

EAST AYRSHIRE COUNCIL

NORTHERN LOCAL PLANNING COMMITTEE: 17 SEPTEMBER 2009

**09/0568/PP: CHANGE OF USE OF OPEN SPACE TO CAR PARK,
CONSTRUCTION OF ACCESS RAMP AND ASSOCIATED WORKS
AT STEWARTON RAILWAY STATION, STEWARTON
BY EAST AYRSHIRE COUNCIL**

Report by Head of Planning and Economic Development

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 The application relates to a change of use of the open space to a park and ride facility to serve Stewarton Station. It is envisaged that the site will provide sixty seven parking spaces which includes four parent and child bays and four accessible bays. The parking bays will flank a central access road that runs through the main portion of the site. A new vehicular access and egress at Standalane to the south of the site is also proposed as part of this proposal. This involves the use of a retaining wall to the railway embankment. The existing access from Ravenscraig Road will not be used by vehicles to access the proposed car park but will instead be used as access to existing garages in the rear gardens of properties off this access lane. The lane will however be used as a pedestrian access to the car park and station. The southern pedestrian access off Ravenscraig Road is to be closed. Access to the station itself will be from a ramped access formed at the north eastern corner of the site. It is envisaged that three 'runs' of ramp will be required to achieve the necessary gradients of the ramp due to the considerable change in levels from the bottom to the top of the railway embankment. This change in levels equates to a difference of 5.8 metres between the bottom of the access ramp and the connection point with the Network Rail ramp. Stairs are also proposed that provide access to the third/top 'run' of ramp nearest the station level. The access ramp will join with a previously consented access ramp which begins at the underpass in the Station and thereafter runs to the station platform.

2. RECOMMENDATION

2.1 It is recommended that the application be approved subject to the conditions on the attached sheet.

3. CONCLUSIONS

3.1 As indicated in Section 5 of the report, the application is considered to be compliant with the development plan. Therefore given the terms of Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 the application should be approved unless material considerations indicate otherwise.

3.2 As indicated in Section 6, there are material considerations relevant to the determination of this application. The Alteration to the East Ayrshire Local Plan carries considerable weight in this instance, particularly through proposal PROP 15. Alteration proposal PROP 15 specifically identifies Stewarton for the development and promotion of enhanced park and ride facilities. As the proposal seeks to provide further car parking in connection with the Station, it is considered that the development would be meeting the requirements and objectives of the Alteration. The supporting statement reiterates this issue, particularly with regard to the current under provision of parking and the impact that this brings. The consultation responses have not indicated any significant concerns and appropriate conditions or notes can be attached to any grant of consent to cover the relevant issues raised. All other points raised should be addressed through separate legislation.

3.3 It is considered that the proposal will be an overall improvement in the amenity of the area, particularly for the wider area of Stewarton as the proposal will provide a useful facility that is currently insufficiently provided for. In terms of the immediate surrounding area, it is noted that the proposal will have a greater impact in terms of noise and general disturbance and a degree of light trespass than the existing use. It is considered however that this will be minimal and can be largely mitigated by appropriate screening. The points raised by the objectors largely relate to the increased disturbance to their residential amenity by noise, light, privacy and anti social behaviour. It is noted above that the proposal is considered to be a greater impact on residential amenity than the current use. However, this impact is considered to be minimal and can be further reduced by appropriate sighting of lighting and CCTV, as noted in the supporting statements and the provision of appropriate boundary treatments and landscaping, both of which could be addressed through planning condition. The lighting and CCTV coupled with natural surveillance will help to reduce anti social behaviour however ultimately this would be a matter for the Police.

CONTRARY DECISION NOTE

Should the Committee agree that the application be refused on the basis of the principle of the development, and contrary to the recommendation of the Head of Planning and Economic Development, the application will require to be referred

to Full Council as the principle of the development is in accordance with the East Ayrshire Local Plan.

Alan Neish
Head of Planning and Economic Development

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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1. PURPOSE OF REPORT

1.1 The purpose of this report is to present for determination a planning application which is to be considered by the Local Planning Committee under the scheme of delegation, since it is subject to more than 10 separate objections and relates to land owned by the Council.

2. APPLICATION DETAILS

2.1 **Site Description:** The site is located to the south west of Stewarton Station on a piece of open ground between the railway embankment and the rear gardens of the dwellings on Ravenscraig Road. The main element of the site is rectangular in shape but also includes two accesses from Ravenscraig Road and one from Standalane as well as areas currently forming the railway embankment. The site is a former municipal garage site with concrete garage bases located at various points throughout. The majority of the area is grassed or planted and a central vehicular access track runs through the site from the northern access off Ravenscraig Road. There are two dedicated pedestrian accesses to the site, one from Ravenscraig Road and the other at the south of the site off Standalane. The site is generally level with the exception of the railway embankment. The application site is generally bounded to the north, west and south by the rear gardens of Ravenscraig Road and Standalane. To the east of the site is the railway embankment and Stewarton Station with an industrial area on the opposite side of the embankment.

2.2 **Proposed Development:** The application relates to a change of use of the open space to a park and ride facility to serve Stewarton Station. It is envisaged that the site will provide sixty seven parking spaces which includes four parent and child bays and four accessible bays. The parking bays will flank a central access road that runs through the main portion of the site. A new vehicular access and egress at Standalane to the south of the site is also proposed as part of this proposal. This involves the use of a retaining wall to the

railway embankment. The existing access from Ravenscraig Road will not be used by vehicles to access the proposed car park but will instead be used as access to existing garages in the rear gardens of properties off this access lane. The lane will however be used as a pedestrian access to the car park and station. The southern pedestrian access off Ravenscraig Road is to be closed. Access to the station itself will be from a ramped access formed at the north eastern corner of the site. It is envisaged that three 'runs' of ramp will be required to achieve the necessary gradients of the ramp due to the considerable change in levels from the bottom to the top of the railway embankment. This change in levels equates to a difference of 5.8 metres between the bottom of the access ramp and the connection point with the proposed Network Rail ramp. Stairs are also proposed that provide access to the third/top 'run' of ramp nearest the station level. The access ramp will join with a previously consented access ramp which begins at the underpass in the Station and thereafter runs to the station platform.

3. CONSULTATIONS AND ISSUES RAISED

3.1 East Ayrshire Council's Roads and Transportation Division have made the following comments: The proposed park and ride development at Stewarton detailed in the above application presents no road safety problems for the Roads Service. There are, however, issues relating to the detailed design which will require to be resolved following any granting of planning consent and will therefore require planning conditions to be imposed on the consent.

- a) The drainage proposals submitted to Roads Services for comment are not acceptable and are not supported with calculations. I therefore request that a condition be introduced that the car park not be started until an amended surface water design be submitted to and approved by Roads Service, SEPA and Scottish Water.
- b) The application indicates two pedestrian access points from Ravenscraig Road. The layout plan indicates only one of these footpaths being surface and light, the one adjacent to no.41. This access currently serves private parking spaces and will continue to do so after development with no vehicle access into the new car park. This will result in the new pedestrian access being used by the property owners to gain access to their property. While this is not the safest procedure I think that provided the access is constructed to adoptable shared surface road standard this may be acceptable. It may also be better the access to no.41 be taken directly onto Ravenscraig Road and not via the new footpath as the hedge boundary of this property prevent any visibility for a driver reversing onto the new footpath. The current layout plan only indicates an overlay of the existing access and some street lighting. The design should incorporate a surface water drainage system to prevent run off from the footpath into the adjoining properties. I therefore request that a condition be introduced that

- these detail measures be incorporated into an amended submission for the approval of the Roads Service prior to commencement of the car park.
- c) The second footpath indicated in the submission, adjacent to no.19, should be removed from the application and closed off as it is not capable of being constructed to adoptable standard.
 - d) I have noted that the car park design provides no turning area for service vehicles. This matter has been raised with the design consultants and will be addressed through a revised layout following consent being granted. I therefore request that a condition be introduced that the car park not be started until an amended car park layout be submitted which addresses the turning requirement.

A condition can be attached to any grant of planning consent to ensure that all surface water details are submitted for the written approval of the Planning Authority prior to works commencing on the development. The points relating to the upgrading of the northernmost access off Ravenscraig Road can also be conditioned to ensure that the access is completed to adoptable shared surface roads standard as requested by the Roads Division. The southern pedestrian access from Ravenscraig Road is indeed to be closed off. With regard to the turning area, a condition could be added to any grant of consent that requires details of a turning area to be submitted.

3.2 Stewarton Community Council – The CC have looked at the parking provisions supporting the new 1/2 hour rail service which is due to come into operation in December this year and would confirm the CC's acceptance of the car parking provisions to serve the rail travelling public of the overall community of Stewarton and it's surrounding areas. The need to make parking available in support of the new improved rail service in the near future is essential for the success of the new services and gives encouragement for more people to make use of a more a regular rail link to Glasgow and elsewhere. Currently the existing car parking layout at Stewarton Station is woefully inadequate to cope with the present demand resulting in congestion of the streets around the Railway Station raising difficulties for those residing in these areas. In opening up the existing tunnel for public access through under the new twin track lines and forming the new ramp access there inevitably has been a loss of a few of the spaces on the other side of the Station is welcomed because these new spaces will relieve the present parking problems currently being experienced at and around the Station.

One adverse comment has been made regarding the new access road junction to be formed at Standalane and the seeming alterations to the start of Kilwinning

Road. At present negotiating round the corner formed by the Cenotaph site from Kilwinning Road by larger tractor/trailers or artic trucks can be difficult and it is considered the new road proposals will make this traffic movement even more difficult. It is therefore suggested that the new road proposals are checked to ensure this will not be the case. Also, with the proximity of the existing railway bridge to the new entrance/exit for the new parking area will there be sufficient visibility for entering/existing vehicles at this point so close to the bridge and adjacent houses. The CC would like to have assurances that Roads are completely satisfied with the new roadworks. Are any traffic controls envisaged – traffic volume will vary and maybe should be monitored to see if needed.

The Community Council welcome the new parking support given for the new platform provisions close proximity to the new facilities. The town has a need for improved services and road/rail links with other parts of the country and agree the new rail services to come available in December will do just that.

The Community Council comments are noted. With regards to the concerns about large vehicles and the new road junction the Roads Division have indicated that they are content that the junction is adequate to deal with these type of vehicles.

3.3 East Ayrshire Council's Environmental Health Division have no objection in principle to the development and have provided standard comments in relation to working times, construction noise levels, waste management, drainage and contaminated land.

Noted. Appropriate conditions and notes can be attached to any grant of consent to ensure that relevant issues are addressed.

3.4 Scottish Environment Protection Agency has not responded to their consultation at the time of writing.

3.5 The East Ayrshire North Access Panel - Does not object to the development however they have made the following comments:

- The Panel would like sight of the detailed design in terms of the steps and handrails.
- Signage indicating an accessible bay should be provided at each bay in accordance with BS8300
- The Panel are unhappy at the use of tactile paving at the edge of the hatched bays as this is considered to be dangerous.
- The Panel is of the understanding that a contrasting colour is to be provided to the access walkway.
- Could a pathway be delineated on the Ravenscraig Road access lane so that pedestrians have a safe route?

- The Panel would welcome the provision of an enlarged 'platform' area at the potential pinch point at the junction of the two access ramps.
- The Panel are happy that the handrail design will be in accordance with BS8300.
- Similarly the steps should be in accordance with BS8300
- Bollards should be at least 1 metre in height with a contrasting band around the top.
- Have motorcyclists been accommodated in terms of areas to leave their bikes?
- The Panel would appreciate sight of detailed drawings.

The comments of the Panel are noted. The points with regard to the use of the tactile paving and the widening of the connection point of the two access ramps could be conditioned to ensure that further details are submitted. The comment in relation to the motorcycle parking would be addressed through the standard parking provision on site. Most other comments are outwith the remit of the Planning Authority in relation to the specific design details however notes could be attached to any grant of consent highlighting these matters to the developer.

3.6 Scottish Water has not responded to their consultation at the time of writing.

Noted.

3.7 East Ayrshire Council's Housing section has not responded to their consultation at the time of writing.

Noted.

3.8 Network Rail has no comments to make on planning matters given the ongoing consultation between the Councils Roads Division and Network Rail's Infrastructure Investment Team.

Noted.

3.9 Strathclyde Passenger Transport has not responded to their consultation at the time of writing.

Noted.

4. REPRESENTATIONS

4.1 53 letters of objection have been received in connection with this application. The grounds of objection are as follows:

4.2 Noise/ Disturbance

It is considered that the proposal will bring more noise and disturbance to the location than currently exists given the current open space type use. However the likely increased noise and disturbance is not considered to be of significant levels given that the site has been used as garaging/car parking in the past and the railway station and passing trains will always have provided a degree of background noise and activity. Most uses will arrive to catch commuter trains in the morning and will depart in the early evening thereby making car movements minimal for most of the day.

4.3 Antisocial behaviour/ Vandalism

The car park is to be observed by CCTV cameras, as will the station and access ramp. These cameras will provide a good deterrent to anti social behaviour and coupled with the reasonable degree of overlooking from adjacent residential properties and careful lighting of the car park, it is considered that anti social behaviour and vandalism can be minimised. It should be noted however that any occurrences of anti social behaviour or vandalism are matters for the Police.

4.4 Traffic

It is unclear what point the objectors make with regard to traffic. The proposal has been subject to a Transport Assessment which identified that the proposed access and egress and road network at Standalane is capable of accommodating the number of vehicles envisaged.

4.5 Too many cars

The site is capable of accommodating the proposed number of parking spaces as can be seen on the submitted drawing. As noted at section 4.4 above, the Transport Assessment has indicated that the junction and road network at Standalane is capable of accommodating the increased traffic at this location.

4.6 Parking

As noted at sections 4.4 and 4.5 above it is considered that the proposal will not adversely impact upon the surrounding road network and there are no objections from the Council's Roads and Transportation Division.

4.7 Ravenscraig Road is already heavily congested and there have been a few accidents over the years.

Access to the site is taken from Standalane and not from Ravenscraig Road therefore most traffic will not require to enter Ravenscraig Road. Any increase in traffic on Ravenscraig Road is likely to be minimal as a result of the proposal.

4.8 Residents struggle to park.

As noted at section 4.7 above, access to the car park is not from Ravenscraig Road therefore there should be little or no effect on the parking provision for residents.

4.9 Exit for cars onto Ravenscraig Road hazardous for those unfamiliar with topography.

The exit onto Ravenscraig Road is solely for the two dwellings with existing garages off this lane. Bollards will be placed at the end of the lane to ensure that no vehicular access can be achieved to the car park from Ravenscraig Road.

4.10 Overspill onto already congested Ravenscraig Road

The parking area proposes 67 spaces in total which is considered to be a significant number of spaces for the Station particularly when combined with the existing spaces at the Rigg Street car park. Any overspill, although considered unlikely, would locate to places outwith the site which would be subject to control by the Police should cars park illegally on the public road.

4.11 Litter

The site is to be provided with a refuse bin at the bottom of the ramp and stair access to the station. The car park will also be maintained by the Council therefore regular maintenance including cleaning up of litter would be undertaken.

4.12 Lighting (night time disturbance and light pollution)

The proposed lighting for the development is to be designed and positioned in such a way as to minimise the effects of light trespass, as advised in the submitted design and access statement. It is considered that the proposed lighting will result in a degree of light trespass to neighbouring residential property no matter how well placed or designed. Any such light trespass should however be considered in relation to existing street lighting at the front of the residential properties therefore it is considered that carefully designed and positioned lighting in the car park will have a lesser effect on the properties than the street lighting at the front. The general advice given in PAN 77: Designing Safer Places is that high quality external lighting can help to reduce the incidence of crime therefore this can help to alleviate the objectors concerns expressed at 4.3 above.

4.13 Increase in localised crime using rail network to get away

It is considered that the use of the rail network for the escape of petty criminals is highly unlikely given that there is a proposed CCTV camera in the car park, CCTV in the station and CCTV on the train. Furthermore the station, that any criminal exits the train at, is also likely to have CCTV therefore they can be comprehensively tracked giving a better chance of catching any such person.

4.14 CCTV – invading privacy

The design and access statement advises that the CCTV camera will be placed in such a manner as to only be able to observe the car park and walkway access to the station. This will avoid the camera being able to invade residents privacy. It should be noted that PAN 77: Designing Safer Places advises that “CCTV schemes are now a common feature in many streetscapes and play a vital role in the surveillance and monitoring of our public spaces, helping to provide a greater sense of community safety and security”. This once again helps to address the concerns of objectors noted at section 4.3 above, particularly when combined with the lighting and natural surveillance of the residential properties.

4.15 Residents parking access to their rear gardens

Existing vehicular access will be serviced by the new car park access or the lane from Ravenscraig Road. Existing vehicular access to properties has been maintained.

4.16 The development is too close to the actual homes in Ravenscraig Road, on many occasions we hear the noise from the already existing car park at the train station.

The development varies in distance from each dwellinghouse on Ravenscraig Road however it is not considered that they are too close to the homes on Ravenscraig Road. The car park will bring a greater degree of noise than currently exists however given the proposed use it is not considered to be excessive or overly detrimental to the adjacent residential properties.

4.17 Many of the tenants bedrooms are to the rear and this would cause a great deal of distress to all.

The proposal is not considered to be of any greater detriment to the residential properties than the road which runs along the front of the properties. Indeed the majority of dwellings are separated from the site by large rear gardens therefore this will actually help to minimise any possible impact.

4.18 No greenery – screening of cars

The development proposes a degree of landscaping to minimise and reduce the visual impact of the car park and will maintain, where possible, existing areas of landscaping. It is recommended that a planning condition be attached to any grant of planning consent to ensure that further landscaping is provided within the site to maximise the screening available and minimise the visual impact of the development.

4.19 Too near to house 53 Ravenscraig Road

The parking area terminates at the boundary of this property and it is considered that a good degree of landscaping and an improved boundary treatment should be provided to maintain privacy levels from the car park. The access walkway will allow for a degree of overlooking into the rear garden however this is considered to be of no greater effect than the new platform at the station and still provides a good degree of separation with the rear garden.

4.20 No local consultation

The design and access statement submitted by the developer indicates that a degree of local consultation was undertaken at the outline design stage. This consultation is over and above their statutory requirements under legislation. The developer has

complied with the relevant neighbour notification requirements at the time of submission of the application and thereafter the Planning Authority placed a press advert in the local newspaper. These undertakings therefore meet with the legislative consultation requirements.

4.21 Currently the area is a great boon to those who have dogs and can give them exercise off the lead.

The site not currently designated as a dog walking site. The use of the area for dog walking is informal. Therefore dog walkers will be required to make alternative arrangements within Stewarton should the development be approved.

4.22 Many use it as a shortcut to Standalane and it's quietness gives pleasure.

Access between Standalane and Ravenscraig Road is maintained by the development. It is accepted that the current nature of the site will provide a degree of quietness however the site is not identified as public open space in the East Ayrshire Local Plan and therefore is not specifically protected for such a use.

4.23 The many garages that were there gradually withdrew because of vandalism. The vandals (children) don't bother with the site now because there is nothing to vandalise on it. But you are going to reverse that state of affairs. They don't care if you have cameras and lights: just wear a 'hoodie' and you won't be recognised and even if you are caught who is going to punish you?

The site is to be provided with CCTV and lighting and is overlooked by the dwellings adjacent to the site thereby providing a combined package of natural surveillance and more formal surveillance as recommended by PAN 77: Designing Safer Places. Should vandalism occur despite these deterrents it would be a matter for the Police.

4.24 Sixty cars is excessive. You do not show any screening e.g. trees interspersed.

The proposal provides for 67 car parking spaces. This is not considered to be excessive given the size of the site, the findings of the Transport Assessment and the requirement to provide significantly more parking for the station than currently exists. The development will provide a degree of natural screening as well as revised boundary treatments where necessary to provide privacy to adjacent dwellings. Details of the landscaping and boundary treatments could be considered under planning condition.

4.25 You've had no public meeting with those affected by this development.

See section 4.20 above.

4.26 You've made the plans available for viewing locally on the 13th August, a day before the date for objections are up – accident or design?

After a request from a member of the public, a copy of the plans was deposited at Stewarton Library on the 13th August, one day after the request was made. Library staff were informed that the deadline for objections was 29th August, in line with the press advert placed by the Planning Authority in the Kilmarnock Standard. This therefore provided a period of over two weeks for members of the public to view the plans locally and submit objections should they wish. It should also be noted that the plans were available to view at the Croft Street offices and online during the full consultation period.

4.27 It is remote and inconvenient in location with regard to the station it is designed to serve, and lacks any direct physical or geographical association with it.

The site sits immediately adjacent to the railway line and will be connected into the Network Rail access ramp for Stewarton Station. It is therefore considered that the site is well located with regard to the Station.

4.28 There is no indication of any direct or relevant pedestrian access route between the site and the station. The site has two existing pedestrian accesses leading out onto Ravenscraig Road, the termination point in each case being remote from the station, via the existing and established public road and footpath network.

The site and the station are proposed to be linked by a pedestrian access ramp.

4.29 The sole vehicle entry and exit point for the site (as shown in the application) leads off Standalane, close to the railway overbridge on one side and the Kilwinning Road junction on the other: this is a relatively congested traffic spot with poor visibility sightlines, especially towards the railway bridge, and would be unacceptable on safety grounds, for vehicular and pedestrian traffic. There is no suggestion that either of the existing pedestrian access could be upgraded for vehicular use, and neither would this be possible, because of their width limitation and other physical constraints.

The access at Standalane will result in works at the junction and on Standalane itself to improve the sightlines and traffic flow. All accesses were considered by the Transport Assessment and the proposed junction was fully assessed to ensure that it was capable of accommodating the additional traffic flow. The consultation response from the Roads Division indicates that the findings of the Transport Assessment are acceptable and the development does not offer a road safety hazard.

4.30 The site would be difficult and inefficient to develop for the purpose of parking, because of its elongated and ill-conditioned shape, especially as its layout design would require to accommodate two way traffic flow throughout, as dictated by the single point of access and egress.

There is no indication that the site is not capable of a car park use as demonstrated by the layout drawing which shows two way traffic and the parking spaces adequately contained within the site.

4.31 For the immediately foregoing and other reasons, the site would also be disproportionately expensive to develop satisfactorily in the first instance, and to maintain thereafter.

The cost of the proposal and its future maintenance are not material planning considerations in the determination of this application.

4.32 It appears that the only reason for the proposal at this location may be because the site is both potentially available and within the Council's ownership. Its development on that basis or otherwise would simply be bad planning, especially as there appears to be a much more suitable site nearby and to the north, behind the new blocks of flats on the former Riverside Bakery site. This is much closer and more physically associated with the railway station, and although less than ideal in some respects, would suffer many fewer of the drawbacks and disadvantages attending the application site. Has this site been investigated and evaluated for the park and ride purpose, and if not, why not?

As noted at section 4.31 above, this site is considered to be well located in relation to the station. This application requires to be determined on its own merits therefore the merits of the Riverside Bakery site are not a matter for consideration. It should be noted that the provision of a park and ride facility, or indeed other facilities, is frequently reliant on the site being within the control of the applicant and if the Riverside Bakery site is within another party's ownership, this may limit any opportunity to develop that site.

4.33 Traffic, Parking or Access Problems: Standalane is already a very busy street, as it is the main through road from the centre of Stewarton out towards the

B778. My home is at a junction with Kilwinning Road, and parking is very difficult. Visibility is already poor on the bend of this road due the number of cars parked there already. The proposed changes, specifically a new access to the car park via Standalane, can only contribute to local congestion and increase traffic risks. The front of my house will simply turn into a “drop-off and pick-up” zone. The increased traffic may also prove hazardous to the welfare of local schoolchildren, as there is a school patrol in Standalane during term-time.

As detailed above, the Roads Division have no objection to the proposals. It is considered that the proposals will have an impact on the properties immediately adjacent to the entrance of the carpark however it is considered that the detrimental impact of the proposal is not significant enough to merit the refusal of the application.

4.34 Concerns about the Appearance: My home is set back from the road and, in the lee of the railway bridge structure, has a quiet residential appeal. I doubt very much whether this will be benefited by the presence of a tarmarked pathway, bound by metal railings, surveyed by CCTV and lit, no doubt round the clock, be security lighting.

The proposed access to the carpark does pass between the objectors property and the railway line. While, it is noted that there is already an existing public footpath from Standalane to the existing garage site passing the objectors property the proposals will result an increase in traffic and pedestrian movements in this area. However it is considered that the detrimental impact of the proposal will not be significant enough to merit the refusal of the application. It is proposed to attach planning conditions to any grant of planning consent relating to the use of the CCTV and security lighting.

4.35 The continuous use of path will impinge upon my privacy, with passers-by being able to see into my front and rear windows and overlook my garden. I have no desire to live in a goldfish bowl.

It is proposed that planning conditions be attached to any grant of planning consent relating to new boundary treatments between the proposed carpark and the existing residential houses to ensure residential privacy is maintained .

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 (AJSP) and the Adopted East Ayrshire Local Plan (EALP).

Ayrshire Joint Structure Plan

5.2 Policy TRANS 2: Rail Investment states that the three Ayrshire Councils shall work in partnership with relevant transport bodies and in the context of Scotland's Railways to:

- B) encourage greater use of rail services in general by measures to improve facilities at existing stations, and, where appropriate, and subject to national guidance on new station proposals, identify, safeguard and promote new railway station locations particularly as an integral part of new developments and in so doing give priority to the opportunities in Schedule 7 in accord with the implementation of the plan's strategy as identified in Schedule 7 and on the Key Diagram.

It is considered that the proposal accords with Policy TRANS 2 B) as it would provide enhanced park and ride facilities at Stewarton railway station.

5.3 Policy TRANS 4: Public Transport states that the three Ayrshire Councils shall work in partnership with relevant transport bodies to:

- B) identify, develop and promote new and enhanced park and ride facilities identified in Schedule 8 and on the Key Diagram.

It is considered that the proposal accords with Policy TRANS 4 B) because it would provide enhanced park and ride facilities at Stewarton railway station which is an identified station in Schedule 8 of the Structure Plan.

East Ayrshire Local Plan

5.4 Under recommendation REC 6 Strathclyde Passenger Transport and ScotRail are strongly urged to re-establish passenger rail halts at Hurlford and Mauchline and to upgrade the existing single track line linking Kilmarnock and Glasgow.

The proposed park and ride area would complement the improvements currently being carried out to the track and rail service between Stewarton and other stations on the Kilmarnock/Glasgow line through improving parking facilities at Stewarton station and would therefore contribute to the provisions sought by recommendation REC 6.

6. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

6.1 The principal material considerations relevant to the determination of the application are the Alteration to the East Ayrshire Local Plan (Finalised Version with Modifications), consultation responses, letters of representation, impact on the amenity of the area and the supporting statement and design and access statement.

Alteration to the East Ayrshire Local Plan (Finalised Version with Modifications)

6.2 For clarity, whilst development proposals will continue to be assessed first and primarily against the Adopted Local Plan, the Council has now given Authority for an appropriate and proportionate degree of weight to be given to the Alteration to the East Ayrshire Local Plan in the determination of planning applications. In this case, weight can be given to proposal PROP 15 and recommendation REC 7 of the Alteration.

6.3 Under Proposal PROP 15 the Council will work in partnership with the relevant transport bodies to identify, develop and promote new and enhanced park and ride facilities at Kilmarnock, Stewarton, Kilmaurs and Auchinleck.

The proposal accords with proposal PROP 15 through providing enhanced park and ride facilities at Stewarton station.

6.4 Under Recommendation REC 7 as part of the embryonic Glasgow to Kilmarnock Route Enhancement Scheme, Transport Scotland and Network Rail are strongly urged:

- (i) to upgrade the existing single track section of the line linking Kilmarnock and Glasgow, including double tracking of the line from Lugton to Stewarton;
- (ii) to provide a minimum half hourly service between Kilmarnock and Glasgow; and
- (iii) to implement station platform enhancements to accommodate longer trains at Dunlop, Kilmaurs and Stewarton.

The proposed park and ride area would complement the improvements currently being carried out to the track and rail service between Stewarton and other stations on the Kilmarnock/ Glasgow line through improving parking facilities at Stewarton station and would therefore contribute to the provisions sought by recommendation REC7.

Consultation Responses

6.5 It is considered that no significant issues have been raised by any consultee that would warrant refusal of the application.

Letters of Representation

6.6 The issues raised by the representees predominantly focus on the parking, access and privacy impacts including lighting, CCTV, noise and anti social behaviour. It is considered that the issues surrounding the access have been shown to be acceptable as demonstrated by the Transport Assessment at Standalane and the proposed junction can accommodate the development. The parking concerns of the objectors are considered to be largely overstated given that there are 67 proposed spaces on top of the existing spaces at the Rigg Street car park. The privacy concerns of objectors are noted however the careful design and siting of the lighting and CCTV will minimise or prevent impact on residential property. The noise impact of the development will be minimal and is likely to be limited to specific times of the day. The dwellings are already bordered on one side by the road which brings a degree of noise as does the railway line itself. The lighting and CCTV coupled with the natural surveillance from the residential properties will minimise the opportunity for anti social behaviour however ultimately the police are the body responsible for controlling and dealing with anti social behaviour.

Impact on the Amenity of the Area

6.7 It is considered that the proposal will in general have a positive impact on the amenity of the area. Parking at the existing station car park is minimal with many cars parking on street. It is considered that the proposal will result in less parking on street and more people prepared to use the train rather than car. Whilst it is recognised that the proposal will have an impact on neighbouring residential property, this is considered to be minimal due to the treatment of boundaries with landscaping and fencing, the careful siting of lighting and CCTV and the use of the junction at Standalane.

Supporting Statement and Design and Access Statements

6.8 The supporting statement touches upon the background to this development including the redoubling of the railway line coupled with the already high demand for off street parking in connection with the railway. The statement considers that the increased parking provision will alleviate the on street parking issues and combined with the increased train provision will reduce car journeys and enhance access to Stewarton.

6.9 The design and access statement advises that various access options were explored and assessed prior to the two way access being chosen onto Standalane. The statement explains the various access arrangements including the footpath widths and raised walkways provided at road crossing points. The access to the platforms has been designed in compliance with the Disability Discrimination Act. Consultation has been undertaken with Scottish Water with regard to surface water drainage and the Flood Risk Assessment indicates that the site will have drainage designed to accommodate a 1 in 200 year event. Furthermore the statement touches upon the use of screening to protect privacy and the proposed siting and design of lighting and CCTV to minimise impact upon neighbouring properties.

7. FINANCIAL AND LEGAL IMPLICATIONS

7.1 There are financial implications for the Council in determining this application as the Council has ownership of the site and will maintain the site should permission be granted. The application will not require to be referred to Scottish Ministers under the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 as the proposal is not considered to constitute a significant departure from the development plan.

8. CONCLUSIONS

8.1 As indicated in Section 5 of the report, the application is considered to be compliant with the development plan. Therefore given the terms of Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 the application should be approved unless material considerations indicate otherwise.

8.2 As indicated in Section 6, there are material considerations relevant to the determination of this application. The Alteration to the East Ayrshire Local Plan carries considerable weight in this instance, particularly through proposal PROP 15. Alteration proposal PROP 15 specifically identifies Stewarton for the development and promotion of enhanced park and ride facilities. As the proposal seeks to provide further car parking in connection with the Station, it is considered that the development would be meeting the requirements and objectives of the Alteration. The supporting statement reiterates this issue, particularly with regard to the current under provision of parking and the impact that this brings. The consultation responses have not indicated any significant concerns and appropriate conditions or notes can be attached to any grant of consent to cover the relevant issues raised. All other points raised should be addressed through separate legislation.

8.3 It is considered that the proposal will bring forward an overall improvement in the amenity of the area, particularly for the wider area of Stewarton as the proposal will create a useful facility that is currently under provided. With regards to the immediate surrounding area, it is noted that the proposal will have a greater impact in terms of noise and general disturbance and a degree of light trespass than the existing use. It is considered however that this will be minimal and can be largely mitigated by appropriate screening. The points raised by the objectors largely relate to the increased disturbance to their residential amenity by noise, light, privacy and anti social behaviour. It is noted above that the proposal is considered to be a greater impact on residential amenity than the current use. However, this impact is considered to be limited and can be further reduced by appropriate location of lighting and CCTV, as noted in the supporting statements and the provision of appropriate boundary treatments and landscaping, both of which can be addressed through planning condition. The lighting and CCTV coupled with natural surveillance will help to reduce anti social behaviour however ultimately this would be a matter for the Police.

9. RECOMMENDATION

9.1 It is recommended that the application be approved subject to the conditions on the attached sheet.

CONTRARY DECISION NOTE

Should the Committee agree that the application be refused on the basis of the principle of the development, and contrary to the recommendation of the Head of Planning and Economic Development, the application will require to be referred to Full Council as the principle of the development is in accordance with the East Ayrshire Local Plan.

Alan Neish
Head of Planning and Economic Development

9 September 2009
DW/KW
FV/DVM

LIST OF BACKGROUND PAPERS

1. Application Form, Plans, supporting statement, design and access statement, transport assessment, ecological assessment, flood risk statement and geo-environmental report.
2. Statutory Notices and Certificates.
3. Consultation Responses.
4. Letters of Representation.
5. Approved Ayrshire Joint Structure Plan (2007)
6. Adopted East Ayrshire Local Plan (2003).
7. Alteration to the East Ayrshire Local Plan (Finalised Version with Modifications)
8. PAN 77: Designing Safer Places

Anyone wishing to inspect the above papers please contact David Wilson Senior Planning Officer (Acting), on 01563 576779.

Implementation Officer: Dave Morris

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application No: 09/0568/PP

Site of Proposal: Stewarton Railway Station
Stewarton Railway & Factory Unit
Access & Parking
Stewarton

Nature of Proposal: Change of use of open space to car park,
construction of access ramp and associated
works

Name & Address of Applicant: East Ayrshire Council

DPO's Reference: DW/KW

The above full application should be approved subject to the following conditions:-

Conditions

1. Prior to the commencement of development a landscaping plan providing details of the location, species, height and quantity of planting proposed shall be submitted for the written approval of the Planning Authority. The scheme should make provision for improving boundary treatments particularly in proximity to existing residential boundaries. The approved landscaping shall thereafter be implemented on site prior to the use commencing or at the next available planting season, whichever is the sooner.

REASON: To ensure that appropriate screening is provided and that all landscaping is appropriate to the site in the interests of visual and residential amenity.

2. Notwithstanding the plans and details hereby approved, the exact siting, design and operating specifications of the proposed lamp standards shall be submitted for the written approval of the Planning Authority prior to the commencement of development. The approved lighting shall thereafter be installed and operational on site as approved and prior to the use commencing.

REASON: To ensure that all lighting on site is commensurate with the surrounding area in terms of visual amenity and to ensure that light trespass is minimised.

3. Notwithstanding the plans and details hereby approved, further details including height, position and colours of all boundary treatments throughout the site shall be provided for the written approval of the Planning Authority prior to the commencement of development. These details shall be designed so as to maximise screening of the site. The approved details shall thereafter be installed on site prior to the use commencing.

REASON: To ensure that boundary treatments provide an adequate degree of screening and are commensurate with the surrounding area, in the interests of visual and residential amenity.

4. Notwithstanding the plans and details hereby approved, further details of the method used to limit the field of vision of the CCTV camera shall be submitted for the written approval of the Planning Authority prior to the commencement of development. The approved method shall thereafter be implemented on site prior to and during the use of the camera.

REASON: To ensure that the amenity of the adjacent residential properties is not adversely impacted upon by the inappropriate siting and use of the CCTV camera.

5. Prior to the commencement of development, details of a bat house or equivalent to provide a transitional roost for bats within the development site shall be submitted for the written approval of the Planning Authority. The approved bat house or equivalent shall thereafter be erected on site within a timescale to be agreed with the Planning Authority in consultation with Scottish Natural Heritage.

REASON: To provide mitigation for the reduction in feeding habitat caused by the development.

6. Notwithstanding the plans and details hereby approved, the connection of the access ramp with the Network Rail access ramp shall be provided with a wider splay, details of which shall be submitted for the written approval of the Planning Authority prior to the commencement of development and thereafter implemented on site as approved.

REASON: To ensure that the access ramp convergence point is capable of accommodating the increased pedestrian traffic from the development site.

7. Notwithstanding the plans and details hereby approved, details of the proposed surface finishes of the car parking and pedestrian footpaths including painted marking delineation are to be agreed in writing with the Planning Authority prior to the commencement of development and the thereafter implemented on site as approved.

REASON: In the interests of visual amenity and to ensure that the proposed surfaces do not cause an adverse impact on the visually impaired.

8. Prior to the commencement of development, a scheme to treat surface water drainage for a 1 in 200 year event shall be submitted to and approved in writing by the Planning Authority in consultation with the Councils Roads Division. The approved scheme shall thereafter be implemented and operational on site prior to the use of the car park.

Reason: To ensure that adequate drainage is provided for the development.

9. Notwithstanding the plans and details hereby approved, the northernmost access lane shall be finished to adoptable shared surface road standard details of which shall be submitted for the written approval of the Planning Authority prior to the commencement of development and shall be implemented thereafter as approved.

Reason: To ensure that the footpath is of an acceptable standard in the interests of road safety.

10. Notwithstanding the plans and details hereby approved, the car park shall be provided with a turning area, details of which shall be submitted for the written approval of the Planning Authority prior to the commencement of development and shall be implemented as approved thereafter.

Reason: To ensure that an adequate turning area is provided in the interests of road safety.

Notes

1: The developer is advised to make early contact with Scottish Natural Heritage with regard to the use of the development site as a feeding area by bats and to discuss mitigation measures that can be implemented on site both during and after development.

2: The developer should consider the use of planting under condition 1 above that will provide migration corridors and foraging opportunities for bats.

3: The developer should consider utilising contrasting colours compared to the surrounding area in the design of lamp standards, bollards, handrails and cycle racks to provide visually impaired members of the public added warning of their location.

4: All bollards and cycle racks should be designed in such a manner as to avoid being a hazard to those utilising the site with a visual impairment.

5: All bollards to be provided on site should be a minimum of 1 metre in height and provided with a contrasting band around the top.

6: The developer is advised to continue discussions with the Access Panel when considering the detailed design of the ramp and infrastructure to ensure that the design requirements for all users is fully considered.