

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE: 01 OCTOBER 2010

10/0468/PP: ALTERATIONS AND EXTENSION TO FORM FUNCTION SUITE AND ADDITIONAL BEDROOMS

10/0470/LB: ALTERATIONS AND EXTENSION TO FORM FUNCTION SUITE AND ADDITIONAL BEDROOMS

AT DUMFRIES ARMS HOTEL, 54 GLAISNOCK STREET, CUMNOCK

BY MR JOHN CAMPBELL

Report by Head of Planning and Economic Development

Click for Application Details: <http://eplanning.east-ayrshire.gov.uk/online/caseFile.do?category=application&caseNo=10/0468/PP>

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 Listed Building Consent and Planning Permission are sought for the alterations and extension to the Dumfries Arms Hotel, including the substantial renovation of the existing building. On the ground floor a function suite is proposed to the rear of the existing building, extending towards the boundary with the public car park. The function suite provides a floor area of some 350 m². Adjacent to this is the proposed new principal entrance to the hotel leading into a reception hall and to the rear staff/service area with associated service/delivery access via Market Lane. The ground floor of the existing building is utilised as a lounge, private dining room and a restaurant. On the first floor nine en-suite bedrooms are proposed including a bridal suite providing a combined total of 18 bedrooms on this level. On the second floor a further seven bedrooms are proposed albeit these are contained within the existing part of the building.

1.2 Externally two vehicular/pedestrian gated access points are proposed allowing for direct access from the newly constructed car park access road and will be formed as an opening in the boundary wall which is in the process of being rebuilt as part of the improvement works to the 'Civic Space' area surrounding the Town Hall. The wall originally was approved reducing in height towards Glaisnock Street however the plans indicate that this wall will remain uniform at a height of 1.8m above ground level for the full length reducing where it meets with the front boundary wall on Glaisnock Street, thus creating an enclosed courtyard area at the new front entrance.

1.3 The external design of the extension proposes two pitched roof dormers on the south elevation (fronting onto the new access road) with a

central gable feature extending full height with French doors with railings. The window styles to the lower level are of vertical proportions with rounded upper sections. The main entrance to the building is on a single storey gable within the drop off area and consists of framed double doors with glazed detailing above. A more formal entrance feature although not used as an entrance is created centrally within the drop off area with three sets of double doors and a large area of glazed roofing above leading into the dining area.

1.4 To the west the extension will not be enclosed instead having an open aspect onto the newly formed car park with two escape double doors with rounded glazed panelling above. Contained within the roof five individual pitched roof dormers are shown along this elevation. The northern elevation bounding onto Market Lane is shown at an angle following the edge of the public road. The design of this elevation proposes five separate gables two of which are more closely linked, each with upper level windows. On ground level four separate service doors are proposed providing access onto Market Lane.

1.5 The external finishing materials are noted as sandstone quoin corner detailing and smooth K lathe off white render. Windows are timber sash and case matching that of the existing units with surrounding banding detail. The roof proposed is largely natural slate with standing seam Falzinc sheeting to the central areas which are flat.

1.6 Construction work has already commenced on site and at the time of writing this report the foundations have been formed and steel work and wall sections erected. The section of ground to the west of the application site adjacent to the public car park is noted as being under the ownership of the Council and is in the process of being disposed of to the applicant.

2. RECOMMENDATION

2.1 It is recommended that the application for Listed Building Consent be approved subject to the conditions on the attached sheet but that the issue of the decision notice be withheld until the application has been formally notified to, and cleared with, Historic Scotland.

2.2 It is recommended that the application for Planning Permission be approved subject to the conditions on the sheet attached to this report.

3. CONCLUSIONS

3.1 As indicated in Section 5 of the report the applications are considered to be in accordance with the development plan. Therefore given the terms of Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 the applications should be approved unless material considerations indicate otherwise. As indicated in Section 6 there are material considerations relevant

to these applications however it is considered that these are supportive of the applications.

3.2 The alterations and extension proposed to form a function suite and additional bedrooms are of a significant scale extending to the boundaries of the site to the north, south and western sides (including an area of Council land) leaving only a small section of available land to the south of the site which is proposed to be enclosed and used as a vehicular drop off point. At present significant works have been undertaken on site and the development has proceeded without the benefit of any Planning or Listed Building Consent. To date the foundations/floors have been established, steel work and walls erected.

3.3 When assessing the application the proposed development broadly complies in principle with the provisions of both the Adopted East Ayrshire Local Plan and the Alteration to the East Ayrshire Local Plan (Finalised Version with Modifications) as the extension proposes additional facilities for an existing hotel within the town centre of Cumnock. However the extent of the proposal does raise issues in terms of its relationship to the existing building which is category B listed. An overall design which reflects traditional elements together with good use of materials assists in mitigating the impact of this proposal and the erection of a 1.8m high boundary wall along the southern boundary will reduce the visual massing from the southern approach. However whilst the front elevation onto Glaisnock Street shall be largely unaltered this extension will dramatically alter the appearance of the Dumfries Arms Hotel from the other three elevations.

3.4 Notwithstanding any reservations about the scale of the extension, the holistic approach to the regeneration of the Dumfries Arms will improve the visual quality and reinstate many traditional features of the building whilst considerably improving the existing service provision and tourism offer within the Cumnock area.

CONTRARY DECISION NOTE

Should the Committee agree that the applications be refused contrary to the recommendation of the Head of Planning and Economic Development, the applications would not require to be referred to Council as this would not constitute a significant breach of policy.

Alan Neish
Head of Planning and Economic Development

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

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AT DUMFRIES ARMS HOTEL, 54 GLAISNOCK STREET, CUMNOCK

BY MR JOHN CAMPBELL

Report by Head of Planning and Economic Development

1. PURPOSE OF REPORT

1.1 The purpose of this report is to present jointly for determination an application for Listed Building Consent and an application for Planning Permission, to be considered by the Southern Local Planning Committee under the revised scheme of delegation due to the Council's ownership of part of the site.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site is centrally located within the town of Cumnock and lies within Cumnock Conservation Area. The Dumfries Arms Hotel is a prominent, late 18th Century, 2-storey and attic building with a later 3 storey wing added to the rear and 2-storey wing to the side. The external wall finish is a mix of coursed and random buff rubble/sandstone and light red rubble to the later extensions. The roof is finished in slate with coped skews including 3 dormers to the front elevation. The windows are a mix of 2, 4 and 12 pane sash and case units. The building benefits from a Category B Listing status.

2.2 Directly adjacent to the northern boundary, the hotel bounds with Market Lane which is a narrow public road catering for 2 way traffic providing access to and from Glaisnock Street and Car Road. On the opposite side of Market Lane, existing rear boundary walls and garages enclose the residential properties of Ayr Road. On Glaisnock Street a row of retail units extends to meet with a traditional 3 storey building on the corner where it meets with Ayr Road.

2.3 A vehicular access road within the southern section of the application site did provide access and parking to the rear of the hotel. To the south of the application site, with the removal of the Cumnock Picture House and associated boundary wall, an open aspect allows a clear view of the Dumfries

Arms when travelling along Glaisnock Street and from Cumnock Town Hall. The newly formed access road adjacent to the southern site boundary provides vehicular access to the new, but as yet non-operational, public car park. On the opposite side of the access road an area of open space is in the process of being developed as part of the Town Hall public realm improvement works. The Town Hall (Category C(s) Listed Building) is a prominent landmark building finished in red sandstone with ornate detailing to the upper levels, openings and roof. Additional extensions have been added to either side elevation and to the rear and a small detached sandstone annex building adjacent to the newly formed access road fronts onto Glaisnock Street.

2.4 To the west within the application site a landscaped area and private car park was present. To the west of this the application site now bounds the recently constructed public car park (formally used as a Council Yard). The car park has a capacity for 74 spaces including 3 disabled and 2 parent and child spaces on the access road adjacent to the Town Hall. The north, south and west boundaries of the car park are enclosed by a black metal palisade fence of varying height. To the east the Dumfries Arms overlooks a petrol station/car garage and retail units on the opposite side of Glaisnock Street.

2.5 **Proposed Development:** Listed Building Consent and Planning Permission are sought for the alterations and extension to the Dumfries Arms Hotel, including the substantial renovation of the existing building. On the ground floor a function suite is proposed to the rear of the existing building, extending towards the boundary with the public car park. The function suite provides a floor area of some 350 m². Adjacent to this is the proposed new principal entrance to the hotel leading into a reception hall and to the rear staff/service area with associated service/delivery access via Market Lane. The ground floor of the existing building is utilised as a lounge, private dining room and a restaurant. On the first floor nine en-suite bedrooms are proposed including a bridal suite providing a combined total of 18 bedrooms on this level. On the second floor a further seven bedrooms are proposed albeit these are contained within the existing part of the building.

2.6 Externally two vehicular/pedestrian gated access points are proposed allowing for direct access from the newly constructed car park access road and will be formed as an opening in the boundary wall which is in the process of being rebuilt as part of the improvement works to the 'Civic Space' area surrounding the Town Hall. The wall originally was approved reducing in height towards Glaisnock Street however the plans indicate that this wall will remain uniform at a height of 1.8m above ground level for the full length reducing where it meets with the front boundary wall on Glaisnock Street, thus creating an enclosed courtyard area at the new front entrance.

2.7 The external design of the extension proposes two pitched roof dormers on the south elevation (fronting onto the new access road) with a central gable feature extending full height with French doors with railings. The window styles to the lower level are of vertical proportions with rounded upper sections. The main entrance to the building is on a single storey gable within

the drop off area and consists of framed double doors with glazed detailing above. A more formal entrance feature although not used as an entrance is created centrally within the drop off area with three sets of double doors and a large area of glazed roofing above leading into the dining area.

2.8 To the west the extension will not be enclosed instead having an open aspect onto the newly formed car park with two escape double doors with rounded glazed panelling above. Contained within the roof five individual pitched roof dormers are shown along this elevation. The northern elevation bounding onto Market Lane is shown at an angle following the edge of the public road. The design of this elevation proposes five separate gables two of which are more closely linked, each with upper level windows. On ground level four separate service doors are proposed providing access onto Market Lane.

2.9 The external finishing materials are noted as sandstone quoin corner detailing and smooth K lathe off white render. Windows are timber sash and case matching that of the existing units with surrounding banding detail. The roof proposed is largely natural slate with standing seam Falzinc sheeting to the central areas which are flat.

2.10 Construction work has already commenced on site and at the time of writing this report the foundations have been formed and steel work and wall sections erected. The section of ground to the west of the application site adjacent to the public car park is noted as being under the ownership of the Council and is in the process of being disposed of to the applicant.

3. CONSULTATIONS AND ISSUES RAISED

3.1 Cumnock Community Council has no objections to the proposed development.

3.2 East Ayrshire Council's Roads and Transportation Service has deferred the decision pending receipt from the applicant of details relating to the provision for parking including disabled parking and raise concerns regarding the reduction in width of a section of Market Lane.

A separate planning application for the construction of staff and delivery parking on a section of Market Lane in conjunction with the extension to the Dumfries Arms Hotel has recently been submitted and is in the process of being registered. The Roads and Transportation Service will be formally consulted on that application in due course.

3.3 East Ayrshire Council's Environmental Health Service has no objection to the proposed development and offers the following comments:

- (i) Noisy work during the construction phase should be confined to the hours of 7am – 7pm Monday to Friday, and 8am – 1pm on a Saturday, with no noisy work out with these times or on a Sunday.
- (ii) Noise from the development, both during construction and subsequent operation should not permit the underlying La(90)hr noise level to rise by more than 3dB(A).
- (iii) Suitable and sufficient noise mitigation measures should be put in place to prevent noise disturbance to residents of nearby residential properties, particularly noise due to opening of doors and windows on those elevations facing these properties.
- (iv) All waste arising from the development should be disposed of otherwise than by burning and to the satisfaction of the Waste Management Authority.
- (v) All drainage should be completed to the satisfaction of SEPA and/or Scottish Water.

The above comments can either be attached as advisory notes or conditions on any consent granted for the proposed development.

3.4 East Ayrshire Council's Economic Development Section (Tourism Promotion) has no objections and advises that the proposed development of additional hotel bedrooms alongside improved infrastructure to cater for weddings and functions sits well with aspirations in the Local Plan to encourage developments which increase the quality of facilities, attractions and experiences for tourists. Since the facility has been closed there have been a number of key developments within the immediate vicinity including the opening of Dumfries House and restoration of the Barony 'A' Frame which has increased demand for tourist infrastructure and accommodation in the area. The area currently boasts very little serviced accommodation and given the increase in visitors to the area the development will add to the spectrum of accommodation available for tourists and has the potential to bring increased economic benefit to the local area by keeping visitors in the area for longer, increasing tourist bed nights and associated spending.

3.5 The Scottish Environment Protection Agency (SEPA) has no objection to the proposed development.

3.6 Scotland Gas Networks has no objection to the proposed development provided that no mechanical excavations take place above or within 0.5m of the low-pressure system, 2m of the medium pressure system and 3m of the intermediate pressure system.

The above comments can be attached as an advisory note on any consent granted.

3.7 Scottish Power has no objection to the proposed development however advises that their apparatus may require alteration or protection.

The requirement to have early contact with Scottish Power can be attached as an advisory note on any consent granted

3.8 The West of Scotland Archaeology Service has no objection to the proposed development but raises the potential presence of sensitive archaeological material being present and vulnerable to the proposed work.

As this application is partially retrospective and that ground works have been undertaken and construction of the walls are now underway, very little protection can now be afforded to the protection or appropriate recording of potential archaeological material within the site.

3.9 Historic Scotland has no objection to the proposed development and is content with the proposals but ask that the Council are satisfied that the proposed works would not result in the loss of significant historic fabric within the existing building.

3.10 The Scottish Civic Trust has no objections to the principle of the development but raises the following concerns:

(i) The current proposals see the removal of the existing conservatory and the construction of a large, predominantly 1.5 storey extension wrapping around two sides of the listed building. We are concerned that the scale of this development which proposes more than doubling the footprint of the listed building risks overwhelming and dominating the existing building and subsuming the rear elevations in extensions. We would suggest that a lighter approach is taken perhaps of a new build section slightly separated from the existing hotel with a smaller scale link between the two. This would maintain some separation between the old and the new and allow the listed building to remain the focus of its setting.

(ii) The removal of the conservatory presents an opportunity to expose the south eastern elevation of the hotel (elevation to the new access road). With the proposed new access road and particularly following the demolition and landscaping of the adjacent former picture house site, this elevation is likely to become much more significant becoming a second entrance point. We would suggest that removing the Private Dining Room from this location would better showcase the historic building and would prevent the proposed pitched roof from obscuring the first floor windows. Alternatively we feel that any addition to this elevation should have a ridge height similar to the existing conservatory which is more sympathetic to the listed building.

(iii) The ground floor windows on the elevation to Market Lane are out of character with the verticality expressed throughout the rest of the historic building and the extension.

(iv) Generally we feel that the materials proposed appear to be high quality and suitable for a listed building in a conservation area. While we do not object to the use of lead sheeting for roof areas and it is unclear how visible this element would be in real views from street level, we do feel that it would be desirable to bring down the height of this element so as to be lower than the general ridge level and therefore less visible in the front elevation of the hotel.

The above comments have been discussed with the agent and revised plans submitted in an attempt to address such points specifically with regard to the ground floor windows on Market Lane which have now been removed.

3.11 The Cumnock and Doon Valley Access Panel has no objections but raises concern regarding disabled visitor car parking and recommends that accessible car parking should be provided within 45m of the main entrance.

The concern of the panel is noted.

4. REPRESENTATIONS

4.1 No representations have been received.

5. ASSESSMENT AGAINST DEVELOPMENT PLAN

East Ayrshire Local Plan (2003).

5.1 Policy ENV 4 seeks 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 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.

The development seeks the extension of an existing listed building within the Conservation Area of Cumnock. The scale of the proposal is substantial, utilising the majority of the grounds of the existing hotel. The design is typically 1.5 storey and dominates the rear of the existing building with the front remaining largely unaltered. Although the proposed extension covers the majority of the existing hotels grounds it is not of a height that detracts from the overall traditional appearance of the listed building.

5.2 Policy ENV7 states that all developers will be expected to comply fully with the Council's existing and emerging Design Guidance and Policy

documents relating to and advising on the particular type of development proposed. Developments which do not meet the required design standards detailed in these documents will require to be fully justified and may not be supported by the Council.

As noted above the scale of the extension is very sizeable however the overall design and use of materials is acceptable.

5.3 Policy TLR4 states that all new tourist accommodation proposals will be directed to existing settlements although new hotel and self catering accommodation may be considered acceptable in a rural location where there is a clearly demonstrated site specific locational need and where the proposal complies with the provisions of policy TLR3. The provision of new bed and breakfast or guest house accommodation will be supported where the proposal relates to an existing property and where the following criteria can be met:

- (i) that the operations do not adversely impact on any residential properties in the area.
- (ii) that adequate car parking can be provided to the standards of the Council as Roads Authority within the development site.

The extension to the existing hotel will not adversely impact on the residential amenity of the area primarily due to the location of the hotel within the town centre. However some of the residential properties backing onto Market Lane are within relative close proximity to the extension, which will be used as a function suite. A condition can be attached to any consent granted to ensure no noise nuisance is generated which would adversely affect the amenity of the residential properties.

There is no car parking proposed as part of this application; however the recently constructed public car park which bounds the west of the application site is available for use by patrons of the hotel. As noted above a separate planning application for the construction of staff and delivery parking on a section of Market Lane in conjunction with the extension to the Dumfries Arms Hotel has recently been submitted and is in the process of being registered. The Roads and Transportation Service will be formally consulted on that application in due course.

6. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

Alteration to the East Ayrshire Local Plan (Finalised Version with Modifications)

6.1 In terms of TOUR5 the Council will be supportive of the development of new hotel, guest house and self catering accommodation within the area

settlements subject to there being no adverse effects on the character amenity and appearance of the areas within which they are proposed.

The proposed extension relates to an already established hotel facility within the settlement of Cumnock. The enlargement of the hotel although largely visible with the removal of the former Cumnock Picture House and the formation of a new public car park is not considered to adversely affect the character, amenity and appearance of the area.

6.2 Policy ENV7 states that development and demolition within a conservation area or affecting its setting shall preserve or enhance its character and be consistent with any relevant conservation area appraisal or management plan that may have been prepared for the area. 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 complies with the Council's Design Guidance. In particular, the Council will not be supportive of any development that is unsympathetic 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.

The development seeks the substantial extension of an existing listed building within the conservation area of Cumnock. The scale of the proposal is very sizeable, utilising the majority of the grounds of the existing hotel. The design is typically 1.5 storey and dominates the rear of the existing building with the front remaining largely unaltered. Although the proposed extension covers the majority of the existing hotel grounds it is not of a height that detracts from the overall traditional appearance of the listed building.

6.3 Policy ENV 9 relates to the Councils Design Guidance and expects developers to fully comply with the relevant criteria. Developments which do not meet the required design standards will require to be fully justified and may not be supported by the Council. In this instance the relevant Guidance is 'Listed Buildings and Buildings within Conservation Areas'

The proposed extension is of a substantial size and will have an impact on the general appearance of the building. Consideration has been given to the design of aspects of the extension and good uses of materials are proposed. The works to the existing building will improve the appearance and reinstate some of the traditional features of the building and not adversely affect the visual amenity of the Conservation Area.

Impact on the Amenity

6.4 Due to the size and scale of the proposed extension along with the site becoming more exposed and visually prominent from the southern and western elevations there is an impact on the immediate visual amenity of the area. A 1.8m boundary wall which will run the length of the southern boundary will provide an element of screening however the western and northern boundaries will have an open aspect from the car park and Market Lane. The current condition of the Dumfries Arms has to be considered when assessing the impact on the visual amenity and although the proposal will significantly extend the existing building the overall condition and appearance of the building as a whole will be dramatically improved.

Consultation Responses

6.5 The submissions detailed in Section 3 of this report do not raise any issues that warrant refusal of the applications.

Planning History

6.6 The application site and the immediate surrounding land has been the subject to the applications noted below.

- (i) An application for Listed Building Consent (ref:97/0048/LB) and Full Planning Permission (ref:97/0069/FL) for the proposed alterations and extensions to provide conservatory, bedrooms and conference/seminar accommodation was approved under delegate powers on 23 June 1997 and 25 June 1997 respectively.
- (ii) A further application for Listed Building Consent (ref: 97/0629/LB) and Full Planning Permission (ref: 97/0627/FL) for the proposed removal of condition No. 1 of planning consent 97/0069/FL was approved by the Southern Local Planning Committee on 08 February 1999. (*Condition 1 states: " Notwithstanding the plans hereby approved the use of uPVC replacement windows in the listed building is not hereby approved. All windows to be replaced shall be replaced by traditional timber sash and case windows to a like for like specification, details of which shall be submitted to the Planning Authority prior to replacement works being undertaken."*)
- (iii) Immediately to the south, an application for Conservation Area Consent (ref: 09/0521/CA) for the demolition of the former picture house was approved on 02 October 2009 by the Southern Local Planning Committee in association with the application for the formation of a public car park and associated access road to the side and rear of the Town Hall (ref: 09/0493/FL), also approved by the Southern Local Planning Committee on 02 October 2009.
- (iv) A listed building consent application (ref: 10/0636/LB) has yet to be determined for the demolition of the timber porch and steps to the

existing east elevation entrance doorway, reinstatement of chimney stacks and further minor alterations.

7. FINANCIAL AND LEGAL IMPLICATIONS

7.1 In terms of financial and legal implications, whilst the Council owns a section of the application site, there is no requirement to notify the Scottish Government under Circular 3/2009 'Notification of Planning Applications', should Members choose to grant planning consent. There is however a requirement to refer the listed building consent application to Historic Scotland.

8. CONCLUSIONS

8.1 As indicated in Section 5 of the report the applications are considered to be in accordance with the development plan. Therefore given the terms of Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 the applications should be approved unless material considerations indicate otherwise. As indicated in Section 6 there are material considerations relevant to these applications however it is considered that these are supportive of the applications.

8.2 The alterations and extension proposed to form a function suite and additional bedrooms are of a significant scale extending to the boundaries of the site to the north, south and western sides (including an area of Council land) leaving only a small section of available land to the south of the site which is proposed to be enclosed and used as a vehicular drop off point. At present significant works have been undertaken on site and the development has proceeded without the benefit of any Planning or Listed Building Consent. To date the foundations/floors have been established, steel work and walls erected.

8.3 When assessing the application the proposed development broadly complies in principle with the provisions of both the Adopted East Ayrshire Local Plan and the Alteration to the East Ayrshire Local Plan (Finalised Version with Modifications) as the extension proposes additional facilities for an existing hotel within the town centre of Cumnock. However the extent of the proposal does raise issues in terms of its relationship to the existing building which is category B listed. An overall design which reflects traditional elements together with good use of materials assists in mitigating the impact of this proposal and the erection of a 1.8m high boundary wall along the southern boundary will reduce the visual massing from the southern approach. However whilst the front elevation onto Glaisnock Street shall be largely unaltered this extension will dramatically alter the appearance of the Dumfries Arms Hotel from the other three elevations.

8.4 Notwithstanding the scale of the extension, the holistic approach to the regeneration of the Dumfries Arms will improve the visual quality and reinstate

many traditional features of the building whilst considerably improving the existing service provision and tourism offer within the Cumnock area.

9. RECOMMENDATIONS

9.1 It is recommended that the application for Listed Building Consent be approved subject to the conditions on the attached sheet but that the issue of the decision notice be withheld until the application has been formally notified to, and cleared with, Historic Scotland.

9.2 It is recommended that the application for Planning Permission be approved subject to the conditions on the sheet attached to this report.

CONTRARY DECISION NOTE

Should the Committee agree that the applications be refused contrary to the recommendation of the Head of Planning and Economic Development, the applications would not require to be referred to Council as this would not constitute a significant breach of policy.

Alan Neish
Head of Planning and Economic Development

21 September 2010
RG/HM

FV/DVM

LIST OF BACKGROUND PAPERS

1. Application Forms/Plans.
2. Statutory Letters/Certificates.
3. Consultations.
4. Adopted East Ayrshire Local Plan.
5. Finalised Draft with Modifications East Ayrshire Local Plan
6. Approved Planning Applications: 97/0048/LB, 97/0069/FL, 97/0629/LB, 97/0627/FL, 09/0493/FL & 09/0521/CA
7. Listed building consent 10/0636/LB (not yet determined)

Anyone wishing to inspect the above papers please contact Robin Ghosh, Senior Planning Officer, on 01563 553505.

Implementation Officer: Dave Morris

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application No: 10/0470/LB

Site of Proposal: Dumfries Arms Hotel, Glaisnock Street,
Cumnock

Nature of Proposal: Alterations and extension to form function
suite and additional bedrooms

Name & Address of Applicant: Mr John Campbell
Afton View,
Rigg Road
Auchinleck

DPO's Reference: Robin Ghosh

The above Listed Building application should be granted subject to the following conditions.

1. Notwithstanding the submitted plans, the details of the materials of all the external doors, windows and roof lights shall be submitted to and approved by the Planning Authority prior to the installation of such features and shall be of conservation grade.

REASON: In the interests of maintaining the character and appearance of the listed building and in the interests of the visual amenity.

2. Notwithstanding the plans and details hereby approved, details/sample of all the external materials including window banding shall be submitted to and approved by the Planning Authority prior to the installation of such features and shall be implemented on site as approved thereafter.

REASON: In the interests of maintaining the character and appearance of the listed building and in the interests of the visual amenity.

3. Notwithstanding the plans and details hereby approved the details of works to the doorway entrance on the corner of Market Lane with Glaisnock Street shall be agreed in writing by the Planning Authority prior to the installation of such features and shall be implemented as approved thereafter.

REASON: In the interests of maintaining the character and appearance of the listed building and in the interests of the visual amenity.

4. Details of the proposed boundary gates shall be submitted to and approved by the Planning Authority in writing prior to the installation of such features and shall be implemented on site as approved thereafter.

Reason: In the interests of visual amenity.

5. Details of the proposed boundary treatment for the area of ground between the proposed extension and the public car park shall be submitted to and approved by the Planning Authority in writing and shall thereafter be implemented on site as approved prior to the uses commencing.

Reason: In the interests of visual amenity.

Reason for the decision:

The proposals are compliant with the provisions of the development plan and there are no material considerations that would indicate that the application should not be approved.

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application No: 10/0468/PP

Site of Proposal: Dumfries Arms Hotel, Glaisnock Street,
Cumnock

Nature of Proposal: Alterations and extension to form function
suite and additional bedrooms

Name & Address of Applicant: Mr John Campbell
Afton View,
Rigg Road
Auchinleck

DPO's Reference: Robin Ghosh

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

1. Notwithstanding the submitted plans, the details of the materials of all the external doors, windows and roof lights shall be submitted to and approved by the Planning Authority prior to the installation of such features and shall be of conservation grade.

REASON: In the interests of maintaining the character and appearance of the listed building and in the interests of the visual amenity.

2. Notwithstanding the plans and details hereby approved, details/sample of all the external materials including window banding shall be submitted to and approved by the Planning Authority prior to the installation of such features and shall be implemented on site as approved thereafter.

REASON: In the interests of maintaining the character and appearance of the listed building and in the interests of the visual amenity.

3. Notwithstanding the plans and details hereby approved the details of works to the doorway entrance on the corner of Market Lane with Glaisnock Street shall be agreed in writing by the Planning Authority prior to the installation of such features and shall be implemented as approved thereafter.

REASON: In the interests of maintaining the character and appearance of the listed building and in the interests of the visual amenity.

4. The function suite use shall not commence on site until such time as a Noise Impact Assessment, which provides calculations of the likely noise levels and

provides detailed mitigation proposals to address the noise, is submitted to and approved by the Planning Authority in consultation with the Environmental Health Service.

Reason: To ensure that noise from the function suite does not adversely impact upon nearby residential properties or the wider surrounding area, in the interests of residential and general amenity.

5. The mitigation measures approved under condition 4 above shall be implemented on site prior to the use commencing and shall be maintained thereafter as approved.

Reason: To ensure that noise from the function suite does not adversely impact upon nearby residential properties or the wider surrounding area, in the interests of residential and general amenity.

6. Notwithstanding the details of the Noise Impact Assessment and mitigation measures proposed under condition 4 above, upon installation of the mitigation measures and prior to the use commencing, the Planning Authority shall be afforded access to conduct noise tests to ensure that the mitigation measures are adequate. Should the mitigating measures fail to be of a sufficient standard the developer shall undertake further mitigation to the satisfaction of Planning Authority.

Reason: To ensure that noise from the function suite does not adversely impact upon nearby residential properties or the wider surrounding area, in the interests of residential and general amenity value

7. Details of the proposed boundary gates shall be submitted to and approved by the Planning Authority in writing prior to the installation of such features and shall be implemented on site as approved thereafter.

Reason: In the interests of visual amenity.

6. Details of the proposed boundary treatment for the area of ground between the proposed extension and the public car park shall be submitted to and approved by the Planning Authority in writing and shall thereafter be implemented on site as approved prior to the uses commencing.

Reason: In the interests of visual amenity.

9. Construction works on site shall not be carried out prior to 0800 hours and after 1700 hours on Mondays to Fridays, prior 0800 hours and after 1300 hours on Saturdays and not at any time on Sundays.

REASON: To prevent noise and disturbance extending into hours during which other sources of noise have subsided, in the interest of residential amenity.

10. All waste materials generated by this development that require to be removed such as construction, demolition materials and surplus excavated material, shall be removed from the site by licensed waste carriers to a site that has either an appropriate waste management licence or is registered with SEPA as exempt from licensing.

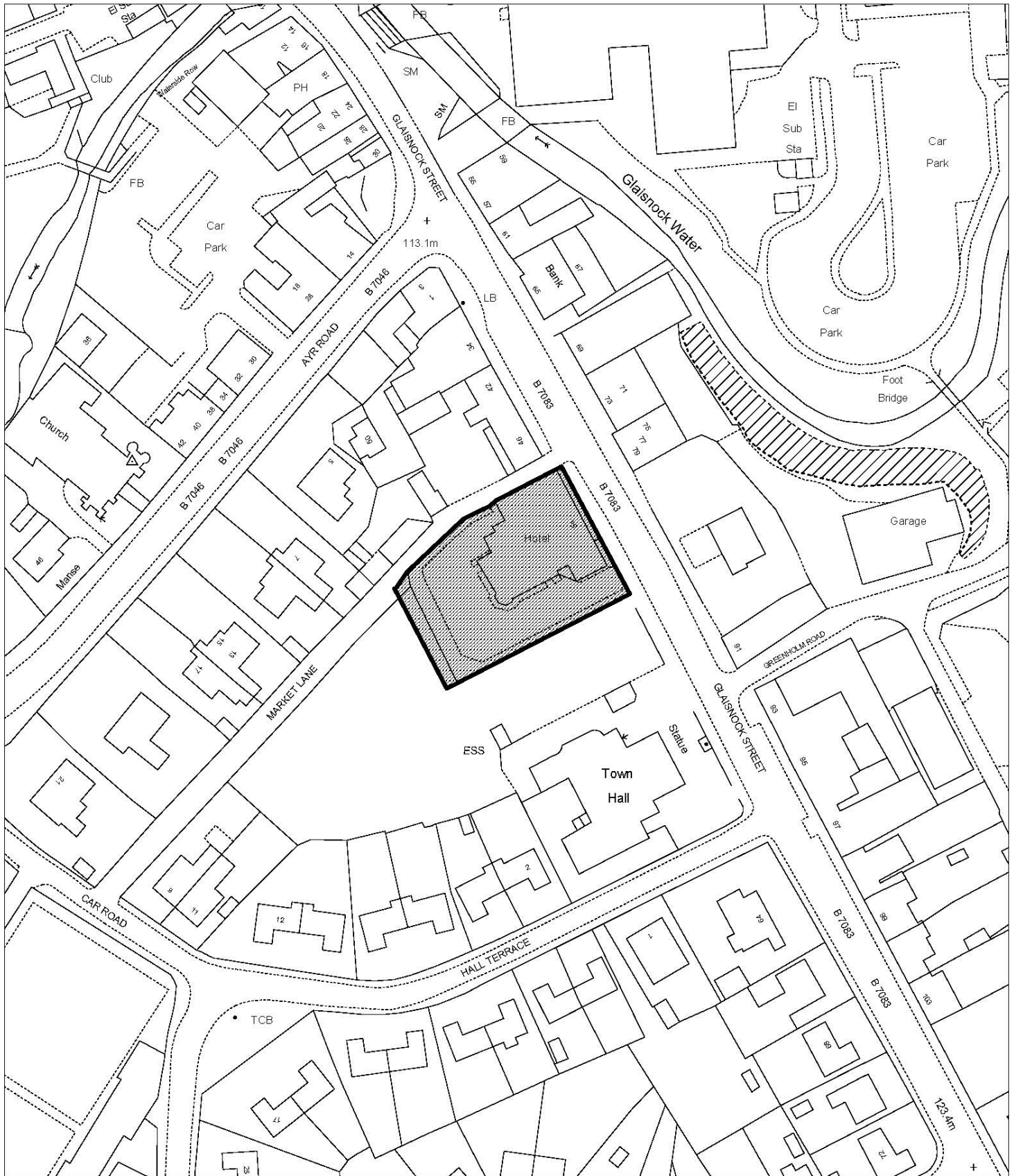
REASON: In the interests of public health and safety.

Notes to Applicant:

1. Scottish Power have noted the presence of apparatus within the application site and advise that prior to development works commencing on site, contact should be made directly with Scottish Power. Scottish Power can be contacted on 0141 567 4155.
2. Scotland Gas Networks advise that no mechanical excavations take place above or within 0.5m of the low-pressure system, 2m of the medium pressure system and 3m of the intermediate pressure system. Scotland Gas Networks can be contacted on 0141 418 4093.

Reason for the decision:

The proposals are compliant with the provisions of the development plan and there are no material considerations that would indicate that the application should not be approved



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| <p>Title/Location 54 Glaisnock Street</p> <p> Cumnock</p> <p> Application No. 10/0468/PP 10/0470/LB</p> | <p>East Ayrshire Council</p> <p>Department of Neighbourhood Services Planning & Economic Development Service. 6 Croft Street Kilmarnock KA1 1JB Tel: (01563) 576790 Fax: (01563) 576774 E-Mail : Planning@east-ayrshire.gov.uk</p> <p>Com Date: 1/10/2010</p> |
| <p>Key</p> <p> Application Site</p> | <p style="text-align: right;"></p> |

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