

# APPENDIX 4

10/0689/PP

Department of Neighbourhood Services  
Planning & Economic  
Development

16 AUG 2010

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COPIED		
ACKN	DATE	INITIALS
DEALT W		

16<sup>th</sup> August 2010

Mr & Mrs Dempster

Re –Application from shop at 65 High Street Stewarton to supply “Hot Food Take-Away ”

As my premises adjoin the shop involved I have a number of objections involving this application.

1. My entrance party wall is adjacent to the frying area in question regarding smell and fire risk concern.
2. For approximately two days of the premises opening before a “closure was served” an extractor was installed to the side of my bathroom window which is naturally open most of the day. The very strong smell of cooking throughout my property was most unacceptable as was noticed by two of your representatives.
3. The surrounding areas of these premises were strewn with rubbish without any further encouragement.
4. Storing their waste bins through the private entrance to “ 2,4,4a,4b Springwell place ” this situation has already been addressed ,but ignored .The new type of waste (i.e.) frying waste if of great concern as within 12 – 15 yards is the River Annick, the attraction of vermin is highly eminent. Rat s have been observed regularly
5. Devaluation of my property.
6. Having viewed his latest alterations of extractors by myself and wife, we find no alteration of smells from the various items. (Pizzas, fish and chips and other hot foods). On this area we most strongly object.
7. On the new proposal where his bins are stored this area is completely wrong as they are stored at the back entrance and windows to number 6 Springwell Place, where his place of entrance is refused and has no access to this area of back door to this block of flats as explained in item 4 .

Signed

1. 
2. 

Mr & Mrs Dempster

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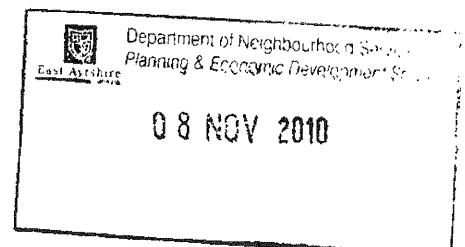
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Signed

1.  
2.

[Redacted signature]

H/11/10.



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**From:** [REDACTED]  
**Sent:** 23 November 2010 10:26 am  
**To:** submittoPlanning  
**Subject:** Ref 10/0689/PP

I am writing to express my concerns about a hot food takeaway going in at 65 High Street, Stewarton (Ref 10/0689/PP).

I own and reside at [REDACTED] and believe that this proposed venture would bring people going through our street creating noise disturbance and litter. Already at weekends I find there is increased litter in the street with people going to the corner shop and on Friday and Saturday nights youngsters already loiter in Springwell Place and make a lot of noise.

Furthermore, it already is a bit of an eye sore at the end of the street. Does take away some of the character of the building, Stewarton's refurbished mill.

I am unsure if any smells will carry into the street, I have a feeling it will as the site looks very small and I assume the door will be kept open.

Finally, I don't feel there is any need for another takeaway in Stewarton. There are already plenty on the High Street and this site has much more residential properties around it. I am of the opinion it would attract the wrong kind of clientele and with them bother!

I do hope my concerns will be considered in the decision making process.

Yours sincerely

Laura Lister

# Application Comments for 10/0689/PP

## Application Summary

Application Number: 10/0689/PP

Address: 65 High Street Stewarton Kilmarnock East Ayrshire KA3 5DX

Proposal: Change of use to form Hot Food Takeaway

Case Officer: David Wilson

## Customer Details

Name: mr alex mckie

Address:

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Noise
- Residential Amenity

Comment: My objections to this application are the same as to the original application. This is out with the commercial sector of the town and is in a residential area.

## **Department of Finance and Corporate Support**

Executive Director: Alexander McPhee ACMA

### **Head of Legal, Procurement and Regulatory Services**

Solicitor to the Council : David Mitchell

Environmental Health Service  
Western Road  
Kilmarnock  
KA3 1LL

Direct Dial: (01563) 554007

Fax (01563) 554040

Email: bill.gilchrist@east-ayrshire.gov.uk

If telephoning or calling please ask for: Mr. W. Gilchrist

**TO:** HEAD OF PLANNING AND DEVELOPMENT CONTROL  
Croft Street, Kilmarnock

**FROM:** PAUL L TODD  
REGULATORY SERVICES MANAGER

**REF:** WG/SMCD

**YOUR REF:** 10/0689/PP

**DATE:** 24 NOVEMBER 2010

**APPLICATION NO:** 10/0689/PP  
**PROPOSAL:** Change of use to form Hot Food Takeaway

**ADDRESS:** 65 High Street Stewarton Kilmarnock East Ayrshire

I refer to your recent communication regarding the above, and can advise that I have no objections in principle to the proposed development.

I would, however, comment that the proposed ventilation system should be acoustically isolated to minimise potential noise disturbance to the dwellinghouse on the upper floor, and a vapour barrier should be installed on the ceiling of the takeaway to minimise the potential for percolation of fumes and odours to the dwellinghouse.

Finally, should the proposed ventilation arrangements prove unsatisfactory and as a result complaints are received regarding nuisance from fumes and/or odours, this office will require to investigate and take appropriate action under the provisions of the Environmental Protection Act 1990.

COUNCIL HEADQUARTERS  
LONDON ROAD  
KILMARNOCK KA3 7BU  
TEL: 01563 576000  
FAX: 01563 576500  
[www.east-ayrshire.gov.uk](http://www.east-ayrshire.gov.uk)

# East Ayrshire Council

## ROADS & TRANSPORTATION DIVISION

### Observations on Planning Application

Planning Application No.	10/0689/PP	Dated	11/11/10	Date Received	11/11/10
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Our Reference:	111110H08 BD10224	Contact:	Gwen Findlay Barry Donnelly	Tel No.	01563 555734 01563 555754
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Applicant:	Aftab Ahmed
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Location:	65 High Street, Stewarton
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Proposed Development:	Change of use to form Hot Food Takeaway
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Drawing Nos:	Ground Floor Plan & Location Plan (No drawing numbers)
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<b>RECOMMENDATION</b>	No objections subject to conditions
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<b>CONDITIONS</b>	<p>1. We note that waste will be contained in 2 x 240 litre bins and stored to the rear of the premises, however we will not permit bins of this size to be positioned on the footway on the day of collection either. When collection is made bins must be returned to the rear of the property immediately to prevent obstruction to the public footway.</p>
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CONSTRUCTION CONSENT	Not Required
ROAD BOND	Not Required
ROAD OPENING PERMIT	Not Required

Comments on / reasons for / explanation of conditions and recommendations	

Signed: Gwen Findlay

Date: 12/11/10



**ACCESS PANEL COMMENT SHEET**

**Case Number:-** 10/0689/PP (DW)

**Site Address:-** 65 High Street, Stewarton

**Proposals:-** Change of use to form Hot Food takeaway

**Meeting Date:** 17/11/10

**Drawings:** Ground floor plans 1/100

No	Issue from Access Panel	Comments from applicant/ agent (to be completed by Surveyor/Planner)	Points taken on board?		Cleared date and Initials	Date taken to Panel	Comments/Issues
			Y	N			
1	If level access does not exist, could this be considered?						