

SOUTH AYRSHIRE COUNCIL
LOCAL REVIEW BODY
NOTE of CURRENT POSITION

Site Address:	54 Main Street Ayr South Ayrshire KA8 8EF
Application:	21/00526/APP Alterations to shopfront and installation of roller shutters
Appointed Officer's Decision:	Refusal
Date Notice of Review Received:	2 August 2021

Current Position:	New Case for Review
Documentation:	The documents in relation to the review are attached: Pages 1 to 4 – Report of Handling Pages 5 to 13 – Notice of Review and Supporting Information Pages 14 to 23 – Planning Application and Supporting Information Pages 24 to 25 – Decision Notice
New Material:	No
Additional Material Any other Comments:	N/A
Dated:	6 January 2022

South Ayrshire Council

Place Directorate

Report of Handling of Planning Application

Application Determined under Delegated Powers where less than five objections have been received.
The Council's Scheme of Delegation can be viewed at <http://www.south-ayrshire.gov.uk/committees/>

Reference No:	21/00526/APP
Site Address:	54 Main Street Ayr South Ayrshire KA8 8EF
Proposal:	Alterations to shopfront and installation of roller shutters
Recommendation:	Refusal

REASON FOR 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 has been determined in accordance with the Council's Scheme of Delegation as well as the Procedures for the Handling of Planning Applications.

1. **Site Description:**

The site of the proposed development is a ground-floor retail unit located at 54 Main Street, Ayr.

2. **Planning History:**

21/00004/APP - installation of replacement shopfront – refused – the proposals do not differ from the previously refused application.

3. **Description of Proposal:**

Planning permission is sought for alterations to the shopfront and the installation of a roller shutter. Full details are set out in the submitted plans.

4. **Consultations:**

None.

5. **Submitted Assessments/Reports:**

In assessing and reporting on a planning application the Council is required to provide details of any report or assessment submitted as set out in Regulation 16, Schedule 2, para 4(c) (i) to (iv) of the Development Management Regulations. **None.**

6. **S75 Obligations:**

In assessing and reporting on a planning application the Council is required to provide a summary of the terms of any planning obligation entered into under Section 75 of the Town and Country Planning (Scotland) Act in relation to the grant of planning permission for the proposed development. **None.**

7. **Scottish Ministers Directions:**

In determining a planning application, the Council is required to provide details of any Direction made by Scottish Ministers under Regulation 30 (Directions requiring consultation), Regulation 31 (Directions requiring information), Regulation 32 (Directions restricting the grant of planning permission) and Regulation 33 (Directions requiring consideration of condition) of The Town and Country Planning (Development Management Procedure)(Scotland) Regulations 2013, or under Regulation 50 (that development is EIA development) of the Town and Country Planning (Environmental Impact Assessment)

(Scotland) Regulations 2017. **None.**

8. Representations:

None.

9. 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 policies are relevant in the assessment of the application and can be viewed online at <http://www.south-ayrshire.gov.uk/planning/local-development-plans/local-development-plan.aspx>

- LDP Policy: Spatial Strategy (Core Investment Town); and
- LDP Policy: Sustainable Development.

An assessment of the proposals against the provisions of the Development Plan is set out below.

The provisions of the Adopted South Ayrshire Local Plan 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.

The statutory Local Development Plan (LDP) for the area currently comprises the South Ayrshire Local Development Plan (adopted in September 2014) and its associated Supplementary Guidance, as well as the Town Centre and Retail Local Development Plan, adopted in 2017.

At a special meeting on 1 September, the Council considered representations on the Modified Proposed Replacement South Ayrshire Local Development Plan (MPLDP2), submitted in response to public consultation, and agreed (1) to submit the Plan, without further modification, to the Scottish Ministers for Examination; and (2) the Plan would be a material consideration in determining planning applications, with the weight accorded to it increasing as it progresses through the statutory process.

As MPLDP2 now represents the Council's settled position on the Development Plan it wishes to progress to adoption, it is a material consideration in the assessment of planning applications. However, it remains the subject of unresolved representations, which will be considered by the Scottish Government's Directorate of Planning and Environmental Appeals (DPEA), as part of the Examination process.

In considering development proposals, the Council may now apportion significant weight to those principles or policies of MPLDP2 which are not the subject of unresolved representations, but MPLDP2 is otherwise unlikely to be the determining factor in the determination of Planning Applications, remaining subordinate in status to the adopted LDP.

10. Other Relevant Policy Considerations (including Government Guidance):

The Council's Supplementary Guidance on Advertisement and Commercial Signage is material in the determination of this application. In particular, the guidance acknowledges that the design of shop frontages should be based on a carefully considered composition of traditional elements at ground floor level i.e. fascia, shop window, door stallrisers, pilasters and advertising signs. The proportions of any shop front and fascia should complement the balance of the complete frontage and it is insufficient to consider the design of the individual shop front in isolation from the frontage as a whole.

The proposed alterations to the shopfront are not based on the composition of traditional elements associated with the traditional shopfront that exists on site. Specifically, there are significant concerns that the proposed sub-fascia, which extends the entire width of the shopfront (including the recessed door entrance) and also overlays the existing pilaster, will detract from the character and appearance of the existing shopfront. There are also concerns that the external solid roller shutters, which overlays the existing stallriser, will detract from the character and appearance of the existing shopfront.

The Council's Supplementary Guidance on Shopfront Security is also material to the assessment of the application. Whilst the use of laminated glass and internally fitted open lattice grille shutters of an appropriate design and the use of transparent steel shutters are encouraged, the Council will consider the use of other types of security shutters / grilles as set out below.

On shopfronts of traditional design and scale the use of open mesh grille panels which slide over the windows and lock may be acceptable subject to appropriate design and scale. External shutters may be

considered either of the style of a brick bond, punched lathe shutter or a combined punched lathe and solid lathe, the former should provide a substantial vision area, the solid parts of which will extend to a maximum of 20% of the total height and will take cognisance of the height of the stallriser.

In all cases the shutter box should be recessed behind the fascia. The fitting of the recessed shutter box behind a sub-fascia may be acceptable in some circumstances where it can not be located behind the main fascia and the visual impact is not significant and where this is supported by a report carried out by a person(s) with appropriate technical knowledge of installation. In such exceptional cases it will be necessary to camouflage the box by timber detailing or tinted glass, for example.

All shutters / grilles shall be painted to match the shopfront, and the finishes should be either plastisol coated steel or polyester powder coated.

An assessment of the proposals against the provisions of the above policies and guidance is set out below.

11. Assessment (including other material considerations):

Due to current Government Guidance involving Covid-19 Pandemic and current working practices, a site visit was not carried out to the application site. However, the site has been assessed in terms of previous site visits / photos, and local knowledge of the case officer.

Planning permission is sought to for alterations to the existing shopfront, in particular the painting of the shopfront, the installation of a roller shutter, and remedial works to defective tiles. While there are no objections in principle to altering the existing traditional shopfront, there are concerns that the proposals do not respect the overall design of the property. Design alterations to a shop frontage should be based on a carefully considered composition of traditional elements at ground floor level, i.e. fascia, shop window, door stallrisers, pilasters and advertising signs. The proportions of any shop front and fascia should complement the balance of the complete frontage.

There are significant concerns that the proposed sub-fascia, which extends the entire width of the shopfront (including the recessed door entrance) and also overlays the existing pilaster, will detract from the character and appearance of the existing shopfront. There are also concerns that the external solid roller shutters will detract from the character and appearance of the existing shopfront. On shopfronts of traditional design and scale, the use of open mesh grille panels which slide over the window and lock may be acceptable, subject to appropriate design and scale. External shutters may be considered acceptable either of the style of a brick bond, punched lathe shutter or a combined punched lathe and solid lathe, the former should provide a substantial vision area, the solid parts of which will extend to a maximum of 20% of the total height and will take cognisance of the height of the stall riser.

For the reasons noted within this report, there are policy concerns in relation to the development proposal. It is considered that the development is contrary to the provisions of the development plan, and that there are no material planning considerations that would out-weigh the provisions of the development plan. Given the above assessment, and having balanced the rights of the applicant against the general interest, it is recommended that the application be refused for the reasons listed below.

12. Recommendation:

It is recommended that the application is refused.

Reasons:

- (1) That the proposals are contrary to the provisions of the South Ayrshire Local Development Plan, specifically LDP Policy: Sustainable Development, by reason that the alterations are not considered to be sympathetic to, or in keeping with, the character and appearance of the traditional shopfront.
- (2) That the proposals are contrary to South Ayrshire Council's Supplementary Planning Guidance on Advertisements and Commercial Signage and South Ayrshire Council's Supplementary Planning Guidance on Shopfront Security as a consequence of the design of the sub-fascia and because the roller shutter extends and overlays the entire depth of the shopfront and detracts from traditional elements, including the existing stallriser.

List of Plans Determined:

Drawing - Reference No (or Description): **Refused** LOCATION PLAN
Drawing - Reference No (or Description): **Refused** -MSA101A

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

<i>Decision Agreed By:</i>	<i>Appointed Officer</i>
<i>Date:</i>	<i>19 July 2021</i>



County Buildings Wellington Square Ayr KA7 1DR Tel: 01292 616 107 Email: planning.development@south-ayrshire.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100410133-003

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	<input type="text"/>		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	<input type="text" value="Stephen"/>	Building Name:	<input type="text"/>
Last Name: *	<input type="text" value="McQuiston"/>	Building Number:	<input type="text" value="44"/>
Telephone Number: *	<input type="text" value="07549931562"/>	Address 1 (Street): *	<input type="text" value="Lainshaw Avenue"/>
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	<input type="text" value="Kilmarnock"/>
Fax Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
		Postcode: *	<input type="text" value="KA1 4RZ"/>
Email Address: *	<input type="text" value="stevemcquiston@hotmail.co.uk"/>		

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="Afshan"/>	Building Number:	<input type="text" value="54"/>
Last Name: *	<input type="text" value="Munir"/>	Address 1 (Street): *	<input type="text" value="High Street"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text" value="Town Centre"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Ayr"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="KA7 1PA"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="stevemcquiston@hotmail.co.uk"/>		

Site Address Details

Planning Authority:	<input type="text" value="South Ayrshire Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="54 MAIN STREET"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="AYR"/>
Post Code:	<input type="text" value="KA8 8EF"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="622060"/>	Easting	<input type="text" value="233795"/>
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Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

This application was refused and yet there are various shops up and down the same street have roller shutter doors. I feel that the reasons given for the refusal are very weak and there has been no site visit undertaken to see the state of the existing frontage of this shop. What my client is trying to obtain is a very nice shop front and added security to the shop.

Type of Application

What type of application did you submit to the planning authority? *

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? *

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

There is no new matter involved with this appeal. The drawings submitted now are the same drawings that were submitted for the planning application. I have attached the drawings along with the refusal notice

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *

Yes No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

I have already submitted the detailed drawings for this application and the location plan. I will be submitting photographs of other shop units up and down this street to show that what my client is proposing already exists in this street. Please see attached the photos of other shops in the street that have roller shutters that are not of the kind that the planners are looking for, for this area.

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

21/00526/APP

What date was the application submitted to the planning authority? *

17th June 2021

What date was the decision issued by the planning authority? *

19th July 2021

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

Yes No

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

Yes No

Is it possible for the site to be accessed safely and without barriers to entry? *

Yes No

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. *

Yes No

Have you provided the date and reference number of the application which is the subject of this review? *

Yes No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

Yes No N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

Yes No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

Yes No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr Stephen McQuiston

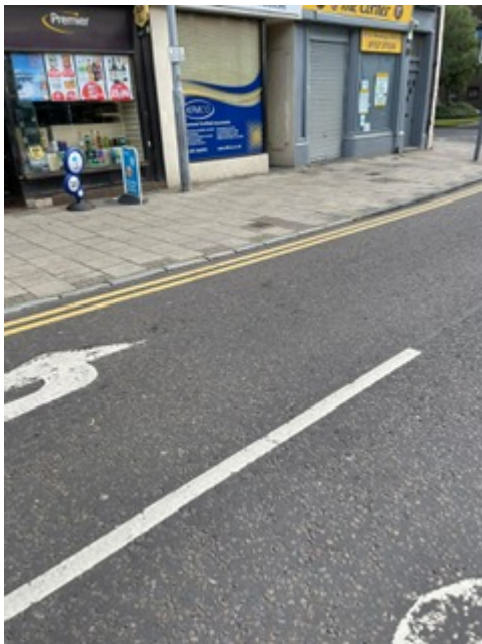
Declaration Date: ~~01/08/2021~~ 18/08/2021

From: Stephen McQuiston

Sent: 18 August 2021 09:43

To: Stephen McQuiston

Subject: Bob savers and forget me Nots right across road and at the corner at start on street two shops down from us







Sent from my iPhone



County Buildings Wellington Square Ayr KA7 1DR Tel: 01292 616 107 Email: planning.development@south-ayrshire.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100410133-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Type of Application

What is this application for? Please select one of the following: *

- Application for planning permission (including changes of use and surface mineral working).
- Application for planning permission in principle.
- Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- Application for Approval of Matters specified in conditions.

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

To alter the layout of the shop front and to erect roller shutters

Is this a temporary permission? *

Yes No

If a change of use is to be included in the proposal has it already taken place?

Yes No

(Answer 'No' if there is no change of use.) *

Has the work already been started and/or completed? *

No Yes - Started Yes - Completed

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	<input type="text"/>		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	<input type="text" value="Stephen"/>	Building Name:	<input type="text"/>
Last Name: *	<input type="text" value="McQuiston"/>	Building Number:	<input type="text" value="44"/>
Telephone Number: *	<input type="text" value="07549931562"/>	Address 1 (Street): *	<input type="text" value="Lainshaw Avenue"/>
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	<input type="text" value="Kilmarnock"/>
Fax Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
		Postcode: *	<input type="text" value="KA1 4RZ"/>
Email Address: *	<input type="text" value="stevemcquiston@hotmail.co.uk"/>		

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mrs"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="Afshan"/>	Building Number:	<input type="text" value="54"/>
Last Name: *	<input type="text" value="Munir"/>	Address 1 (Street): *	<input type="text" value="High Street"/>
Company/Organisation:	<input type="text"/>	Address 2:	<input type="text" value="Town Centre"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Ayr"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="KA7 1PA"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="stevemcquiston@hotmail.co.uk"/>		

Site Address Details

Planning Authority:

South Ayrshire Council

Full postal address of the site (including postcode where available):

Address 1:

~~54 HIGH STREET~~ Main Street

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

AYR

Post Code:

~~KA7 1PA~~ KA8 8EF.

Please identify/describe the location of the site or sites

Northing

622060

Easting

233795

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Site Area

Please state the site area:

100.00

Please state the measurement type used:

Hectares (ha) Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: * (Max 500 characters)

Convenience store

Access and Parking

Are you proposing a new altered vehicle access to or from a public road? *

Yes No

If Yes please describe and show on your drawings the position of any existing, altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? * Yes No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?

0

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? *

0

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? * Yes No

Do your proposals make provision for sustainable drainage of surface water?? * (e.g. SUDS arrangements) * Yes No

Note:-

Please include details of SUDS arrangements on your plans.

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

- Yes
 No, using a private water supply
 No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

Assessment of Flood Risk

Is the site within an area of known risk of flooding? * Yes No Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? * Yes No Don't Know

Trees

Are there any trees on or adjacent to the application site? * Yes No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? * Yes No

If Yes or No, please provide further details: * (Max 500 characters)

The waste will be stored at the rear of the property in Refuse bins and be taken out to the main road on collection day

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? *

Yes No

All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? *

Yes No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013) *

Yes No Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

Yes No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? *

Yes No

Is any of the land part of an agricultural holding? *

Yes No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Stephen McQuiston

On behalf of: Mrs Afshan Munir

Date: 08/05/2021

Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

Yes No Not applicable to this application

b) If this is an application for planning permission or planning permission in principal where there is a crown interest in the land, have you provided a statement to that effect? *

Yes No Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

Yes No Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

Yes No Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

Yes No Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

Yes No Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

- Site Layout Plan or Block plan.
- Elevations.
- Floor plans.
- Cross sections.
- Roof plan.
- Master Plan/Framework Plan.
- Landscape plan.
- Photographs and/or photomontages.
- Other.

If Other, please specify: * (Max 500 characters)

Provide copies of the following documents if applicable:

- | | |
|--|--|
| A copy of an Environmental Statement. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Design Statement or Design and Access Statement. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Flood Risk Assessment. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Drainage/SUDS layout. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Transport Assessment or Travel Plan | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Contaminated Land Assessment. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Habitat Survey. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Processing Agreement. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |

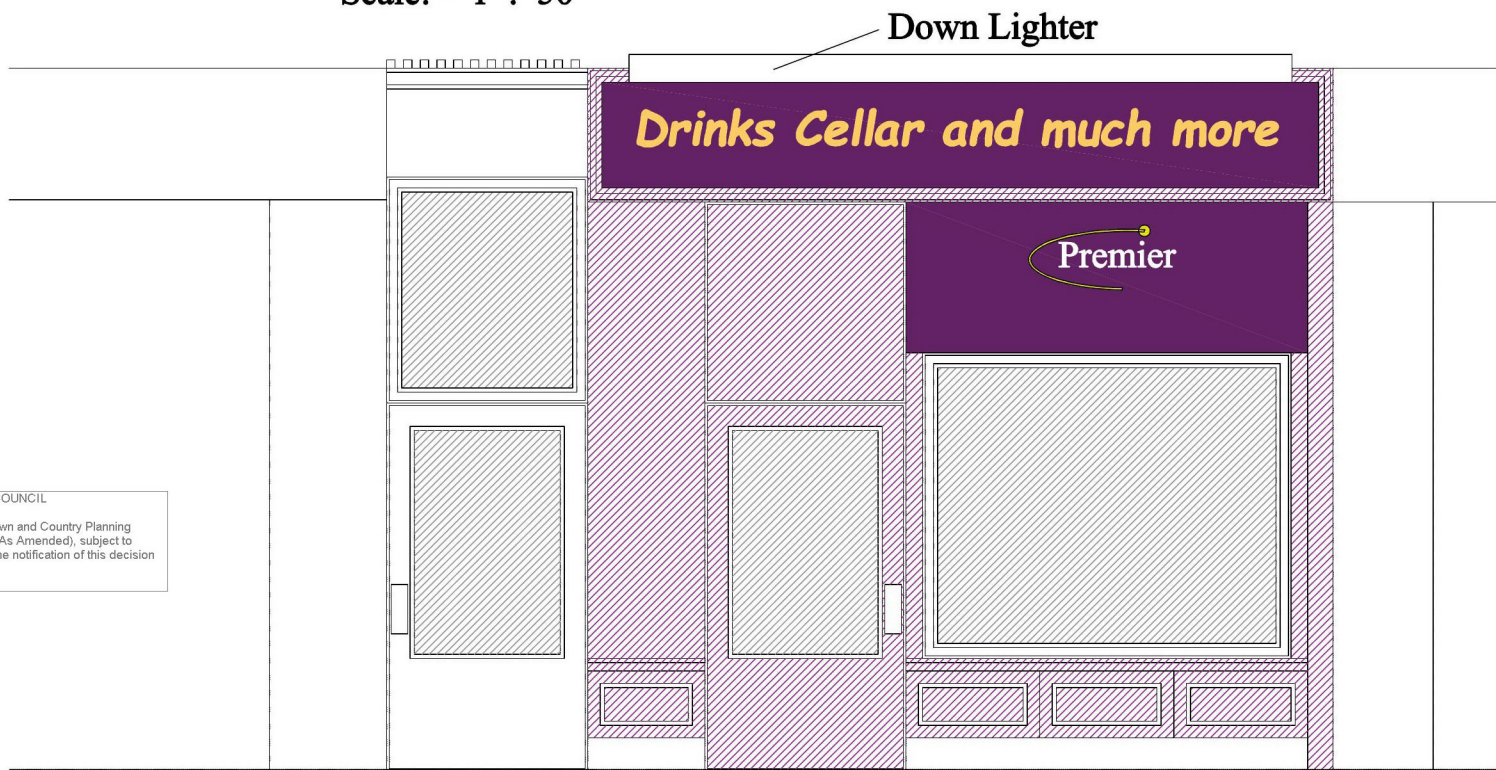
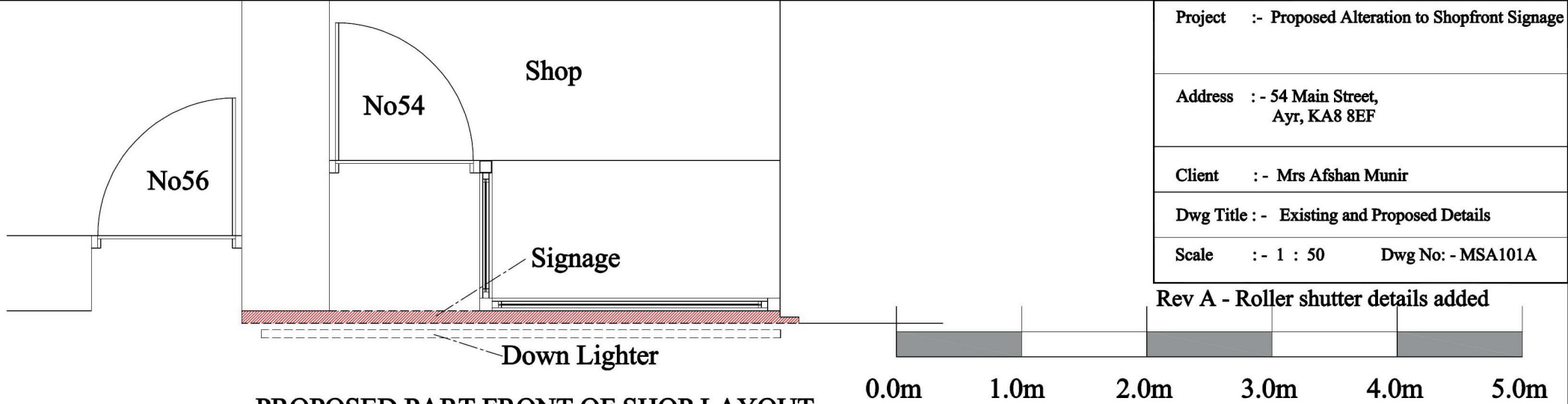
Other Statements (please specify). (Max 500 characters)

Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr Stephen McQuiston

Declaration Date: 08/05/2021



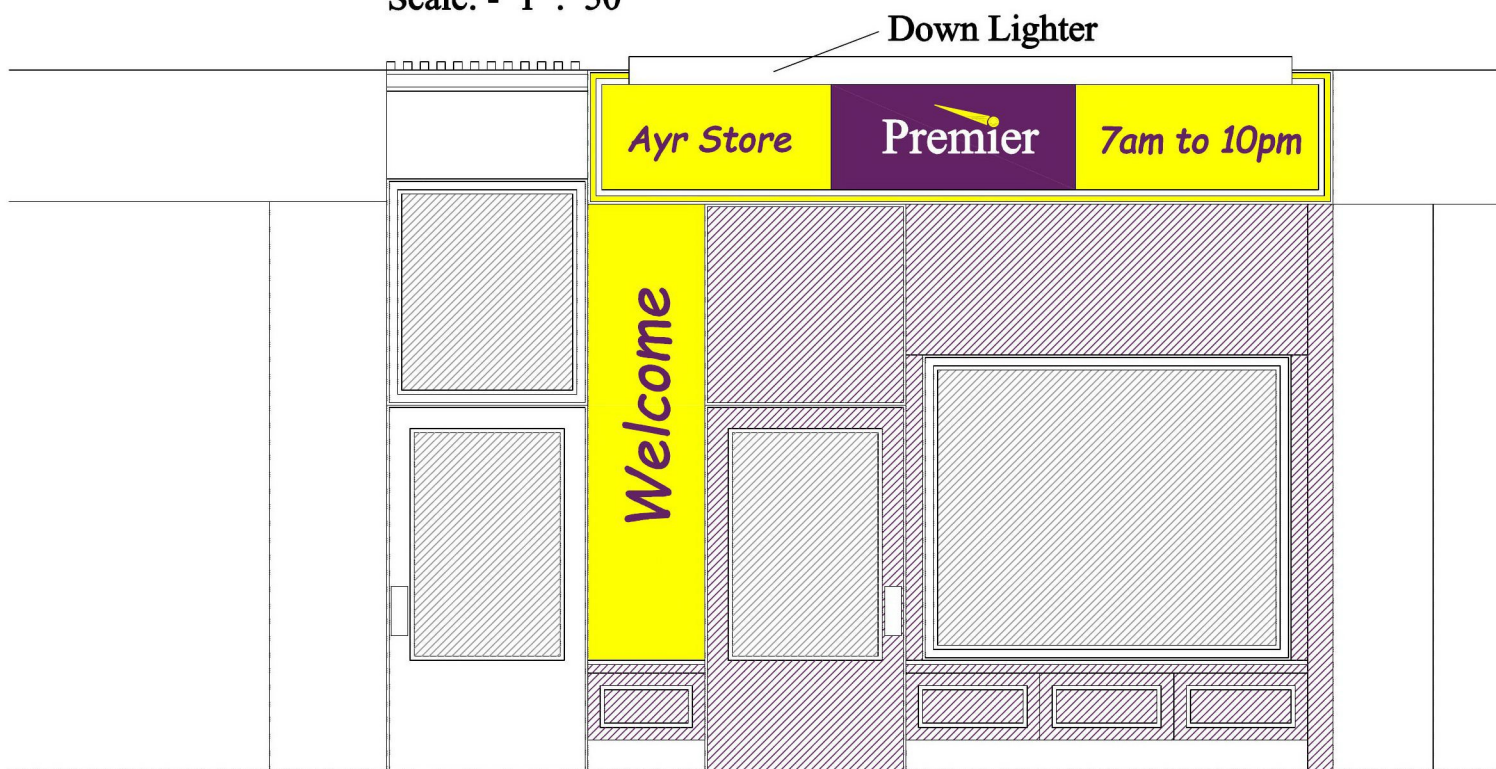
SOUTH AYRSHIRE COUNCIL

Refused under the Town and Country Planning (Scotland) Act, 1997 (As Amended), subject to reasons specified in the notification of this decision by South Ayrshire.

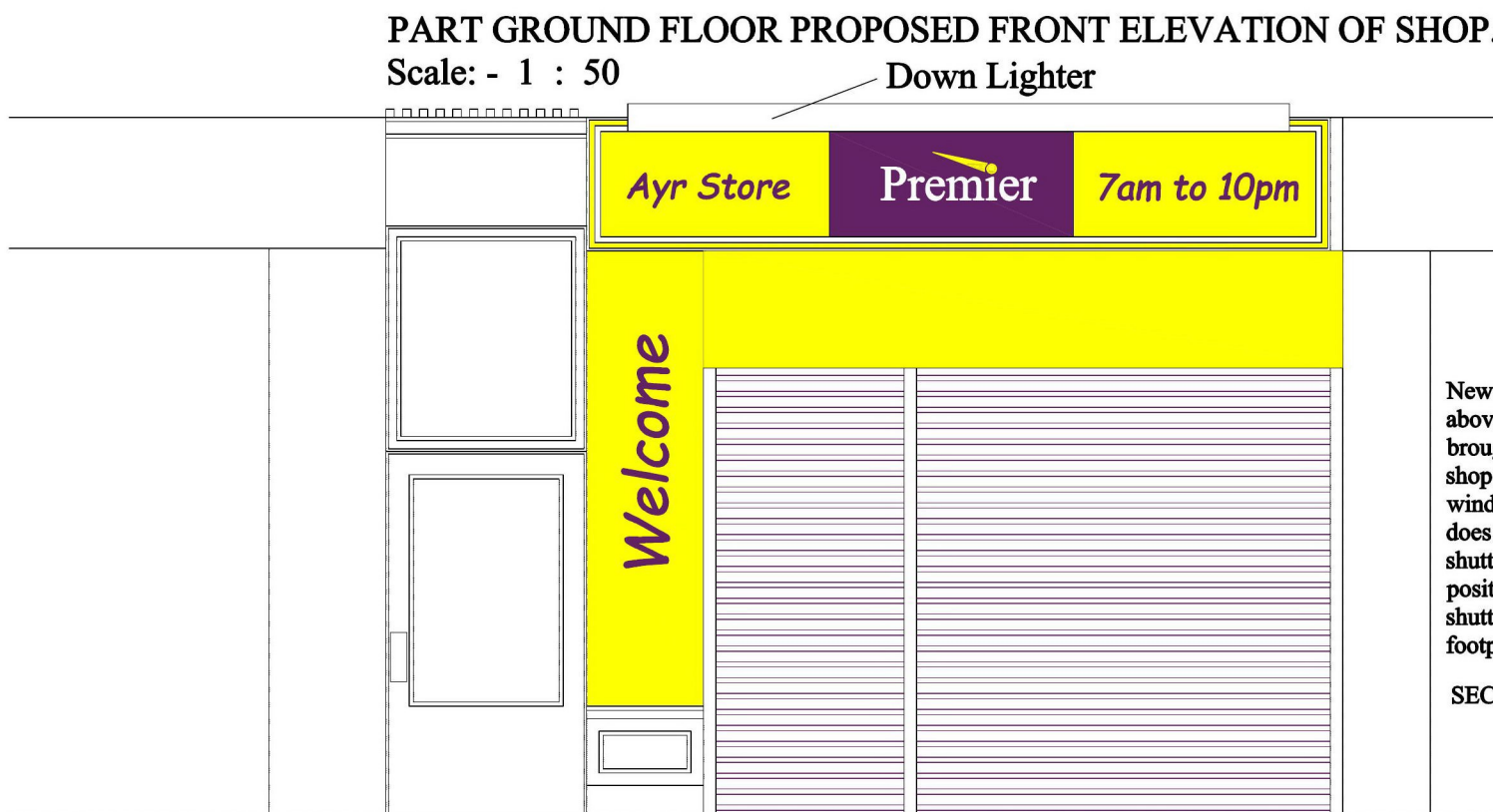
SOUTH AYRSHIRE COUNCIL

Refused under the Town and Country Planning (Scotland) Act, 1997 (As Amended), subject to reasons specified in the notification of this decision by South Ayrshire.

The colours that the Front of the shop will be painted is Yellow, Purple and Black.



There will also be some remedial work to be carried out around the front of the shop where broken tiles can be replaced with new tiles of the same size colour and material.



PART GROUND FLOOR PROPOSED FRONT ELEVATION OF SHOP. WITH ROLLER SHUTTERS Scale: - 1 : 50

premier-Drinks cellar 54 Main Street, Ayr, KA8 8EF



Map area bounded by: 233777,622319 233919,622461. Produced on 01 February 2021 from the OS National Geographic Database. Reproduction in whole or part is prohibited without the prior permission of Ordnance Survey. © Crown copyright 2021. Supplied by UKPlanningMaps.com a licensed OS partner (100054135). Unique plan reference: p2cuk/567585/768927

LOCAL DEVELOPMENT

**REFUSAL OF APPLICATION FOR PLANNING PERMISSION
(Delegated)**

Ref No: 21/00526/APP

SOUTH AYRSHIRE COUNCIL

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
as amended by the PLANNING ETC. (SCOTLAND) ACT 2006**

TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT) (SCOTLAND) ORDERS

**To: Mrs Afshan Munir
per Stephen McQuiston
44 Lainshaw Avenue
Kilmarnock
United Kingdom
KA1 4RZ**

With reference to your application dated **17th June 2021** for planning permission under the above-mentioned Acts and Orders for the following development, viz:-

Alterations to shopfront and installation of roller shutters

at: 54 Main Street Ayr South Ayrshire KA8 8EF

The Council in exercise of their powers under the above-mentioned Acts and Orders hereby **refuse** planning permission for the said development.

The drawings and other documents, where relevant, which relate to this refusal can be viewed at www.south-ayrshire.gov.uk/planning/

The reasons for the Council's decision are:

- (1) That the proposals are contrary to the provisions of the South Ayrshire Local Development Plan, specifically LDP Policy: Sustainable Development, by reason that the alterations are not considered to be sympathetic to, or in keeping with, the character and appearance of the traditional shopfront.
- (2) That the proposals are contrary to South Ayrshire Council's Supplementary Planning Guidance on Advertisements and Commercial Signage and South Ayrshire Council's Supplementary Planning Guidance on Shopfront Security as a consequence of the design of the sub-fascia and because the roller shutter extends and overlays the entire depth of the shopfront and detracts from traditional elements, including the existing stallriser.

List of Plans Determined:

Drawing - Reference No (or Description): **Refused** LOCATION PLAN

Drawing - Reference No (or Description): **Refused** -MSA101A

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

Dated: 19th July 2021

.....
Julie Nicol
Service Lead – Planning and Building Standards

PLANNING SERVICE, COUNTY BUILDINGS, WELLINGTON SQUARE, AYR, KA7 1DR