

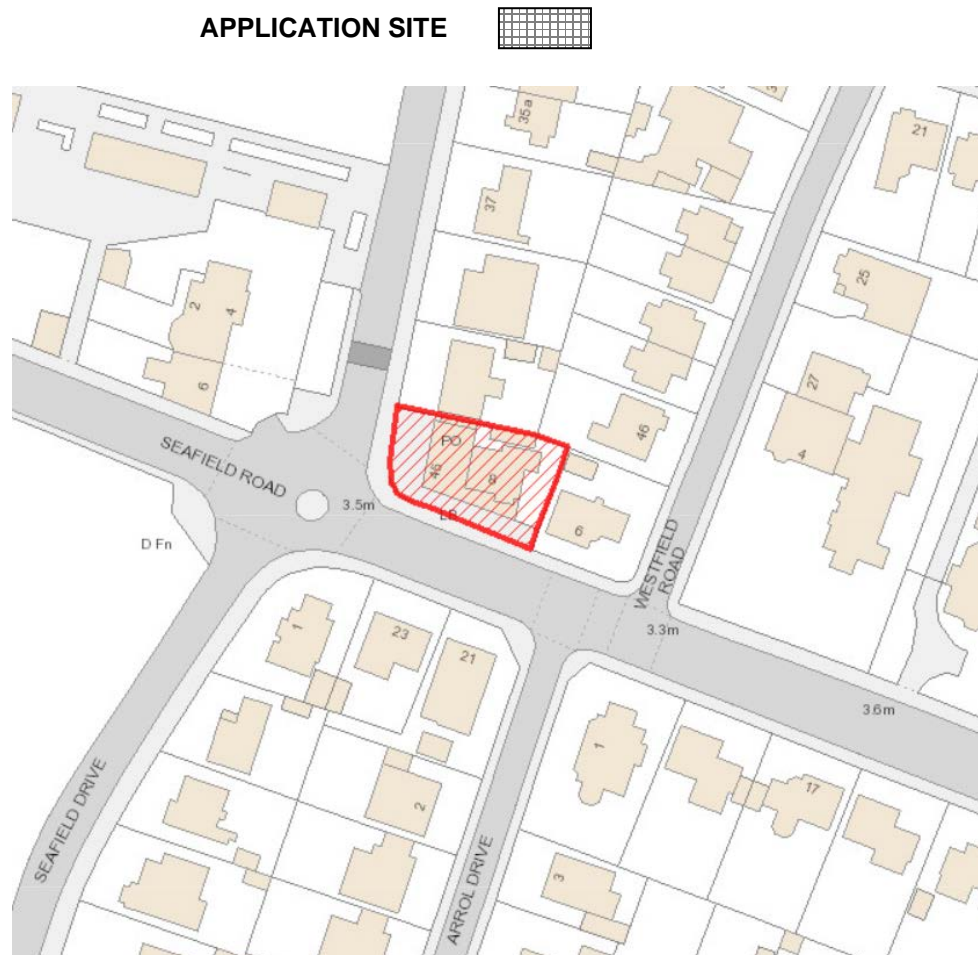
REGULATORY PANEL: 15 SEPTEMBER 2022

REPORT BY PLACE DIRECTORATE

22/00558/APP

SEAFIELD POST OFFICE 45 BLACKBURN DRIVE AYR SOUTH AYRSHIRE KA7 2XW

Location Plan



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Summary

Planning permission is sought for alterations and extension to the existing class 1 premises (comprising of post office, shop and pharmacy) and the change of use of the vacant upper floor dwelling flat to form part of the pharmacy (storage space and staff facilities) at Seafield Post Office, 45 Blackburn Drive, Ayr. The application site is located within a predominantly residential area and comprises of a one and a half storey detached building on the corner of both Blackburn Drive and Seafield Road. Pedestrian access to the building is taken from Seafield road.

This application requires to be reported to the Council's Regulatory Panel, in accordance with the Council's approved procedures for handling planning applications and Scheme of Delegation, as the application has received over 5 competent written objections.

The application has been assessed against the various material planning considerations which include the provisions of the Adopted Local Development Plan 2, consultations, representations received (10 in total), and the impact of the proposed development on the locality. It is considered that – suitably conditioned – the proposal accords with the provisions of the aforementioned local development plan.

Accordingly, it is recommended that the application is approved subject to conditions.

REPORT BY PLACE DIRECTORATE

REGULATORY PANEL: 15 SEPTEMBER 2022

SUBJECT:	PLANNING APPLICATION REPORT
APPLICATION REF:	22/00558/APP
SITE ADDRESS:	SEAFIELD POST OFFICE 45 BLACKBURN DRIVE AYR SOUTH AYRSHIRE KA7 2XW
DESCRIPTION:	ALTERATIONS AND EXTENSION TO EXISTING SHOP AND PHARMACY (CLASS 1) AND CHANGE OF USE OF DWELLINGFLAT (SUI GENERIS) TO PHARMACY (CLASS 1)
RECOMMENDATION:	APPROVAL WITH CONDITIONS

APPLICATION REPORT

This report fulfils the requirements of Regulation 16, Schedule 2, paragraphs 3 (c) and 4 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013. The application is considered in accordance with the Council's Scheme of Delegation as well as the Procedures for the Handling of Planning Applications.

1. Proposal:

The application site relates to 45 Blackburn Drive, Ayr. The property is currently occupied by a class 1 shop, post office and pharmacy at ground floor level and an upper floor vacant dwellingflat. The application site is located within a predominantly residential area and comprises of a one and a half storey detached building on the corner of both Blackburn Drive and Seafield Road. Pedestrian access to the building is taken from Seafield road.

Planning permission is sought for alterations and a replacement extension to the rear of the building to provide storage space for the shop and the change of use of the vacant upper floor dwelling flat to form storage space and staff facilities for the pharmacy.

The proposed external alterations comprise of the removal of a redundant ATM to allow the original door to be reinstated and provide a separate entrance to the pharmacy. Internal reconfiguration of the pharmacy at ground floor level provides an additional 'consulting room' which is a private space for customers obtaining advice or similar. Full details are provided within the submitted plans.

The agent has provided a Supporting Statement offering a further detail regarding the operations of the proposed development. This statement includes information regarding the existing staff numbers of the pharmacy and the hours of the operation. Neither are proposed to change as a result of the development.

2. Consultations:

Ayrshire Roads Alliance - Offer no objections to the proposed development, subject to conditions. The ARA have advised that the proposed development will require enhancement to the current traffic restrictions in the area. The ARA have suggested that these are likely to comprise of increased no waiting/no loading restrictions at the roundabout and limited waiting (1 hour) within the on street parking bays. The applicant will require to enter discussions directly with them and will be required to bear the costs of any Traffic Regulation Orders, as per the advisory note below.

3. Submitted Assessments/Reports:

None.

4. S75 Obligations:

None.

5. Scottish Ministers Directions:

None.

6. Representations:

10 representations have been received, 1 neutral, 1 supporting and 8 which object to the proposed development. All representations can be viewed online at www.south-ayrshire.gov.uk/planning

The issues raised by Representees can be summarised as follows:

- Parking, traffic and road safety concerns
- Noise disturbance and air pollution
- Suitability of proposed use at this location

The comment received in support of the application outlined that the proposals would improve services to the community and the general condition of the area.

In accordance with the Council's procedures for the handling of planning applications the opportunity exists for Representees to make further submissions upon the issue of this Panel Report, either by addressing the Panel directly or by making a further written submission. Members can view any further written submissions in advance of the Panel meeting at www.south-ayrshire.gov.uk/planning. A response to these representations is included within the assessment section of this report.

7. Assessment:

The material considerations in the assessment of this planning application are the provisions of the development plan, other policy considerations (including government guidance), objector concerns and the impact of the proposal on the amenity of the locality.

(i) Development Plan

Section 25 of the Town and Country Planning (Scotland) Act 1997 (as amended) indicates that in making any determination under the Planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

The following provisions of the South Ayrshire Local Development Plan 2 are considered relevant to the consideration of this application and the policies can be viewed in full online at <http://www.south-ayrshire.gov.uk/planning/planlpdocuments.aspx>:

LDP Policy: Strategic Policy 1: Sustainable Development
LDP Policy: Strategic Policy 2: Development Management
LDP Policy: Residential Policy within Settlements, Release Sites and Windfall Sites
LDP Policy: General Retail

The provisions of the Adopted South Ayrshire Local Plan 2 must be read and applied as a whole, and as such, no single policy should be read in isolation. The application has been considered in this context.

Whilst it is recognised that the application site is situated in an area designated as predominantly residential under the LDP2, it is noted that the site has operated as an established Class 1 commercial unit (currently comprises a shop, post office and pharmacy) serving the local community for many years.

The proposed development comprises of the change of use of an existing, vacant upper floor dwellingflat to increase the storage space of the pharmacy and provide better facilities for staff including staff room and toilets. The existing rear detached storage space, utilised by the shop, is to be demolished and replaced with an extension to the building comprising of a new storage area for the shop. The reconfiguration of the pharmacy at ground floor level provides an additional 'consulting room' which is a private space for customers obtaining advice or similar. The shop, post office and pharmacy within the premises shall remain interconnected. Considering the nature of the proposals as providing additional storage space, staff facilities, and a consulting room, it is not considered that the proposals significantly alter or intensify the existing operations of the premises and shall not result in a detrimental impact on the character or amenity of the residential area.

Additionally, given the application relates to an existing and established class 1 retail premises outwith the town centre which serves the local community, that the development proposals primarily comprise of the enlargement/improvement of storage space and staff facilities and the premises will continue to operate as an interconnected pharmacy, post office and shop, it is not considered that the development shall result in an adverse impact on the vitality and viability of Ayr town centre.

The development proposals are therefore considered to be in accordance with the development plan, as considered further below in section 7(v) of this report.

(ii) Other Policy Considerations (including Government Guidance)

None.

(iii) Site History

Of most relevance are as follows:

Application ref. 09/00782/COU for the change of use of a dwellinghouse to form an extension to the existing shop was approved in January 2010 but was never implemented.

Application ref. 12/00523/APP for the change of use, alterations and extension to dwellinghouse to form extension to existing shop and installation of ATM was approved in July 2012. This consent reduced the floorspace of the proposed extensions previously granted approval under 09/00782/COU. The extension approved comprised of an extension to the front of the building. This consent has been fully implemented.

(iv) Objector Concerns

The following response is offered in relation to the objections raised:

Parking, traffic and road safety concerns

- The Ayrshire Roads Alliance has confirmed it has no objections to the proposed development but have identified that the proposed development will require enhancement to the current traffic restrictions in the area. This is separate to the planning process and therefore an advisory note is recommended to advise the applicant that they will require to enter into discussions directly with the ARA regarding these enhancements. These enhancements are likely to include increased no waiting/no loading restrictions at the roundabout and limited waiting (1 hour) within the on street parking bays.

Noise disturbance and air pollution

- Should any statutory noise or air quality nuisance arise, or any other matter related to odours, lighting or health and safety issues, it is for the Council's Environmental Health Service to address such matters under their statutory powers. Notwithstanding this, the development is for additional storage space for the shop and pharmacy, staff facilities and consultation rooms, also for the pharmacy. It is therefore not anticipated that the issues such as those mentioned, will arise. There is a temporary level of inconvenience that can be expected during construction of the extension however this type of development is not unusual within a residential area.

Suitability of proposed use at this location

- This matter is addressed fully within sections 7(i) and (v) of the report.

(v) Impact on the Locality

The development under consideration is for alterations and extension to the existing building which includes a post office, shop and pharmacy. The proposed extension will provide replacement storage space for the shop. The change of use of the vacant upper floor dwelling flat will provide additional and enhanced storage and staff facilities (staff room and toilets) for the pharmacy. Alterations on the principal elevation of the building will see the removal of the existing and redundant ATM machine and a reinstatement of the access doorway that will provide a separate entrance directly to the pharmacy. An associated access ramp will ensure accessibility for all. Internal reconfiguration of the pharmacy will result in an additional consultation room being provided (total of 2).

It is acknowledged that the application site is located within a predominantly residential area, as identified in the South Ayrshire Local Development Plan. However, the three existing uses accommodated within the building are long established. The proposals do not introduce any new uses; the proposals are ancillary to the existing pharmacy and shop and will improve the services offered to the local community. Considering this and as outlined in section 7 (i) above, the proposed development shall not have a negative effect on the vitality and viability of the town centre.

The proposed extension to the building comprises the erection of a replacement store to the rear and it will occupy a similar footprint to the existing detached store and shall have a flat roof measuring approximately 2.7 metres in height. The store shall be positioned adjacent to the mutual boundary with the rear garden ground of the residential dwelling at 41 Blackburn Drive, which is adequately screened by an existing high level boundary wall. As such, as outlined in section 7 (i) above, it is considered that the proposed extension will not have an adverse impact on the residential amenity immediately of neighbouring dwellings and the wider area. Similarly, it is not considered that the change of use of the existing upper floor flat to storage and staff facilities or the alterations to the property will have any adverse impact on neighbouring residential amenity.

The proposed external alterations to remove the redundant ATM and reinstate and provide a separate front entrance to the pharmacy, with an external access ramp will improve accessibility and there are no issues with the proposal from a visual amenity perspective.

Additionally, the Ayrshire Roads Alliance offers no objections to the proposed development, subject to an advisory note regarding enhanced Traffic Regulation Orders. The ARA have suggested that these are likely to comprise of increased no waiting/no loading restrictions at the roundabout and limited waiting (1 hour) within the on-street parking bays. The Traffic Regulation Order process is entirely separate to the planning process, and so, an advisory note is appropriate in this case noting the applicant will require to enter into discussions directly with the ARA with regards this matter.

There are no policy objections to this proposal and it is considered that it does not have an adverse impact on the character or residential amenity of the surrounding area or the vitality and viability of the town centre. Given the above and having balanced the applicant's rights against the general interest, it is recommended that the application be approved subject to conditions.

8. Conclusion:

The application has been assessed against the various material considerations which include the provisions of the development plan, government guidance, consultations undertaken, representations received and the impact of the proposed development on the locality. The assessment concludes that the principle of the proposed development complies with the development plan. The points raised in the objection have been fully considered but do not raise any issues that would merit refusal of the application.

Given the above assessment of the proposal and having balanced the applicant's rights against the general interest, it is recommended that the application be approved subject to conditions

9. Recommendation:

It is recommended that the application is approved with condition(s).

- (1) That the development hereby granted shall be implemented in accordance with the approved plan(s) as listed below and as forming part of this permission unless a variation required by a condition of the permission or a non-material variation has been agreed in writing by the Planning Authority.

Reasons:

- (1) To ensure that the development is carried out in accordance with the approved plans unless otherwise agreed.

Advisory Notes:

- (1) The Council as Roads Authority advises that promotion of Traffic Regulation Orders resulting from this development shall require to be fully funded by the applicant – including any relevant road signs and markings. Contact should be made with the Ayrshire Roads Alliance.

List of Determined Plans:

Drawing - Reference No (or Description): **Approved** 283/01
Drawing - Reference No (or Description): **Approved** 283/02
Drawing - Reference No (or Description): **Approved** 283/03
Drawing - Reference No (or Description): **Approved** 283/04
Drawing - Reference No (or Description): **Approved** 283/05
Drawing - Reference No (or Description): **Approved** 283/06
Drawing - Reference No (or Description): **Approved** 283/07
Drawing - Reference No (or Description): **Approved** 283/08
Drawing - Reference No (or Description): **Approved** 283/09
Drawing - Reference No (or Description): **Approved** 283/10

Reason for Decision (where approved):

The siting and design of the development hereby approved is considered to accord with the provisions of the development plan and there is no significant adverse impact on the amenity of neighbouring land and buildings.

The explanation for reaching this view is set out in the Report of Handling and which forms a part of the Planning Register.

Background Papers:

1. Planning application form and plans.
2. Adopted South Ayrshire Local Development Plan 2 (available online)
3. Representations (available online)
4. Scottish Planning Policy (available online)

Equalities Impact Assessment:

An Equalities Impact Assessment is not required because the proposed development is not considered to give rise to any differential impacts on those with protected characteristics.

Person to Contact:

Ms Emma McKie, Planner - Place Planning - Telephone 01292 616 203