

EAST AYRSHIRE COUNCIL

NORTHERN LOCAL PLANNING COMMITTEE: 10 SEPTEMBER 2010

**10/0643/PP: CHANGE OF USE FROM VACANT LAND TO CAR PARK AND
ASSOCIATED LANDSCAPING,
AT CAR PARK CHURCH LANE GALSTON
BY EAST AYRSHIRE COUNCIL**

Report by Head of Planning and Economic Development

Click for Application Details: <http://eplanning.east-ayrshire.gov.uk/online/caseFile.do?category=application&caseNo=10/0643/PP>

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 In January 2010, the Northern Local Planning Committee approved a planning application ref: 09/0816/PP for the creation of 18 car parking bays and 2 accessible bays using asphalt and paving setts and blocks. This consent also includes the provision of landscaping, cycle stands, a CCTV column, lighting and bollards. The current application relates to a small area adjacent to the west of the car park area, which is now available to develop and the proposed development seeks to improve the accessibility of the disabled parking bays, and to provide a small landscaped area.

2. RECOMMENDATION

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

3. CONCLUSIONS

3.1 As indicated in the report the application is in accordance with the terms of the Development Plan. Therefore it should be approved unless material considerations indicate otherwise.

3.2 There are material considerations relevant to the application and it is considered that these are not of sufficient weight to merit refusal of the application. The application will further enhance the proposed car park facilities providing improved accessible parking whilst also providing landscaping areas that will improve the quality of the surrounding environment.

CONTRARY DECISION NOTE

Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning and Economic Development the application will not require to be referred to Council as this would not be a significant breach of policy.

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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10/0643/PP: CHANGE OF USE FROM VACANT LAND TO CAR PARK AND ASSOCIATED LANDSCAPING, AT CAR PARK CHURCH LANE GALSTON BY EAST AYRSHIRE COUNCIL

Report by Head of Planning and Economic Development

1. PURPOSE OF REPORT

1.1 The purpose of this report is to present for determination an application for planning permission which is to be considered by the Northern Local Planning Committee under the scheme of delegation as the Council has an ownership interest in the land to which the application relates.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site comprises part of an informal car park located off Church Lane within the Galston Outstanding Conservation Area. The site is bounded to the west by the rear elevations and gardens of properties fronting Church Lane and Cross Street. To the east the site is bounded by the existing car park at the rear of the Council offices. In general, the site is bounded by a range of business properties with flats above.

2.2 **Proposed Development:** In January 2010, the Northern Local Planning Committee approved a planning application ref: 09/0816/PP for the creation of 18 car parking bays and 2 accessible bays using asphalt and paving setts and blocks. This consent also includes the provision of landscaping, cycle stands, a CCTV column, lighting and bollards. The current application relates to a small area adjacent to the west of the car park area, which is now available to develop and the proposed development seeks to improve the accessibility of the disabled parking bays, and to provide a small landscaped area.

3. CONSULTATIONS AND ISSUES RAISED

3.1 East Ayrshire Council Roads and Transportation Service has no objection to the proposal subject to conditions on signage to the disabled bays.

A condition can be attached to any consent with regard to signage should Members grant consent.

3.2 East Ayrshire Council Roads Flooding Section have advised that the proposed method to attenuate the 1:200 year flood event is acceptable however the detail of this still requires to be submitted for consideration.

A pre-commencement condition has been attached to planning consent 09/0861/PP for the wider scheme to ensure that the car park drainage overall is adequately addressed prior to the commencement of development of the wider site. Should Members decide to grant consent, a condition will be attached to ensure the site is treated as a whole in this respect and to require the submission of this information.

3.3 East Ayrshire Council Legal Services has no comments to make on the application.

3.4 Galston Community Council have not responded to their consultation.

4. REPRESENTATIONS

4.1 No letters of objection have been received.

5. ASSESSMENT AGAINST DEVELOPMENT PLAN

5.1 For the purposes of this application the development plan comprises the Adopted East Ayrshire Local Plan (2003).

Adopted East Ayrshire Local Plan

5.2 Policy ENV4 requires that all development within the Conservation Area be sympathetic to the area concerned.

The proposal accords with Policy ENV4 noting its sympathetic design and use of materials.

6. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

6.1 The principal material considerations relevant to the determination of the application are the consultation responses, the Alteration to the East Ayrshire Local Plan and the impact on the amenity of the area.

Consultation Responses

6.2 The consultation responses do not indicate that the application should be refused.

Alteration to the East Ayrshire Local Plan: Finalised Draft with Modifications

6.3 Policy ENV7 is relevant and seeks to ensure that development within a Conservation Area preserves or enhances its setting.

It is considered that the proposal accords with Policy ENV7 noting the sympathetic layout and use of appropriate materials.

Impact on the Amenity of the Area

6.4 The proposal will result in an improvement to the visual amenity of the area as the site status is currently undefined although informally used as a car park.

Planning History

6.5 As stated in Section 2.2 of this report, planning permission was granted subject to conditions by the Northern Local Planning Committee in January 2010 for the creation of a car park and associated works which were being promoted through the Scottish Government's Town Centre Regeneration Scheme. This application seeks to further enhance this wider scheme and provide improved parking and landscaping areas to further enhance the local environment in Galston. The planning history is therefore supportive of this application.

7. FINANCIAL AND LEGAL IMPLICATIONS

7.1 There are no financial or legal implications for the Council arising from this application; other than that the works are proposed by the Council.

8. CONCLUSIONS

8.1 As indicated in the report the application is in accordance with the terms of the Development Plan. Therefore it should be approved unless material considerations indicate otherwise.

8.2 There are material considerations relevant to the application and it is considered that these are not of sufficient weight to merit refusal of the application. The application will further enhance the proposed car park facilities providing improved accessible parking whilst also providing landscaping areas that will improve the quality of the surrounding environment.

9. RECOMMENDATION

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

CONTRARY DECISION NOTE

Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning and Economic Development the application will not require to be referred to Council as this would not be a significant breach of policy.

Alan Neish
Head of Planning and Economic Development

30 August 2010

FV/DVM

LIST OF BACKGROUND PAPERS

1. Application Form and Plans.
2. Statutory Notices and Certificates.
3. Letters of Representation.
4. Consultation responses.
5. Adopted East Ayrshire Local Plan (2003).
6. Alteration to the East Ayrshire Local Plan

Anyone wishing to inspect the above papers should contact Marion Fergusson, Senior Planning Officer on 01563 576779.

Implementation Officer: David Morris

East Ayrshire Council

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application No: 10/0643/PP

| | |
|--------------------------------|---|
| Location | Car Park Church Lane Galston East Ayrshire |
| Nature of Proposal: | Change of use from vacant land to car park and associated landscaping |
| Name and Address of Applicant: | East Ayrshire Council 6 Croft Street Kilmarnock KA1 1JB |
| Name and Address of Agent | Keppie Design 160 West Regent Street Glasgow G2 4RL |

Officer's Ref: Marion Fergusson
01563 576769

The above Planning Permission application should be approved subject to the following conditions:

1 Prior to the commencement of development, details of the proposed site drainage to address a 1:200 year flood event shall be submitted for the written approval of the Planning Authority in consultation with the Roads Service. The site drainage shall thereafter be implemented on site as approved prior to the use commencing, and maintained thereafter.

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

2 Signs to the specification of diagram 661A from The Traffic Signs Regulations and General Directions 2002 shall be installed at the 2 No disabled bays, prior to the car park becoming operational to the public.

Reason: In the interests of road safety and information to users.

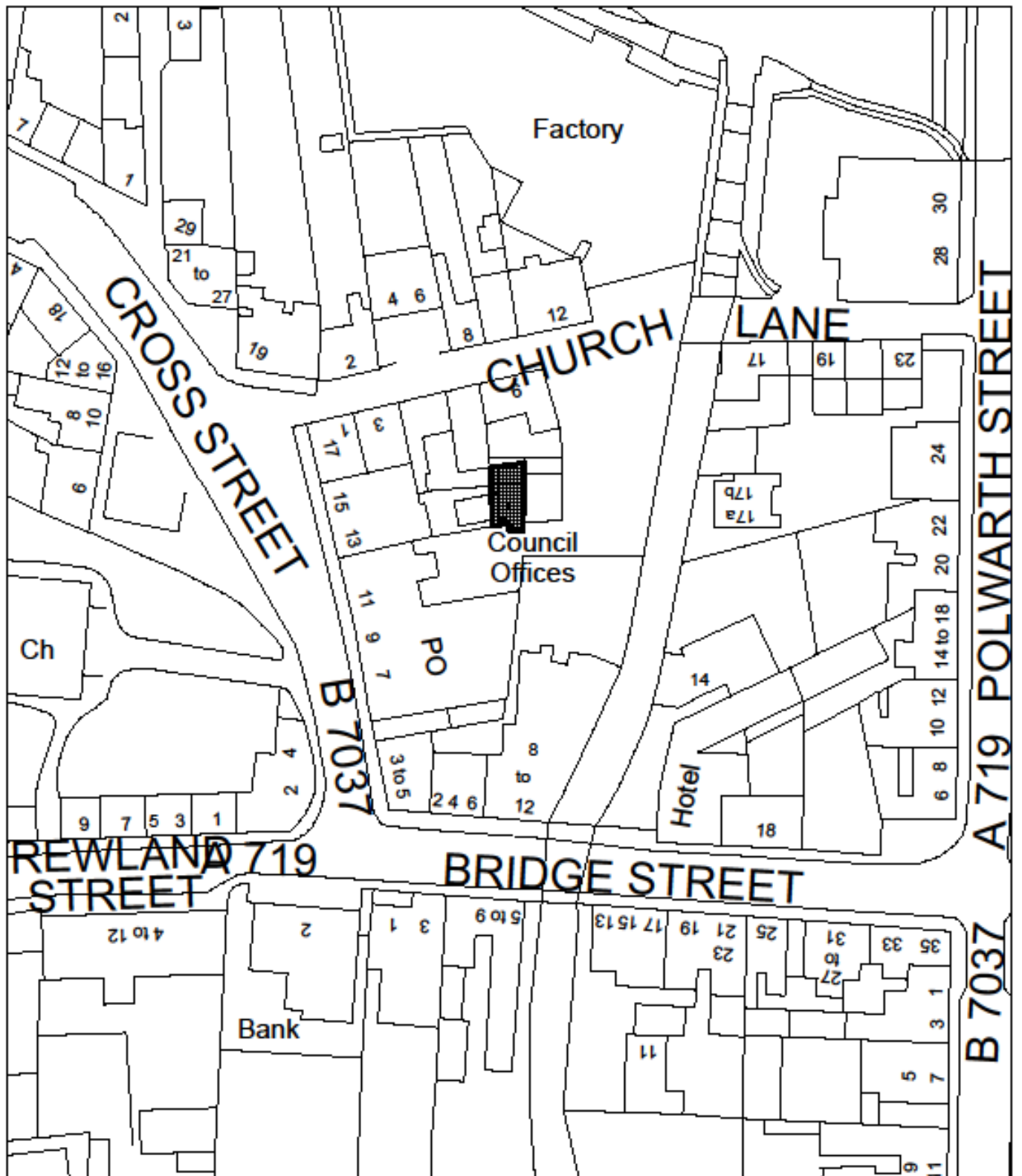
3. Should any unsuspected contamination be encountered during the proposed works, the Planning Authority shall be informed accordingly and thereafter be provided with written details of any required remedial measures formulated to address the risk of exposure to key receptors for its written approval. Upon completion of works the Planning Authority shall be informed



in writing, confirming that all approved remedial measures have been undertaken.

Reason: To ensure that any contamination is appropriately addressed in the interests of public health.

REASON FOR THE DECISION

The application is considered to be appropriate in terms of the Development Plan and the material considerations do not indicate that consent should be refused.



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| <p>Title/Location Car Park, Church Lane</p> <p> Galston</p> <p> Application No. 10/0643/PP</p> | <p>East Ayrshire Council</p> <p>Department of Neighbourhood Services Planning & Economic Development Service. 6 Croft Street Kilmarnock KA1 1JB</p> <p>Tel: (01563) 576790 Fax: (01563) 576774 E-Mail : Planning@east-ayrshire.gov.uk</p> <p>Com Date: 10/09/2010</p> |
| <p>Key</p> <p> Application Site</p> | <p style="text-align: right;"></p> |

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