
NORTH AYRSHIRE COUNCIL

19th May 2021

Planning Committee

Title:	Notice under Section 179 of the Town and Country Planning (Scotland) Act 1997: 9, 11 And 13 Townhead Street, Stevenston, KA20 3AQ (also known as Rankin's Bar)
Purpose:	To seek approval to serve a Notice under Section 179 of the Town and Country Planning (Scotland) Act 1997 requiring proposed maintenance of land for the abatement of the adverse impact on the local area.
Recommendation:	That the Committee grants authority for the service of a Notice under Section 179 of the Town and Country Planning (Scotland) Act 1997 to abate the adverse impact on the land on the local area.

1. Executive Summary

- 1.1 This report recommends the service of a Notice under Section 179 of the Town and Country Planning (Scotland) Act 1997 ("Amenity Notice") in relation to the building and land at 9, 11 and 13 Townhead Street, Stevenston, also known as Rankin's Bar. An Amenity Notice allows the Council as Planning Authority to serve on the owner, lessee and occupier of the land, which is adversely affecting the amenity of any part of the area, a notice requiring steps to be taken to abate the adverse effect of the condition of the land.
- 1.2 The property is a two-storey building with a yard at the side (east) and rear (south). The property is currently unoccupied and has been since approx. 2014. Complaints have been received about the deposition of refuse within the yard and the broken windows in the building. The condition of the land is considered to have an adverse impact on amenity.

2. Background

- 2.1 The site is a vacant two storey building with public house on the ground floor and flat above. The building and yard comprise some 677sqm in area. The property is on the southern side of Townhead Street approx. 45m east of the junction with Afton Road and 22m west of the access road to houses to the south-east of the site. The land is identified in the Local Development Plan as part of the town centre of Stevenston.

- 2.2 The property is a prominent building at the entrance to Stevenston town centre from the east. It represents one of the last historic buildings on the old line of Townhead Street before it was widened and slightly re-aligned. The building is believed to date from the late 19th Century to early 20th Century. A public house appears is indicated in this location on the 1909 OS Map but not on the 1895 OS Map.
- 2.3 The property, particularly the public house been vacant since approx. 2014. It is not clear how long the upper floor has been vacant, but it is since at least February 2021. In October 2016, Planning received a complaint regarding dumping of refuse in the yard to the side of the property. It was cleared by the then owner. In 2019 the Council's Streetscene Environmental Enforcement Officers received complaints regarding dumping of refuse in the yard. It was again cleared.
- 2.4 Complaints about the condition of the yard and the building in general were received in February 2021. The yard to the side has again been subject to dumping of refuse. The windows on the upper floor of the property have been smashed. The owner was contacted in February, March and April 2021 and asked to remove the refuse from the yard and board the windows, there has not been any response to this correspondence. The refuse remains on site and the windows are uncovered. Streetscene is taking steps to remove refuse which appears to be on public land outwith the site.
- 2.5 Given the above, it is considered that the owner has been given adequate opportunity to alleviate the harm caused by the condition of the land. The required works have not been undertaken and the condition of the land, which is in a prominent location on the entrance to the town centre, is causing harm to local amenity.

3. Proposals

- 3.1 The condition of the land is having a significant adverse impact upon the amenity of the area. The site is at the entrance to the town centre, adjacent to and opposite residential properties and on a prominent main road at Stevenston town centre.
- 3.2 In the interest of the amenity of the area, it is recommended that Committee approves the serving of a Notice under Section 179 of the Town and Country planning (Scotland) Act 1997 requiring the following;
- (i) Remove all litter and refuse from the site;
 - (ii) Board all smashed or broken windows openings with exterior grade plywood or similar; and secure any open, but not smashed or broken, window openings.
- 3.3 It is proposed that the owner would be given 6 weeks from the date of any Notice taking effect in which to carry out the required works.

4. Implications/Socio-economic Duty

Financial

- 4.1 The Council may seek to recover from the person(s) who was the then the owner or lessee any expenses reasonably incurred during the carrying out of direct action, if required, to remedy this harm to the local amenity.

Human Resources

4.2 None

Legal

4.3 The Notice can address complaints about the condition of the site. Complaints regarding safety and security cannot be addressed through this part of the Planning Acts.

Equality/Socio-economic

4.4 None

Environmental and Sustainability

4.5 None

Key Priorities

4.6 The Amenity Notice supported the Council Plan priority - "Vibrant, welcoming, and attractive places.

Community Wealth Building

4.7 None.

5. Consultation

5.1 None

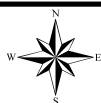
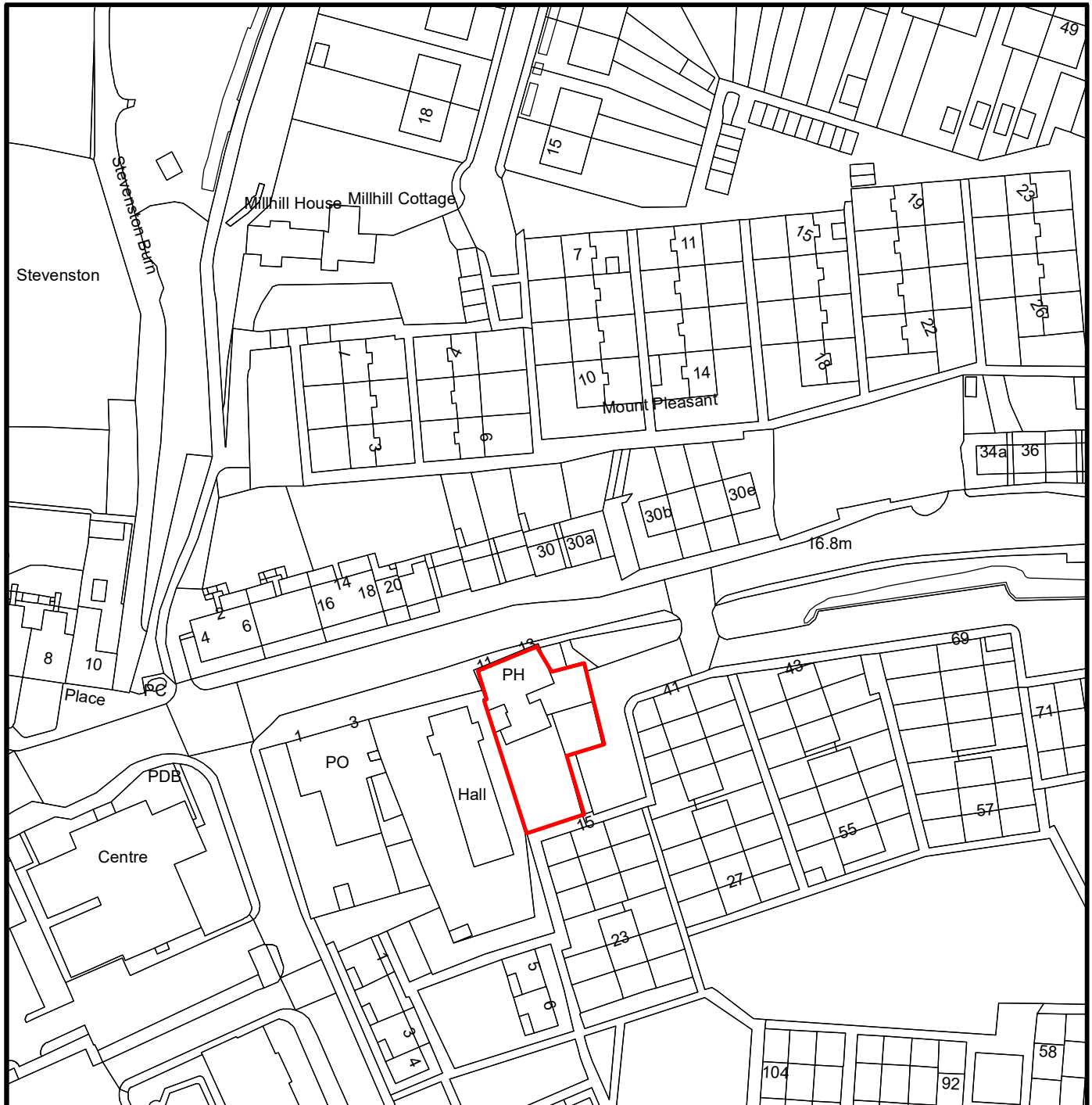
James Miller
Chief Planning Officer

For further information please contact **Iain Davies, Senior Development Management Officer**, on **01294 324 320**.

Background Papers

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**Notice under Section 179 of the Town and Country
Planning (Scotland) Act 1997: 9, 11 And 13 Townhead Street,
Stevenston, KA20 3AQ (also known as Rankin's Bar)**



1:1,250

0 15 30 60 Metres

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