

EAST AYRSHIRE COUNCIL

NORTHERN AREA LOCAL PLANNING COMMITTEE: 19 MAY 2006

**06/0212/FL: INSTALLATION OF AUTOMATIC TELLING MACHINE
AT SOMERFIELD SUPERMARKET, RIGG STREET, STEWARTON
BY NATIONAL AUSTRALIA GROUP**

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 The applicant seeks planning permission to install an automatic telling machine on the south facing elevation of the Somerfield Supermarket building in Rigg Street. The automatic telling machine measures 1.2 metres in width and 1.5 metres in length and will be located 1.7 metres above ground level. Access to the automatic telling machine is proposed to be taken from Lainshaw Street to the south of the application site and from Rigg Street to the east of the application site.

2. RECOMMENDATION

2.1 It is recommended that the application be approved, subject to the attached conditions.

3. CONCLUSIONS

3.1 As is indicated at Section 5 of the report, the application is in accordance with the terms of the development plan. Therefore the application should be approved unless material considerations indicate otherwise.

3.2 As is indicated in Section 6 of the report there are material considerations relevant to this application. With regard to the issues raised by Stewarton Community Council, it is considered that there is sufficient parking provision within the immediate area and that any additional traffic congestion would not prove significant enough to provide any adverse effect on the amenity of the surrounding area. Furthermore, the proposed development conforms to the Council's Roads Division requirements and as such would not create adverse road safety issues at the site which would merit refusal of the application. In addition, it is considered that issues relating to community safety can be successfully resolved by the installation of security lighting at the site.

CONTRARY DECISION NOTE

Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning, Development and Building Standards the application will not require to be referred to the Development Services Committee as this would not be a significant breach of Council Policy.

Alan Neish
Head of Planning, Development and Building Standards

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, Development and Building Standards

1. PURPOSE OF REPORT

1.1 The purpose of this report is to present for determination a planning application which is to be considered by the Local Planning Committee under the scheme of delegation, since it has been the subject of a letter of objection from Stewarton Community Council.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site covers an area of 6636 square metres and comprises the Somerfield Supermarket building and associated car park area located at Rigg Street, Stewarton. The site is bounded to the north and west by industrial units and immediately to the east by Rigg Street. To the south the application site is bounded by a car parking area for the adjacent flats at 35-39 Lainshaw Street; the social club at numbers 33-35 Lainshaw Street and the rear garden areas of shops and flats located at numbers 3-33 Lainshaw Street. Access to the application site can be taken from the Rigg Street Supermarket entrance and from the access road adjacent to the Social Club located at 33 -35 Lainshaw Street.

2.2 **Proposed Development:** The applicant seeks planning permission to install an automatic telling machine on the south facing elevation of the Somerfield Supermarket building in Rigg Street. The automatic telling machine measures 1.2 metres in width and 1.5 metres in length and will be located 1.7 metres above ground level. Access to the automatic telling machine is proposed to be taken from Lainshaw Street to the south of the application site and from Rigg Street to the east of the application site.

3. CONSULTATIONS AND ISSUES RAISED

3.1 Stewarton Community Council has raised adverse comments regarding the proposed development. The reasons for objection by Stewarton Community Council are that at night there could be a safety/security aspect whereby a person walking from the supermarket car park to the automatic telling machine could be vulnerable to unwarranted attention as they have to pass a blind corner of the supermarket building.

3.2 The area around the proposed automatic telling machine is narrow and is not easily overlooked from other public places.

3.3 The vehicular access from Lainshaw Street to the automatic telling machine is narrow and has traffic difficulties and the location of the automatic telling machine will cause parking congestion for the adjacent flats.

Whilst it is proposed to locate the automatic telling machine on the southern elevation of the supermarket building adjacent to the main supermarket car park, any safety or security issues can be addressed by the installation of security lighting at the site. In addition, it is considered that the location of the proposed automatic telling machine on the southern elevation of the supermarket building is open to public view and can be directly overlooked from Lainshaw Street thereby providing natural surveillance from pedestrians and passing motorists. Whilst it could be considered that additional car parking and congestion could result from the location of the proposed automatic telling machine, it is considered that the existing adjacent supermarket car park and the car park area located to the rear of the social club and flats provide adequate car parking provision for the proposed development. In addition, the development proposal meets the standards required by the Council's Roads and Transportation Division and would not consequently cause adverse road safety issues which would merit refusal of the application.

3.4 East Ayrshire Council's Roads and Transportation Division has raised no objections to the proposal.

Noted.

4. REPRESENTATIONS

4.1 There were no letters of objection received in connection with the proposal.

5. ASSESSMENT AGAINST DEVELOPMENT PLAN

5.1 Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of this application the development plan comprises the Approved Ayrshire Joint Structure Plan (AJSP) and the Adopted East Ayrshire Local Plan (EALP).

East Ayrshire Local Plan

5.2 Policy ENV 7 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. In this instance the relevant Design Guidance is shop front development. All development proposals involving new or altered shop fronts and shop fascias will require to meet the following criteria:-

- (i) The proposals should respect the size, scale, design, materials, finishes and colour of the building of which they form a part and take account of their effect on the street scene.

It is considered that the proposal is in keeping with the character of the existing building in terms of its siting, size, design, materials and effect on the amenity of the surrounding area.

- (ii) The proposals should relate so far as possible to any existing shop premises on either side of the property and all applications relating to new or altered shop fronts and fascias should show elevations of adjacent properties.

There are no adjacent shop premises located on either side of the existing supermarket building.

- (iii) The proposals should not encroach above ground floor level, should not protrude from the face of the building and should be contained within the width of the building of which they form a part.

The proposed development does not encroach above ground floor level, does not protrude from the face of the existing building and forms only a minor part of the width of the existing supermarket building and consequently accords with local plan policy.

5.3 Policy ENV 8 states that The Council will encourage developers, in formulating their development proposals, to ensure that :

- (i) adequate opportunities are taken to secure a more accessible environment for all, including those with mobility and sensory disabilities, elderly people and those with young children

The proposed location for the automatic telling machine is considered to be accessible to all people, including people with mobility and sensory disabilities, elderly people and those with children.

- (ii) appropriate traffic safety measures are introduced to minimise vehicular and pedestrian conflict

The Council's Roads' Division has no objections to the proposal and it is considered that any additional car parking or increase in traffic volumes resulting from the development would not cause adverse road safety issues.

- (iii) appropriate community safety measures are incorporated to maximise security and improve natural surveillance of the development.

Whilst the proposed development does provide some natural surveillance from Lainshaw Street, community safety would be enhanced by the provision of security lighting at the application site. It is proposed to condition security lighting for this proposal.

- (iv) the design of their developments demonstrate a commitment to sustainable development through the use of recyclable and renewable materials and the introduction of energy efficient heating and lighting systems etc;

The design of the proposed development demonstrates a commitment to sustainable development through the use of renewable materials.

- (v) their designs are architecturally innovative and sensitive to the character of the area in which they are proposed.

The design of the proposed automatic telling machine is considered to be sensitive to the character of the area in which it is proposed.

- (vi) their developments are landscaped to reflect and compliment their surroundings; and

The proposed automatic telling machine is designed to reflect and compliment the existing supermarket building.

- (vii) proposed areas of open space are integrated wherever possible with

existing areas to form a linked network throughout the area.

There are no open space proposals associated with the proposal.

6. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

6.1 As no third party letters of objection have been received, the principal material considerations relevant to the determination of the application are the consultation responses detailed in Section 3 of this report, planning history and impact on the amenity of the surrounding area.

Consultation Responses

6.2 The consultation responses raise issues that are not considered to be sufficient to override the development plan. It is not considered that any aspects of the consultation replies received indicate that the application should merit refusal.

Planning History

6.3 Planning application for a proposed freestanding sign, 99/0840/AD, was granted planning permission on 07 January 2000.

Impact on Amenity

6.4 It is considered that the location of the automatic telling machine would not be detrimental to the visual amenity of the surrounding area in terms of size, scale and material finish.

7. FINANCIAL AND LEGAL IMPLICATIONS

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

8. CONCLUSIONS

8.1 As is indicated at Section 5 of the report, the application is in accordance with the terms of the development plan. Therefore the application should be approved unless material considerations indicate otherwise.

8.2 As is indicated in Section 6 of the report there are material considerations relevant to this application. With regard to the issues raised by Stewarton Community Council, it is considered that there is sufficient parking provision

within the immediate area and that any additional traffic congestion would not prove significant enough to provide any adverse effect on the amenity of the surrounding area. Furthermore, the proposed development conforms to the Council's Roads Division requirements and as such would not create adverse road safety issues at the site which would merit refusal of the application. In addition, it is considered that issues relating to community safety can be successfully resolved by the installation of security lighting at the site.

9. RECOMMENDATION

9.1 It is recommended that the application be approved, subject to the attached conditions.

CONTRARY DECISION NOTE

Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning, Development and Building Standards the application will not require to be referred to the Development Services Committee as this would not be a significant breach of Council Policy.

Alan Neish
Head of Planning, Development and Building Standards

09 May 2006
(JL/MMM)

FV/DVM

LIST OF BACKGROUND PAPERS

1. Application Form and Plans.
2. Statutory Notices and Certificates.
3. Consultation Responses.
4. Adopted East Ayrshire Local Plan (2003).
5. Planning History.

Anyone wishing to inspect the above papers please contact Jane Little, Planning Officer, on 01563 576768.

Implementation Officer: Dave Morris

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

06/0212/FL

Site of Proposal:	Somerfield Supermarket Rigg Street STEWARTON
Nature of Proposal:	Installation of Automatic Telling Machine
Name & Address of Applicant:	National Australia Group 3 rd Floor 24 St. Vincent Street GLASGOW
Name & Address of Agent:	D.M. Hall 45 Bank Street IRVINE KA12 OLL

DPOs Reference: JL/MMM

The above full application should be approved, subject to the following conditions:-

1. Notwithstanding the plans hereby approved, details of security lighting shall be submitted to and approved by the Planning Authority prior to commencement of the development on site. Thereafter the approved lighting shall be installed prior to the automatic telling machine coming into use and shall be retained as approved for the duration of the use of the automatic telling machine.

REASON In the interests of community safety and to enable appropriate levels of surveillance.

2. Notwithstanding the plans hereby approved, samples of all material finishes shall be submitted to and approved by the Planning Authority prior to the commencement of development.

REASON In the interests of visual amenity.

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