

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE: 25 FEBRUARY 2005

**04/1202/FL: PROPOSED DEMOLITION OF EXISTING TOILET BLOCK AND
DISUSED STORE AND EXTENSION TO FORM NEW EXTENDED LOUNGE
AREA AND NEW TOILET BLOCK**

**04/1274/LB: PROPOSED DEMOLITION OF EXISTING TOILET BLOCK AND
DISUSED STORE AND EXTENSION TO FORM NEW EXTENDED LOUNGE
AREA AND TOILET BLOCK**

AT CRAIGHEAD INN, GLAISNOCK STREET, CUMNOCK

APPLICATIONS BY MR. J. WHITESIDE

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 Full planning permission is sought for the demolition of the existing rear single storey extension to the public house premises and for the erection of a new pitched roof single storey extension that will be slightly shorter in length. The proposed new extension will provide for an extended lounge area and for the provision of new toilet facilities, replacing a games room and existing toilet facilities and store room currently provided within the premises.

1.2 The existing extension is of poor quality both in terms of its design and use of finishing materials. The proposed new extension is simpler in its design and provides for an appropriately pitched roof that is more in keeping with the style of the existing listed building. It is proposed to finish the building externally in a white painted render with black painted ribands around the proposed door and window opening. Slate effect concrete roof tiles are proposed in the roof of the proposed extension.

1.3 Listed building consent is also sought for the proposed partial demolition and the new extension.

2. RECOMMENDATIONS

2.1 It is recommended that the planning application 04/1202/FL be approved subject to the conditions listed on the relevant attached sheet.

2.2 It is further recommended that the listed building consent application 04/1274/LB be approved subject to the conditions listed on the relevant attached sheet.

3. SUMMARY OF ANALYSIS

3.1 As indicated in section 5 of the report, the application is considered to be in accordance with the development plan. Therefore, given the terms of Section 25 and Section 37(2) of the Town and Country Planning (Scotland) Act 1997, the application should be approved unless material considerations indicate otherwise. As is indicated at Section 6 of the report these are not of sufficient weight to justify refusal of the application.

3.2 The proposed new extension will replace an unsightly part of a listed building that is in a poor condition. The new extension is more sympathetic to the listed building in terms of its design and use of finishing materials. This part of Cumnock Conservation Area is badly in need of development such as this in order to enhance the character and quality of the central part of Cumnock.

3.3 It is not considered that the points of objection are of sufficient weight to justify refusal of this development which rather than impact adversely on neighbouring properties, is likely to enhance the visual quality of the area in which it is located.

CONTRARY DECISION NOTE

Should the Committee agree that the applications be refused contrary to the recommendation of the Head of Planning, Development and Building Standards, the applications will not require to be referred to the Development Services Committee because it would not represent any significant departure from the development plan.

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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AT CRAIGHEAD INN, GLAISNOCK STREET, CUMNOCK

APPLICATIONS BY MR. J. WHITESIDE

Report by Head of Planning, Development and Building Standards

1. PURPOSE OF REPORT

1.1 The purpose of this report is to jointly present for determination a planning application and a listed building consent application which are to be considered by the Local Planning Committee under the scheme of delegation as the proposals are the subject of objections.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site lies east side of Glaisnock Street in Cumnock some 25 metres north of the junction of Glaisnock Street with Townhead Street. The application site relates to the Craighead Inn, which is a Category C(s) Listed Building within Cumnock Conservation Area. The site lies adjacent to the Royal Hotel and lies within a mixed use area comprising commercial and flatted residential properties.

2.2 **Proposed Development:** Full planning permission is sought for the demolition of the existing rear single storey extension to the public house premises and for the erection of a new pitched roof single storey extension that will be slightly shorter in length. The proposed new extension will provide for an extended lounge area and for the provision of new toilet facilities, replacing a games room and existing toilet facilities and store room currently provided within the premises.

2.3 The existing extension is of poor quality both in terms of its design and use of finishing materials. The proposed new extension is simpler in its design and

provides for an appropriately pitched roof that is more in keeping with the style of the existing listed building. It is proposed to finish the building externally in a white painted render with black painted ribands around the proposed door and window opening. Slate effect concrete roof tiles are proposed in the roof of the proposed extension.

2.4 Listed building consent is also sought for the proposed partial demolition and the new extension.

3. CONSULTATIONS AND ISSUES RAISED

3.1 Scottish Water has no comments to make on the proposed development.

Noted.

3.2 The Scottish Environment Protection Agency has no objections in principle to the proposals subject to the drainage arrangement being to its satisfaction. All foul drainage from the development must be connected to the public sewerage system in accordance with Scottish Water requirements. All waste materials generated by the development that require to be removed such as construction and demolition wastes, and surplus excavated material, must be removed from the site by licensed waste carriers. Waste must be removed to a site that has either an appropriate waste management license or is registered with SEPA as exempt from licensing.

A note can be attached to any consent granted for the proposed development regarding the disposal of waste materials from the site.

3.3 Transco and Power Systems have no objections to the proposed development.

Noted.

3.4 East Ayrshire Environmental Health Section states that it has no adverse comments to make on the proposed development.

Noted.

3.5 Cumnock Community Council has not responded to the consultation letter.

Noted.

3.6 The Architectural Heritage Society of Scotland finds the proposals generally acceptable but would expect all materials to respect the listed building

and be traditional as far as is possible i.e. cast iron rainwater goods, timber window frames and doors, slates or a convincing look-a-like.

It is considered that the comments of the AHS are pertinent in this instance and conditions can be attached to any consent granted to reflect the requirement for good quality finishes to the proposed extension.

3.7 Historic Scotland finds the proposal acceptable and indeed views the proposal as an improvement. This is with the exception of the concrete roof tiles and recommends that the roof is covered with slate. The use of this traditional material should serve to preserve the character of the listed building and the conservation area.

It is agreed that the roof of the proposed extension should be finished in natural slate to match the finish of the listed building to which it relates.

3.8 The West of Scotland Archaeology Service states that the application site lies within part of the town where the date of first occupation is unknown and any surviving archaeological remains within the application site may provide new information on the physical form and rate of growth of the early settlement. WOSAS recommends in this case that in order to address the potential archaeological issue, a condition should be attached to any consent for the development, where any surviving significant remains could be 'preserved by record' through archaeological excavation. The condition should be as follows:

'No development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation that has been submitted by the developer, agreed by the West of Scotland Archaeology Service, and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service.'

A condition can be attached to any consent granted for the proposed development to meet the requirements of WOSAS.

3.9 The Scottish Civic Trust also has no objections to the proposed development but strongly recommends the use of a natural Scottish slate be included as a condition of any consent granted for the scheme.

It is agreed that the roof of the proposed extension should be finished in natural slate to match the finish of the listed building to which it relates.

4. REPRESENTATIONS

4.1 Two letters of representation have been received objecting to the proposed development. The main points of objection are summarised as follows:

4.2 I have significant concerns regarding the potential increase in noise from the proposed development. I have already called the police on numerous occasions to halt then blasting noise from D.G's between 1 and 2 am. The noise is intensified by the pub leaving the doors fully wide open which is why I must insist that the windows of the new development are either permanently closed or are positioned on the other side facing the hotel.

The proposed extension will simply replace the existing structure and will in fact have only one door and one window replacing the existing single door and five windows of the exiting premises. The proposed door is a fire exit only and the proposed window is to be a deadlight (i.e. non-opening). It is considered that the objector will not experience any significant additional disturbance as a result of the proposed development, which is essentially a matter of policing. Disturbance from other licensed premises is not relevant to the consideration of these applications.

4.3 I understand the necessity of a disabled access but as this access entrance is directly opposite my house, it also poses increased security risks and greatly enhances the potential access my back entrance would offer a thief. I will install an additional security light but would ask you to ensure that this entrance is locked before closing time to minimise disturbance.

The proposals relate to the new extension only and do not involve any alterations to the existing side access to the premises. As stated above, the external door of the new extension is for emergency access only.

4.4 We presently have a security gate in place which may no longer be adequate to cope with the increased numbers of intoxicated people that hang around waiting for taxis. I would ask the developers to review an enhanced security gate that would limit access.

This is a matter that the objector would require to take up directly with the applicant and has no material bearing on the determination of the current applications.

4.5 What side of building will demolition take place? This will cause mess, disturbance and disruption of access to my property.

Demolition works will require to be the subject of a warrant under the Building Acts and will require to be undertaken in a manner to ensure minimal disruption to adjacent properties. It is a temporary operation and no significant long term disturbance should arise as a result of the proposed demolition and construction works.

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 and the Adopted East Ayrshire Local Plan (2003).

Ayrshire Joint Structure Plan:

5.2 Under Policy L 8 the vitality, viability and design quality of existing town centres as defined by Local Plans shall be maintained and enhanced. Accordingly new development in retailing shall be directed first to town centres.

The proposal conforms to Policy L 8 of the Structure Plan through its location within Cumnock Town Centre and its enhancement of an existing listed building.

East Ayrshire Local Plan:

5.3 Under Policy RTC 2 Class 3 developments (food & drink) are considered acceptable within town centres.

The proposed extension to the Glaisnock Inn accords with Policy RTC 2 because it comprises a Class 3 use within Cumnock Town Centre.

5.4 Under Policy RTC 3 all retail development shall be directed to town centres.

The extension of retail development proposed is in accordance with Policy RTC 3 as it is located within Cumnock Town Centre.

5.5 Under Policy ENV 1 the Council will seek to protect, preserve and enhance all heritage resources requiring conservation including Listed Buildings and Conservation Areas.

It is considered that the proposal will result in bringing a disused part of the Category C (S) listed building, Glaisnock Inn, into beneficial use. The design of the proposed refurbishment of the existing extension is considered to be fully in keeping with the style and treatment of the rest of the listed building and will thereby enhance the appearance of the building itself and the Cumnock Conservation Area. The proposal therefore accords with Policy ENV 1.

5.6 Policy ENV 2 provides that the Council will actively encourage the retention, restoration, renovation and re-use of listed buildings in Conservation Areas.

The proposal would involve the renovation and re-use of part of a listed building and would therefore accord with Policy ENV 2.

5.7 Under Policy ENV 4 the Council will seek to ensure that all development affecting the setting of a Conservation Area or affecting the 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 proposed conversion of the listed Glaisnock Inn is sympathetic in design terms with both the listed building itself and the Cumnock Conservation Area and therefore accords with Policy ENV 4.

6. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

6.1 The principal material considerations relevant to the determination of the application are the consultation responses and the representations received.

Consultations Responses

6.2 The consultation responses received do not indicate that the application should be refused subject to the imposition of appropriate conditions.

Representations

6.3 It is considered that the points of objection are not of sufficient weight or relevance to justify refusal of the application.

7. FINANCIAL AND LEGAL IMPLICATIONS

7.1 There are no financial or legal implications for the Council in the determination of the proposed development.

Noted.

8. CONCLUSIONS

8.1 As indicated in section 5 of the report, the application is considered to be in accordance with the development plan. Therefore, given the terms of Section 25 and Section 37(2) of the Town and Country Planning (Scotland) Act 1997, the application should be approved unless material considerations indicate otherwise. As is indicated at Section 6 of the report these are not of sufficient weight to justify refusal of the application.

8.2 The proposed new extension will replace an unsightly part of a listed building that is in a poor condition. The new extension is more sympathetic to the listed building in terms of its design and use of finishing materials. This part of Cumnock Conservation Area is badly in need of development such as this in order to enhance the character and quality of the central part of Cumnock.

8.3 It is not considered that the points of objection are of sufficient weight to justify refusal of this development which rather than impact adversely on neighbouring properties, is likely to enhance the visual quality of the area in which it is located.

9. RECOMMENDATIONS

9.1 It is recommended that the planning application 04/1202/FL be approved subject to the conditions listed on the relevant attached sheet.

9.2 It is further recommended that the listed building consent application 04/1274/LB be approved subject to the conditions listed on the relevant attached sheet.

CONTRARY DECISION NOTE

Should the Committee agree that the applications be refused contrary to the recommendation of the Head of Planning, Development and Building Standards, the applications will not require to be referred to the Development Services Committee because it would not represent any significant departure from the development plan.

Alan Neish
Head of Planning, Development and Building Standards

14 February 2005
HM/HM/SMB
FV/DVM

LIST OF BACKGROUND PAPERS

1. Application Form and Plans.
2. Statutory Notices and Certificates.
3. Letters of Representation.
4. Consultation responses.
5. Adopted East Ayrshire Local Plan (2003).
6. Approved Ayrshire Joint Structure Plan (1999).

Anyone wishing to inspect the above background papers should contact Mr. Hugh Melvin on 01563 555485.

Implementation Officer: Dave Morris

Form TP24A

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application No: 04/1202/FL

Location	Craighead Inn 7 Glaisnock Street CUMNOCK
Nature of Proposal:	Proposed demolition of existing toilet block and disused store and extension to form new extended lounge and toilet block.
Name and Address of Applicant:	Mr. J Whiteside Craighead Inn 7 Glaisnock Street CUMNOCK
Name and Address of Agent	Mr. J. Oneill 13 Angus Avenue PRESTWICK KA9 2HZ

DPO's Ref:
PPO's Ref: Hugh Melvin

The above FULL application should be granted subject to the following conditions:-

1. Notwithstanding the plans hereby approved, the roof of the proposed new extension shall be finished in natural slate to match the roof of the existing public house premises.

REASON – In the interests of visual amenity

2. Notwithstanding the plans hereby approved the proposed new door and window shall be constructed in timber and all rainwater goods shall be of cast iron and painted black to the satisfaction of the Planning Authority.

REASON – In the interests of visual amenity

3. No development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation that has been submitted by the developer, agreed by the West of Scotland Archaeology Service, and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service.

REASON – To ensure that any archaeological resource is adequately recorded prior to removal.

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

REASON – To ensure that waste materials arising from the proposed development are suitably disposed of.

5. Prior to the commencement of development, the applicant shall submit a sample of the block paving to be used in the area adjacent to the new extension.

REASON – In the interests of visual amenity.

NOTE TO APPLICANTS

1. Any waste materials generated by this proposal and to be removed from the development site shall be removed by licensed waste carriers to a site that has either an appropriate Waste Management Licence or is registered with SEPA as exempt from licensing.

Application No: 04/1274/LB

Location	Craighead Inn 7 Glaisnock Street CUMNOCK
Nature of Proposal:	Proposed demolition of existing toilet block and disused store and extension to form new extended lounge and toilet block.
Name and Address of Applicant:	Mr. J Whiteside Craighead Inn 7 Glaisnock Street CUMNOCK
Name and Address of Agent	Mr. J. Oneill 13 Angus Avenue PRESTWICK KA9 2HZ

DPO's Ref:
PPO's Ref: Hugh Melvin

The above LISTED BUILDING CONSENT application should be granted subject to the following conditions:-

1. Notwithstanding the plans hereby approved, the roof of the proposed new extension shall be finished in natural slate to match the roof of the existing public house premises.

REASON – In the interests of visual amenity

2. Notwithstanding the plans hereby approved the proposed new door and window shall be constructed in timber and all rainwater goods shall be of cast iron and painted black to the satisfaction of the Planning Authority.

REASON – In the interests of visual amenity

3. No development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation that has been submitted by the developer, agreed by the West of Scotland Archaeology Service, and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service.

REASON – To ensure that any archaeological resource is adequately recorded prior to removal.

4. The demolition of the existing toilet block and disused store shall not be carried out until the Planning Authority has had sight of a formal, let contract in respect of the construction of the new extension to the listed building.

REASON – To ensure that any premature demolition of the existing extension does not leave an unsightly gap site in the Conservation Area.

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