

EAST AYRSHIRE COUNCIL

CENTRAL LOCAL PLANNING COMMITTEE: 18 AUGUST 2000

**00/0284/FL: PROPOSED RETAIL UNIT – REVOCATION OF CONDITION 14
(PLANNING APPLICATION 99/0825/FL) IE REMOVAL OF REQUIREMENT TO
PROVIDE BLACK GRANITE BASE
AT UNIT 14 PORTLAND GATE, KILMARNOCK
BY THE VICO PROPERTY GROUP LTD**

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 The applicant seeks the removal of a planning condition on planning permission 00/0825/FL which imposed the use of a black granite plinth at the base of the writing. The applicant's agent believes that the inclusion of a black granite plinth base is not in keeping with the overall Phase 2 development.

2. RECOMMENDATION

2.1 It is recommended that this application be approved.

3. SUMMARY OF ANALYSIS

3.1 The proposed development is not considered to be contrary to the Finalised East Ayrshire Local Plan. The site is an existing retail site under construction and taking into account the advice provided by Historic Scotland, it is considered that the removal of Condition 14 would be appropriate and would not be detrimental to the amenity or visual appearance of the scheme as a whole.

**Alan Neish
Head of Planning and Building Control**

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 Building Control

1. PURPOSE OF REPORT

1.1 The purpose of this report is to present for determination, a full planning application which is to be considered by the Local Planning Committee under the scheme of delegation because it is the subject of an objection.

2. APPLICATION DETAILS

2.1 **Site Description:** This application relates to Unit No 14 which forms a part of the overall retail scheme currently under construction at Portland Street. The site to be occupied by Unit 14 is situated adjoining the Bank former building at The Cross which is currently occupied by Ladbrokes.

2.2 **Proposed Development:** The applicant seeks the removal of a planning condition on planning permission 00/0825/FL which imposed the use of a black granite plinth at the base of Unit 14.

3. CONSULTATIONS AND ISSUES RAISED

3.1 Historic Scotland have advised that there are no objections to this application with the suggestion that the proposal would in fact represent an improvement to the original scheme. It is felt that the continuation of the black granite base of the Ladbrokes building into the new build would detract from the listed building rather than complement it.

Noted. The comments of Historic Scotland are of particular relevance in the determination of the application.

3.2 The Architectural Heritage Society of Scotland have noted that the new shop unit has been designed to reflect the former Bank and advise that the

omission of the granite will compromise its integrity, given the relatively modest cost of a few square metres of natural stone. The AHSS therefore objects to this application.

Noted. It was originally the intention of this Division to provide an element of continuity along Portland Street, hence the Condition requiring the use of the black granite. The concern of Historic Scotland in this regard is noted, relative to the use of the black granite and the subsequent effect on the adjacent former Bank building which is Category 'B' listed. This Division therefore considers given the comments of Historic Scotland that the deletion of the condition is appropriate..

4. REPRESENTATIONS RECEIVED

4.1 There have been no letters of objection other than that received from the AHSS as part of the statutory consultation process and the points of objection have been addressed in paragraph 3.2 above.

4.2 In support of the application the applicants suggest that the black granite plinth would be incongruous of the rest of the development, would merely mimic that on the former bank and that the design and quality of the development is in itself a sufficient acknowledgement of its relationship with the surrounding area.

5. DEVELOPMENT PLAN STATUS

5.1 The up-to-date development plan is the Finalised East Ayrshire Local Plan which is the document against which, the Council has resolved to base its day-to-day decisions. There are however no relevant policies in respect of this application although ENV1 and ENV4 promote development respectful of built heritage resources and their settings.

6. OTHER PLANNING CONSIDERATIONS

6.1 There are no other relevant planning considerations in the determination of this application.

6.2 With regards to the planning history of the site, planning permission reference KL/W/FL/87/090H was granted on 12 November 1996 for retail units and bingo hall and social club with ancillary parking and servicing including part retention of the Wheatsheaf Hotel building at land surrounding Portland Street.

6.3 Planning application reference 00/00825/FL, granted earlier this year, related to several amendments to the scheme in respect of alterations to the

floorspace of two units and elevational alterations to the loading bay and at the elevations facing the car park and into Portland Street.

7. FINANCIAL AND LEGAL IMPLICATIONS

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

8. CONCLUSION

8.1 The proposed development is not considered to be contrary to the Finalised East Ayrshire Local Plan. The site is an existing retail site under construction and taking into account the advice provided by Historic Scotland, it is considered that the removal of Condition 14, would be appropriate and would not be detrimental to the amenity or visual appearance of the scheme as a whole.

9. RECOMMENDATION

9.1 **It is recommended that this application be approved.**

Alan Neish
Head of Planning and Building Control

9 August 2000
(FMF/MMM/SA)
FV/DVM

LIST OF BACKGROUND PAPERS

1. Application form and plans.
2. Statutory notices/certificates.
3. Public advertisements.
4. Statutory consultations.
5. Previous planning applications KL/W/FL/87/090H; 99/0825/FL.

Anyone wishing to inspect the above papers please contact Fiona Finlay on 01563 576768.

Implementation Officer: Dave Morris
000284FL

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

00/0284/FL

Site of Proposal:	Unit 14, Portland Gate Portland Street KILMARNOCK
Nature of Proposal: 14	Proposed retail Unit - Revocation of Condition (App. No 99/0285/FL) ie Removal of Requirement to Provide Black Granite Base
Name & Address of Applicant:	Vico Property Group Ltd C/op Agent
Name & Address of Agent:	Comprehensive Design 299 West George Street GLASGOW G2 4LA

DPOs Reference: IW/MMM

The above FULL application should be granted.

**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.**

AGENDA