

EAST AYRSHIRE COUNCIL

CENTRAL LOCAL PLANNING COMMITTEE: 14 SEPTEMBER 2000

**00/0439/AD & 00/0499/LB: ERECTION OF SIGNBOARD
AT 30 JOHN FINNIE STREET, KILMARNOCK
BY CHOON YEN WONG**

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 The application is retrospective in nature and is for an externally illuminated fascia signboard for the Top Wok Chinese Takeaway. The sign comprises a continuous trough light across the shop frontage. The sign is formed from aluminium, finished in a yellow powder coat and overlaid with self adhesive vinyl graphics. The lettering is red in colour with the telephone number comprising white lettering on a dark green background.

2. RECOMMENDATION

2.1 It is recommended that these applications be refused for the reasons indicated on the attached sheets.

3. SUMMARY OF ANALYSIS

3.1 The proposal is considered to be out of character with the listed building and detrimental to the visual amenity of the surrounding area. If allowed, the advertisement would result in an incongruous feature in the Outstanding Conservation Area. As recognised by Historic Scotland, this Division has recently been attempting to attain quality traditional signage and it is considered that to approve the present proposal would both jeopardise the action already taken and be detrimental to the amenity and character of the Outstanding Conservation Area.

**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.

EAST AYRSHIRE COUNCIL

CENTRAL LOCAL PLANNING COMMITTEE: 14 SEPTEMBER 2000

00/0439/AD & 00/0499/LB: ERECTION OF SIGNBOARD
AT 30 JOHN FINNIE STREET, KILMARNOCK
BY CHOON YEN WONG

Report by Head of Planning and Building Control

1. PURPOSE OF REPORT

1.1 The purpose of this report is to present for determination, an application for advertisement consent and listed building consent which is to be considered by the Local Planning Committee under the scheme of delegation because it is recommended for refusal and has been the subject of one objection.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site is situated at 30 John Finnie Street which is a ground floor hot food takeaway located centrally within Kilmarnock. The site is located within the John Finnie Street and Bank Street Outstanding Conservation Area and is a Category 'B' listed building.

2.2 **Proposed Development:** The application is retrospective in nature and is for an externally illuminated fascia signboard for the Top Wok Chinese Takeaway. The sign comprises a continuous trough light across the shop frontage. The sign is formed from aluminium, finished in a yellow powder coat and overlaid with self adhesive vinyl graphics. The lettering is red in colour with the telephone number comprising white lettering on a dark green background.

3. CONSULTATIONS AND ISSUES RAISED

3.1 The Roads Division has advised that they have no objections.

Noted.

3.2 Bonnyton Community Council have not replied to their consultation at the time of writing this report.

Noted.

3.3 The Architectural Heritage Society for Scotland have not responded to their consultation at the time of writing this report.

Noted.

3.4 Historic Scotland have advised of their objection to the proposals. They have commented that in recent years East Ayrshire Council has made significant progress in raising the standard of

shopfronts and signage in this street, which is perhaps Scotland's most important commercial street outwith the cities. It is noted that the drawings propose the use of modern advertising graphics printed onto aluminium sheeting. It is likely that the signboard is considerably deeper than that belonging to the shop when the building was originally constructed. The original fascia was probably only as deep as the stonework above the door to No 32, and the glazing of the shopfront was accordingly higher than it is now. The Planning Authority should be aware of any forthcoming opportunity to reinstate the original shopfront proportions for the benefit of the building and the wider streetscape.

Historic Scotland refer to Government Policy as set out in Appendix 1, Section 1.7.5. of the *Memorandum of Guidance on Listed Buildings and Conservation Areas (1998)*, and to Kilmarnock and Loudoun District's excellent *Design Guidance for Shopfronts in Conservation Areas*, p8 of which states "the fascia board should be of a timber or other material of a traditional appearance. Glossy or reflective acrylic or plastic fascia signs and day-glo or reflective materials are not normally acceptable". They suggest that the lettering shown in the proposal should be modified to a more traditional typeface and be attached to a painted timber sign that has a traditional timber frame. The trough-type light fitting is unacceptable as it interferes with the architectural integrity of the building, and is an intrusive element in the conservation area. It is strongly recommended that this fitting is replaced with downlighters of the type recently installed elsewhere in the street.

Noted. The comment made by Historic Scotland are in line with this Division's concerns. The sign is not appropriate in the Outstanding Conservation Area nor on a listed building. As detailed by Historic Scotland, the sign is inappropriate for its location and is not of a traditional design or finish.

4. REPRESENTATIONS RECEIVED

4.1 One letter of representation has been received from Historic Scotland as a result of the statutory consultation process and the points raised have been discussed at Section 3.4 above.

5. DEVELOPMENT PLAN STATUS

5.1 The relevant policy document is the Finalised East Ayrshire Local Plan which the Council has agreed as the main policy base against which to determine its day to day decisions. There are however no relevant policies in the consideration of this application. This document supersedes the Kilmarnock Adopted Local Plan which is considered to be out-of-date, and the Finalised Kilmarnock and Loudoun District Plan.

5.2 The Finalised Kilmarnock and Loudoun District Plan does however reflect current concern about advertisement treatment to listed buildings in that its Policy EN18 sought subdued colours and traditional materials.

6. OTHER PLANNING CONSIDERATIONS

6.1 Following the statutory consultation process, the applicant was requested to submit an amended scheme which would comprise a more traditional sign and method of illumination. The applicant was advised that in-keeping with recent approaches outlined below, any sign should be of

traditional format and constructed of a timber board with lettering painted directly onto the fascia of the shop formed from metal or timber. Illumination should be by direct individual spotlights painted black. No response was received to this request and the application is now before Committee for determination.

6.2 Historic Scotland comment on the progress made elsewhere in John Finnie Street to secure appropriate signage. Whilst each application must be determined on its own merits, Members may be interested to note the following. Application references 00/0063/LB and 00/0143/AD for Advertisement Consent and Listed Building Consent were submitted by Victoria Wine for their retail unit at 64-68 John Finnie Street. The sign was approved for individual letters placed onto the fascia illuminated by individual swan-neck spotlights painted black and a metal bracket hanging sign. The existing sign on the building was erected without approval and following the approval of a more appropriate form of advertisement, enforcement action is currently underway to ensure its replacement with the approved sign. The property is a 'B' listed building.

6.3 Application reference 00/0283/AD was retrospectively submitted for a projecting sign at Allen and Harris at 26 West George Street, Kilmarnock. The sign initially erected comprised an internally illuminated acrylic box. Following negotiation, this was amended to a traditional hanging sign with metal bracket which is to be externally illuminated.

6.4 Applications for replacement signage references 00/0439/AD and 00/0499/LB were submitted earlier this year by Hill House Hammond for 62 John Finnie Street, Kilmarnock. The signage initially proposed comprised plastic fascia to be illuminated by a continuous trough light. Following negotiation, a painted timber fascia was accepted with traditional metal bracket hanging sign. The property is a 'B' listed building.

6.5 Should Members be of a mind to approve the application, there would be no requirement for its referral to the Development Services Committee.

7. FINANCIAL OR LEGAL IMPLICATIONS

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

7.2 If Members choose to refuse both advertisement and listed building consents, enforcement action will be pursued by this Division.

8. CONCLUSION

8.1 The proposal is considered to be out of character with the listed building and detrimental to the visual amenity of the surrounding area. If allowed, the advertisement would result in an incongruous feature in the Outstanding Conservation Area. As recognised by Historic Scotland, this Division has recently been attempting to attain quality traditional signage and it is considered that to approve the present proposal would both jeopardise the action already taken and be detrimental to the amenity and character of the Outstanding Conservation Area.

9. RECOMMENDATION

9.1 It is recommended that these applications be refused for the reasons indicated on the attached sheets.

Alan Neish
Head of Planning and Building Control

05 September 2000
(FMF/MMM)

FV/DVM

LIST OF BACKGROUND PAPERS

1. Application form and plans.
2. Statutory Notices and Certificates.
3. Consultation Replies.
4. Application Reference Numbers –
 - 1) 00/0283/AD – Alterations 26 West George Street, Kilmarnock,
 - 2) 00/0143/LB and 00/0063/AD – Victoria Wine, 64-68 John Finnie Street, Kilmarnock
 - 3) 00/091/AD and 00/0111/LB – Hill House Hammond, John Finnie Street, Kilmarnock.

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

Implementation Officer: Dave Morris

000439AD&000499LB

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

00/0439/AD

Site of Proposal: 30 John Finnie Street
KILMARNOCK

Natural of Proposal: Proposed Signboard

Name & Address of Applicant: Mr Choon Yen Wong
30 John Finnie Street
KILMARNOCK KA1 1DD

Name & Address of Agent:

DPOs Reference: FMF/MMM

The above ADVERT application should be refused.

1. The proposed advertisement is constructed of inappropriate non-traditional materials which are detrimental to the amenity, appearance and character of the Category 'B' listed building and Outstanding Conservation Area.
2. The design of the advertisement and its method of illumination are both detrimental to the amenity, appearance and character of the Category 'B' listed building and the Outstanding Conservation Area.

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

00/0499/LB

Site of Proposal: 30 John Finnie Street
KILMARNOCK

Natural of Proposal: Proposed Installation of Aluminium Fascia Panel Trough Lighting Unit

Name & Address of Applicant: Mr Choon Yen Wong
30 John Finnie Street
KILMARNOCK KA1 1DD

Name & Address of Agent:

DPOs Reference: FMF/MMM

The above LISTED BUILDING application should be refused.

1. The proposed advertisement is constructed of inappropriate non-traditional materials which are detrimental to the amenity, appearance and character of the Category 'B' listed building and Outstanding Conservation Area.
2. The design of the advertisement and its method of illumination are both detrimental to the amenity, appearance and character of the Category 'B' listed building and the Outstanding Conservation Area.

TP2430JohnFinnieStreetKCLB6

**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