

EAST AYRSHIRE COUNCIL

CENTRAL LOCAL PLANNING COMMITTEE: 18 JANUARY 2002

**01/0773/FL: PROPOSED INSTALLATION OF AN AUTOMATED TELLER
MACHINE
AT SPAR, 25 MUNRO AVENUE, KILMARNOCK
BY ALLIANCE & LEICESTER**

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 The proposal involves the installation of an automated teller machine in the front elevation of a shop. The existing glazing unit is to be removed and a new laminate panel is to be installed incorporating a cash machine.

2. RECOMMENDATION

2.1 It is recommended that the application be refused for the reason indicated on the enclosed sheet.

3. CONCLUSIONS

3.1 As indicated in Section 5 of the report there are no applicable policies in the Adopted Kilmarnock Local Plan and therefore greater weight should be attached to the other material considerations.

3.2 There are no policies within the EALP which would specifically affect the determination of this application and so the greatest weight should be attached to other material considerations. The consultation response of the Roads Division is considered to be material as there are existing car parking difficulties in the area with the existing shop and dry cleaners business. It is considered that the installation of an automated teller machine would aggravate the existing car parking difficulties in the area. This would lead to cars parking on the public road at this location which would be detrimental to road safety.

CONTRARY DECISION

Should the Committee agree that the application be approved contrary to the recommendation of the Head of Planning & Building Control the application will not require to be referred to the Development Services Committee because there would be no significant breach of policy.

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: 18 JANUARY 2002

**01/0773/FL: PROPOSED INSTALLATION OF AN AUTOMATED TELLER
MACHINE
AT SPAR, 25 MUNRO AVENUE, KILMARNOCK
BY ALLIANCE & LEICESTER**

Report by Head of Planning & Building Control

1. PURPOSE OF REPORT

1.1 The purpose of this report is to present for determination a full planning application which is to be considered by the Local Planning Committee under the scheme of delegation as it is recommended for refusal.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site is the Spar shop which is surrounded by residential properties to the East, West and South and a dry cleaners shop to the North. The building is 2 storey in height containing the Spar shop and dry cleaner's business. There are residential flats on the first floor.

2.2 **Proposed Development:** The proposal involves the installation of an automated teller machine (A.T.M.) in the front elevation of a shop. The existing glazing unit is to be removed and a new laminate panel is to be installed incorporating a cash machine.

3. CONSULTATIONS AND ISSUES RAISED

3.1 East Ayrshire Council Roads and Transportation Division have recommended refusal as the parking arrangement at the Spar shop is presently inadequate and would be further aggravated if the cash point were installed as this would generate additional traffic.

Noted.

3.2 Bonnyton Community Council had not responded to their consultation letter at the time of writing this report.

Noted.

4. REPRESENTATIONS

4.1 No letters of representation have been received with regard to the proposed development.

5. DEVELOPMENT PLAN STATUS

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 Kilmarnock Local Plan (1985). The Adopted Local Plan was prepared within the context of the then emerging Strathclyde Structure Plan.

5.2 Notwithstanding the age of the Adopted Local Plan the proposal would fall to be considered against this document and its associated policies. There are however no relevant policies and therefore greater weight should be placed on the 'other material considerations' as identified in Section 6 of this report.

6. ASSESSMENT AGAINST OTHER MATERIAL CONSIDERATIONS

6.1 The principal material considerations relevant to the determination of the application are the East Ayrshire Local Plan Finalised Version with Modifications (EALP) and the consultation responses.

East Ayrshire Local Plan Finalised Version with Modifications

6.2 The Council has agreed that the EALP should be considered as a prime material consideration. In terms of the EALP the application site is located in a residential area within the settlement boundary of Kilmarnock. There are no specific policies within the EALP that relate to A.T.M's. The proposal does not conflict with any of the Council's Design Guidance for shop fronts, however, it is considered that significant weight should be attached to the consultation reply from the Roads and Transportation Division.

Consultation Replies

6.3 The Roads and Transportation Division have raised objection to the proposal as the installation of an automated teller machine would further increase car parking on the public road which would be detrimental to road safety.

7. FINANCIAL & 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 indicated in Section 5 of the report there are no applicable policies in the Adopted Kilmarnock Local Plan and therefore greater weight should be attached to the other material considerations.

8.2 There are no policies within the EALP which would specifically affect the determination of this application and so the greatest weight should be attached to other material considerations. The consultation response of the Roads Division is considered to be material, as there are existing car parking difficulties in the area with the existing shop and dry cleaners business. It is considered that the installation of an automated teller machine would aggravate the existing car parking difficulties in the area. This would lead to cars parking on the public road at this location which would be detrimental to road safety.

9. RECOMMENDATION

9.1 It is recommended that the application be refused for the reason indicated on the enclosed sheet.

CONTRARY DECISION NOTE

Should the Committee agree that the application be approved contrary to the recommendation of the Head of Planning & Building Control the application will not require to be referred to the Development Services Committee because there would be no significant breach of policy.

Alan Neish
Head of Planning and Building Control

09 January 2002
(PC/PM/MMM/FD)

DVM/FV

LIST OF BACKGROUND PAPERS

1. Application form and plans.
2. Statutory Notices/Certificates.
3. Consultation replies.
4. Approved Ayrshire Joint Structure Plan.
5. Adopted Kilmarnock Local Plan.
6. East Ayrshire Local Plan Finalised Version with Modifications.
7. Approved Strathclyde Structure Plan.

Anyone wishing to inspect the above papers please contact Pamela Clifford on 01563 576772.

Implementation Officer: Dave Morris

010773FL

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

01/0773/FL

Site of Proposal:	Spar/Munro Avenue Post Office 25 Munro Avenue KILMARNOCK
Nature of Proposal:	Proposed Installation of an Automated Teller Machine
Name & Address of Applicant:	Alliance & Leicester C/o Complete Technical Services Ltd Hope Street ROTHERHAM S60 1LH
Name & Address of Agent:	Complete Technical Services Ltd Hope Street ROTHERHAM S60 1LH

DPOs Reference: PC/MMM

The above FULL application should be refused for the following reason:-

1. The proposed development would aggravate the existing car parking difficulties in the area which would result in further cars parking on the public road to the detriment of road safety.

**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