

EAST AYRSHIRE COUNCIL

CENTRAL LOCAL PLANNING COMMITTEE: 10 NOVEMBER 2000

**00/0246/LB: PROPOSED ERECTION OF FASCIA SIGN
AT 68 JOHN FINNIE STREET, KILMARNOCK
BY MURRAY WALLACE**

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.2 This is an application for Listed Building Consent for the erection of a fascia sign. The sign measures 4.085m by 1.345metres, the box projecting 0.025metres from the front elevation. The materials of the sign comprises reflective plastic material.

2. RECOMMENDATION

2.1 This application should be refused for the reason indicated on the enclosed sheet.

3. SUMMARY OF ANALYSIS

3.1 The proposed advertisement is contrary to Policy ENV4 of East Ayrshire Local Plan Finalised Version and the design guidance provided by the Finalised Kilmarnock and Loudoun District Plan. The advertisement under consideration does not have due regard to the Outstanding Conservation Area and the Listed Building by virtue of its modern design and materials. The comments submitted by Historic Scotland are of particular relevance in the determination of the application. The Planning Division has sought to amend the present application however the applicant has failed to submit any acceptable amended plans.

**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 consideration, a full planning application which is to be considered by the Local Planning Committee under the scheme of delegation because the application is recommended for refusal.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site comprises an office unit at 68 John Finnie Street located on the ground floor of a traditional red sandstone building. The site is located within the John Finnie Street and Bank Street Outstanding Conservation Area and is a 'B' listed building. The unit has recently been refurbished and has had a new shopfront constructed of traditional design and external finish.

2.2 **Proposed Development:** This is an application for Listed Building Consent for the erection of a fascia sign. The sign measures 4.085m by 1.345metres, the box projecting 0.025metres from the front elevation. The materials of the sign comprises reflective plastic material.

3. CONSULTATIONS AND ISSUES RAISED

3.1 The Bonnyton/Woodstock Community Council were consulted although have not responded to the consultation letter at the time of writing this report.

Noted.

3.2 Historic Scotland have advised their understanding that this application is retrospective, and that the existing sign is constructed from a reflective plastic material. It is hoped that the Council will maintain the high standard they have achieved in recent years with signage in this important historic street and ensure that the existing sign is replaced with a more acceptable design. Recent applications for shop signage in John Finnie Street have nearly all met with the required criteria as follows:-

The sign should be constructed from timber, preferably with a moulded frame around the edge.

The background of the sign should have a paint finish.

Lettering should be painted or applied to the background.

Any lighting should be external, usually in the form of individual downlighters painted black.

These criteria would be in accordance with the recommendations as set out in Kilmarnock and Loudoun District's excellent Design Guidance for Shopfronts in Conservation Areas as well as Government Policy as set out in Appendix 1, Section 1.7.5 of the Memorandum of Guidance on Listed Buildings and Conservation Areas (1998). Attention is drawn to the point on p8 of the Design guidance for Shopfronts which states "the fascia board should be of a timber or other material of a traditional appearance with a matt finish. Glossy or reflective acrylic or plastic fascia signs and day-glo or reflective materials are not normally acceptable".

Noted. Members are advised that these comments are in line with this Division's own concerns. Modern plastic material is not appropriate on a listed building which is important to Scotland's built and cultural heritage as being of architectural/historic merit. Signs for such buildings should essentially be constructed of timber preferably with a moulded frame around the edge. The background should have a paint finish and lettering should either be painted direct onto the background or applied using timber or metal lettering.

This approach reflects the advice stated in Historic Scotland's Memorandum of Guidance (1998). It also follows the recent attempts by the Council through the consideration of such applications for Advertisement Consent and/or Listed Building Consent, as detailed in Section 6 of this report, to ensure that signage and shopfronts in the John Finnie Street and Bank Street Outstanding Conservation reflect their important historic status in terms of design and materials. Specifically in this regard, it is worth noting that the Memorandum of Guidance on Listed Buildings and Conservation Areas states that as new signs can have a major impact upon the appearance and character of a listed building, any sign which is considered not to be appropriate in any way for a particular building, should always be refused consent. The Guidance continues to advise that signs on listed buildings will involve a careful choice of colour, materials and lettering and in many cases a sign written on a timber board will provide the most acceptable solution.

4. REPRESENTATIONS RECEIVED

4.1 No letters of representation have been received following public advertisement of the proposal.

5. DEVELOPMENT PLAN STATUS

5.1 The relevant development plan is the East Ayrshire Finalised Plan which is the document against the Council has resolved to base its day-to-day decisions against. Policy ENV4 is of specific relevance and 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.

It is considered that the proposal in its present form is not acceptable and does not comply with the content of Policy ENV4. For those reasons stated in Paragraph 3.2 of this report, it is not considered that the proposals have due regard to the architectural or historic merit of the listed building or conservation area by virtue of its modern design and materials.

5.2 The Council has agreed that design guidance shall be provided by the Finalised Kilmarnock and Loudoun District Plan until it has been agreed by the Council under the East Ayrshire Local Plan Finalised Version. Policy EN18 contains design guidance which states that advertisements on listed buildings and within conservation areas shall be allowed where fascia signs are of timber boarding or other materials of traditional appearance and lettering is either hand painted or utilising projecting individual letters or logos of a satisfactory material and design. Generally there should not be an over-proliferation of signs and they should not be sited above ground level.

The proposed advertisement is contrary to the provisions of this policy as detailed in paragraph 5.1 of this report.

6. OTHER PLANNING CONSIDERATIONS

6.1 Upon receipt of the applicants retrospective application and following completion of the statutory consultation process, this Division approached the applicant to advise of concerns at the proposal. Request was made to amend the scheme in May 2000. Following negotiation, the applicant advised of his willingness to amend the scheme although requested a period of grace to enable to arrange on financial terms a replacement sign. Despite repeated requests to lodge amended plans no plans have been submitted and therefore this Division has no alternative but to determine the application as submitted.

6.2 Victoria Wine, John Finnie Street – Unauthorised projecting and fascia signs of modern design and material were erected without the required prior Advertisement and Listed Building Consent. This Division commenced enforcement action and Advertisement and Listed Building applications (Ref: 00/0063/AD and 00/0143/LB) were submitted to regularise the matter. A revised scheme was agreed and approved on the 12 April 2000 comprising individual metal letters with external swan neck spotlights fixed onto a timber fascia. A traditional timber projecting sign was also proposed with a metal bracket. To date, the approved signs have not been erected and enforcement action is continuing.

6.3 Hill House Hammond, John Finnie Street – New fascia and projecting signs have recently been erected following Advertisement and Listed Building Consents (Ref: 00/009/AD and 00/0111/LB) being granted on 22 June 2000. A timber board sign has been erected with lettering painted directly on. A traditional timber hanging sign with metal bracket was also erected.

6.4 Allen & Harris, 26 West George Street – A new projecting sign of traditional timber construction with metal bracket was granted Advertisement Consent on 23 June 2000 (Ref: 00/0283/AD). This sign replaces an unacceptable internally illuminated box sign which was erected without prior approval.

6.5 If the Council are minded to approve this application it would not require to be referred to the Development Services Committee as it would not be considered a significant departure to the development plan.

6.6 If the Council are minded to approve this application it would require to be notified to Historic Scotland under the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997.

7. FINANCIAL OR LEGAL IMPLICATIONS

7.1 There are no financial implications for the Council in the determination of this application. Legal implications may arise if the Council refuse this application and enforcement action is instigated to seek the removal of the sign.

8. CONCLUSIONS

8.1 The proposed advertisement is contrary to Policy ENV4 of East Ayrshire Local Plan Finalised Version and the design guidance provided by the Finalised Kilmarnock and Loudoun District Plan. The advertisement under consideration does not have due regard to the Outstanding Conservation Area and the Listed Building by virtue of its modern design and materials. The comments submitted by Historic Scotland are of particular relevance in the determination of the application. The Planning Division has sought to amend the present application however the applicant has failed to submit any acceptable amended plans.

9. RECOMMENDATION

9.1 This application should be refused for the reason indicated on the enclosed sheet.

Alan Neish
Head of Planning and Building Control

31 October 2000
(FMF/MMM)

LIST OF BACKGROUND PAPERS

1. Application form.
2. Application plans.
3. Consultation responses.

4. Finalised East Ayrshire Local Plan.
5. Finalised Kilmarnock and Loudoun District Plan.
6. Appendix 1, Section 1.7.5 Historic Scotland "Memorandum of Guidance on Listed Buildings and Conservation Areas (1998).
7. Planning Application Nos:

00/0063/AD & 00/0143/LB - Victoria Wine
64 John Finnie Street, Kilmarnock

00/0091/AD & 00/0111/LB - Hill House Hammond
62 John Finnie Street, Kilmarnock

00/0283/AD - Allen & Harris
26 West George Street, Kilmarnock

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

Implementation Officer: Alan Neish c/o Andersson, Sandra

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

00/0246/LB

Site of Proposal: 68 John Finnie Street
KILMARNOCK KA1 1BS

Natural of Proposal: Proposed Erection of Fascia Sign

Name & Address of Applicant: Murray Wallace
68 John Finnie Street
KILMARNOCK KA1 1BS

Name & Address of Agent:

DPOs Reference: FMF/MMM

The above LISTED BUILDING application should be refused on the following grounds:

1. The proposed advertisement is contrary to Policy ENV4 of the East Ayrshire Local Plan Finalised Version and Policy EN18 of the Finalised Kilmarnock and Loudoun District Plan. It is inappropriate in terms of design, size and materials used and is consequently out of keeping with the general character of the John Finnie Street and Bank Street Outstanding Conservation Area and would have a detrimental impact on the character and setting of a listed building of architectural/historic merit.

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**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