.

3.5 East Ayrshire Council's Environmental Health have indicated that there are no contamination issues relative to the development site.

Noted.

3.6 Historic Scotland have not responded at the time of writing the report.

Noted.

3.7 Architectural Heritage Society of Scotland object to the proposal due to the unnecessary and haphazard protrusion through the roof of an external covering for the upper part of a staircase linking the police office in the side extension to a muster and locker room on the first floor. They also comment that the ungainly form and undistinguished elevations of this shed like modern structure wholly of modern materials are whole inappropriate for its prime location in the historic heart of Stewarton. They further suggest that the glazing to main entrance on the side extension, should be the idiom for all glazing including that of the heavy handed and wholly unrelated idiom proposed for the library. Also the quite banal fenestration and doorways along the entire length of the extension to the side elevation should also be more like the commendable glazing form of the main entrance.

The building proposed, while being located close to the town centre of Stewarton is not within the Stewarton conservation area. Only limited views of the proposed building will be available from the conservation area as the proposal is located within a backland area. With regards to the design of the proposed building, it is considered that the design reflects its functionality rather than making any false architectural references to the adjacent conservation area and is therefore acceptable given the location. It should also be noted that the building is bounded to the south by the functional 1960's style British Telecom building.

3.8 West of Scotland Archaeology Service have not responded at the time of writing the report.

Noted.

3.9 Scottish Water have no objection to the proposal.

Noted.

3.10 The Scottish Civic Trust object to the proposal on the basis that, though not within the conservation area, the site provides views from and to it. Anything built on this site therefore has a relationship to the conservation area. The architecture of the proposed buildings has nothing in common with that of the surrounding buildings: materials, shape, style and rhythms are all alien to the area. The result is a run of the mill modern building which is inappropriate for this important site. The Trust would prefer to see either a building which acknowledged its position or a more ambitious modern design. The existing library and Police Station on Avenue Square are important buildings at the heart of the Conservation Area. The Trust seeks reassurance that a new use is planned for these buildings. We would have grave concerns if they were to be left vacant. The loss of parking in the area will be detrimental to the conservation area.

It should be noted that the building is not located within the conservation area, nor is the site significantly visible from the conservation area. The design of the building reflects its functionality as a community resource and does not attempt to reflect the buildings within the conservation area. With regard to the building being of alien design in the area, this is an inaccurate statement as the proposal site is bounded by the telephone exchange building, an industrial unit to the north west, mobile phone mast to the south east as well as other buildings which are adjacent to the conservation area but are of a more modern functional design.

The Roads Division have indicated that the proposal will result in additional parking on Avenue Street. The future use of the library and the police office buildings are not material planning considerations in the determination of this application.

4. REPRESENTATIONS

4.1 Objections have been received from 8 parties, including the Architectural Heritage Society of Scotland and the Scottish Civic Trust. The views of the Architectural Heritage Society of Scotland and the Scottish Civic Trust are addressed in section 3 above. The other objectors raise the following issues:

4.2 Loss of parking in the area which would lead to congestion in the busy town centre area and this will lead to a loss of trade to local business.

The Roads Division have indicated that the proposal will result in additional parking on Avenue Street, Stewarton, however it is considered that the merits of the proposal outweigh the detriment to amenity arising from the increased on-street parking in the locality.

4.3 What will happen to the present Town Hall and Library?

The future uses of the town hall and library are not relevant to the determination of this application.

4.4 The proposed building will be close to my boundary and may create a noise or disturbance issue.

The proposal will change the nature of the former car park and waste ground area, however this would not be to the detriment of residential amenity given the town centre location of the proposal.

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 Policy ADS 3 of the Ayrshire Joint Structure plan states that new residential, economic, commercial, cultural, educational and community development shall be directed to, and located within, settlements as defined by Local Plans.

As this community facility is proposed within the existing Stewarton settlement boundary it accords with the provisions of Structure Plan Policy ADS 3.

East Ayrshire Local Plan:

5.3 Policy CS 1 of the Local Plan states that the Council will respond positively to changing needs and demands for community and educational facilities throughout East Ayrshire. Where possible, existing facilities will be retained and improved.

It is considered that the proposed new community complex will significantly improve the quality of community facilities in Stewarton.

5.4 Policy RTC11 of the Local Plan indicates that where a gap or infill site is available for redevelopment within Town Centres, the Council will encourage and

support the re-use of the property or redevelopment of the site for appropriate Schedule 5 uses.

As the proposed development provides offices and recreational facilities which fall within Schedule 5 of the Local Plan, the proposal accords with the requirements of this policy.

5.5 Policy T3 of the East Ayrshire Local Plan indicates that the Council will require all developers to provide adequate car parking as an integral part of their development proposals to the standards laid down by the Council as Roads Authority. Parking standards for proposals relating to brownfield redevelopment sites within town centre areas, as shown on the Local Plan maps, may be relaxed by the Council where considered appropriate.

Part of the application site is currently used as formal Council car park providing 66 parking spaces for use by members of the public. The proposed development will result in 31 spaces being provided for the public at this location. The Roads Division have indicated that the level of parking provided for the development will result in additional on-street parking in Avenue Street, Stewarton.

6. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

6.1 The principal material considerations relevant to the determination of this application are the consultation responses, representations, impact upon the amenity of the area and the Ayrshire Joint Structure Plan – Finalised Version.

Consultation Responses and Representations

6.2 It is not considered that any aspects of the consultations received have raised any issues that would merit the refusal of this application. The concerns of the objectors have been assessed in section 4 of the report. Their concerns regarding the parking issues have been addressed by the Roads Division. With regards to the design, it is considered that this is acceptable given the backland location of the building and its immediate environs.

Ayrshire Joint Structure Plan – Finalised Version

6.3 Under Policy COMM 1 Regeneration (A) the three Ayrshire Councils shall give priority to proposals that regenerate existing communities.

It is considered that the proposed new community centre will assist community regeneration in accordance with Structure Plan Policy COMM 1.

Impact Upon Amenity

6.4 It is considered that the provision of a new modern community hall, Police office, Council offices and public library will be of great benefit to the local community. While the proposal will reduce the number of parking spaces available at this location it is considered on balance that the benefits of the new facilities to the community will outweigh the minimal negative impact of the reduced number of parking spaces.

7. FINANCIAL AND LEGAL IMPLICATIONS

7.1 There are no financial or legal implications for the Council in the determination of this application.

8. CONCLUSIONS

8.1 As indicated in Section 5 of the report, this application is considered to be in accordance with the Development Plan. Therefore, given the terms of section 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 As indicated in Section 6 there are material considerations relevant to this application however none are considered to be of such significant weight as would merit refusal of the application.

8.3 The functional design of the building is true to its purpose and is acceptable given its location outwith the conservation area and in a backland area with a number of neighbouring buildings being of modern design.

9. RECOMMENDATION

9.1 It is recommended that this application subject to the Notice of Intention to Develop procedures be forwarded to the Scottish Ministers in accordance with the Development by Planning Authority Regulations 1981-1984 and subject to the conditions indicated on the attached sheet.

Alan Neish
Head of Planning, Development and Building Standards

11 September 2006
(CSI/RH)

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. Representations Received.

Anyone wishing to inspect the above papers please contact Craig Iles, Senior Planning Officer, on 01563 576772.

Implementation Officer: Dave Morris

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application No: 06/0547/LA

Site of Proposal: Avenue Street
STEWARTON

Nature of Proposal: Erection of Local Office at the Existing Gap Site

Name & Address of Applicant: Head of Leisure and Neighbourhood Services
East Ayrshire Council
Civic Centre North
19 John Dickie Street
KILMARNOCK
KA1 1HW

Name & Address of Agent: Iain Barker
Senior Architect
East Ayrshire Council
Council Offices
Rigg Road
Lugar
CUMNOCK
KA18 3JQ

DPOs Reference: (CSI/RH)

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

1. The proposed development shall be carried out in accordance with the application form received on 22 June 2006 and the amended plans received by the Planning Authority on 24 August 2006.

REASON To ensure that development is carried out in accordance with the approved details.

2. Notwithstanding the approved plans, details of the design and construction of all fences, walls including retaining walls, to be erected on the site shall be submitted to and approved by the Planning Authority prior to their being erected.

REASON In the interests of visual amenity.

3. Notwithstanding the approved plans, in writing and with samples, full details of all external materials to be used in the building shall be submitted to and approved by the Planning Authority prior to the commencement of the development.

REASON In the interests of visual amenity.

4. External construction works shall take place only between the hours of 8am to 6pm Monday to Friday and 8am to 1pm Saturday and at no time on a Sunday.

REASON In the interests of residential amenity.

5. Prior to the commencement of the development details shall be provided to and approved by the Planning Authority, clarifying the design and location of a vehicle drop-off point appropriate for disabled people using the building.

REASON To ensure all members of the public have appropriate access to the building

**DUE TO ORDNANCE SURVEY REGULATIONS AND COPYRIGHT
THE MAP IS AVAILABLE FOR VIEWING AT THE COUNCIL'S
PLANNING OFFICE IN KILMARNOCK. FOR INFORMATION ON
VIEWING PLEASE CONTACT (01563) 576790.**