

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE: 26 MARCH 2010

09/0552/PPP: PROPOSED DEVELOPMENT OF LAND FOR RESIDENTIAL PURPOSES AT HOLMHEAD HOSPITAL, HOLMHEAD ROAD, CUMNOCK

BY NHS AYRSHIRE & ARRAN PRIMARY CARE TRUST

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 The proposal seeks Planning Permission in Principle for the residential development of the Holmhead Hospital site in Cumnock. An indicative site layout has been submitted which outlines a potential layout for the site indicating roads and plot layout. However this plan is for information purposes only, demonstrating a notional capacity and means of access to the site, and no weight will be afforded to this information in consideration in the determination of the application as the application is in principle only.

2. RECOMMENDATION

2.1 It is recommended that the application for Planning Permission in Principle be approved subject to conditions as indicated on the attached sheet.

3. CONCLUSIONS

3.1 As indicated in Section 5 of the report the application is considered to be in accordance 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. As indicated in Section 6 there are material considerations relevant to this application however it is considered that these are supportive of the proposals.

3.2 The application site can be classed as a brownfield area of ground and is compliant with the policies contained within both the adopted East Ayrshire Local Plan and the Alteration to the East Ayrshire Local Plan, Finalised Version with Modifications. There are material considerations relevant to the application and these indicate support for the proposed development.

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 would not require to be referred to the Full Council as this would not constitute 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.

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE: 26 MARCH 2010

09/0552/PPP: PROPOSED DEVELOPMENT OF LAND FOR RESIDENTIAL PURPOSES AT HOLMHEAD HOSPITAL, HOLMHEAD ROAD, CUMNOCK

BY NHS AYRSHIRE & ARRAN PRIMARY CARE TRUST

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 in Principle. Under the revised scheme of delegation the proposed development represents a major application in terms of the Town and Country Planning (Hierarchy of Development) (Scotland) Regulations 2009 as the development site area exceeds 2 hectares.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site is located to the north west of the settlement of Cumnock within the confines of the former Holmhead Hospital site. The site at present is in a semi-derelict condition with partial site clearance having already taken place in the northern part of the site. Two existing buildings are still in place and are currently being utilised. The site benefits from an elevated position overlooking Cumnock and the surrounding countryside. To the north and immediate west the site bounds with agricultural land with a mature tree buffer strip running along the western boundary. To the east the site is bounded by a mix of residential properties consisting of the Holmhead housing estate. The site, although subject to existing and previous development, still has a number of established trees present, in clusters and along the boundaries, all of which are covered under a Confirmed Tree Preservation Order (Ref: 227).

2.2 The application site extends to an area of some 2.3 hectares rising in level quite significantly from the south to north and west to east with some large undulating areas.

2.3 **Proposed Development:** The proposal seeks Planning Permission in Principle for the residential development of the Holmhead Hospital site in Cumnock. An indicative site layout has been submitted which outlines a potential layout for the site indicating roads and plot layout. However this plan is for information purposes only, demonstrating a notional capacity and means of access to the site, and no weight will be afforded to this information in consideration in the determination of the application as the application is in principle only.

3. CONSULTATIONS AND ISSUES RAISED

3.1 Cumnock Community Council has not responded at the time of writing this report.

Noted.

3.2 Scottish Power has no objection to the proposed development however advise that apparatus within the area may require alteration or protection depending on the extent of the development.

Noted.

3.3 Scotland Gas Networks has no objection to the proposed development provided that no mechanical excavations take place above or within 0.5m of the low-pressure system, 2m of the medium pressure system and 3m of the intermediate pressure system.

The above comments can be attached as a planning condition / advisory note on any consent granted.

3.4 Scottish Environment Protection Agency has no objection to the proposed development and provides general detailed advice on Flood Risk, Foul Drainage and Surface Water Drainage

Noted.

3.5 East Ayrshire Council's Roads and Transportation Division has no objections to the proposed development subject to the following conditions.

(i) Prior to the occupation of any of the dwellings within the development the roads and footways to and across the frontage of the property must be completed to underside of wearing course level and street lighting shall be operational.

(ii) Internal road junction visibilities of 2.5m by 35m shall be formed at each junction and no fencing, buildings etc over 1 metre in height shall be allowed within these areas. Forward visibility of 35m shall be provided at all bends.

(iii) Off road car parking spaces shall be provided for each dwelling along with visitor parking.

(iv) Each private driveway shall be hard paved for a minimum distance of 2 metres from the rear of the footway, to avoid the over carry of loose material onto the public road.

The above comments can be attached as a planning conditions to any consent granted.

3.6 East Ayrshire Council Environmental Health Division has no objections to the proposed development however note that the site has the potential for soil contamination from its previous usage – Holmhead Hospital, also the south west

of the site was occupied by sewerage filter beds and therefore the following conditions apply:

(1) Prior to the commencement of development works on site a full site investigation shall be submitted to and approved by the Planning Authority in line with PAN33 to assess the risk of exposure to contaminants in the soil to key receptors. The investigation shall be conducted in line with BS10175:2001 code of practice for "The investigation of potentially contaminated sites" and will contain details of:

- (i) The nature, extent and type(s) of contamination on the site
- (ii) A site specific risk assessment of all relevant pollutant linkages and
- (iii) A remedial strategy (if required) to treat remove contamination to ensure the site is fit for the use proposed.

(2) Prior to any further site development the developer shall where contamination has been identified on site, submit a report confirming that the remedial work has been carried out in accordance with the remediation plan.

The above comments can be attached as planning conditions to any consent granted.

3.7 East Ayrshire Council Neighbourhood Services has no objections to the proposed development subject to the submission of a detailed tree survey compliant with BS5837; 2005. This will identify trees requiring protection and will help from the basis of a site layout.

The above comment can be attached as a planning condition to any consent granted.

4. REPRESENTATIONS

4.1 No third party representations have been received with regard to the proposed development.

5. ASSESSMENT AGAINST DEVELOPMENT PLAN

5.1 For the purposes of this application the development plan comprises the Approved Ayrshire Joint Structure Plan and the Adopted East Ayrshire Local Plan (EALP).

Ayrshire Joint Structure Plan

5.2 No specific policies are relevant to this proposal.

East Ayrshire Local Plan

5.3 Policy RES4 states that, within Settlement Boundaries, the Council will positively encourage the sympathetic residential development of gap, infill or other redevelopment sites, including those sites created through the large scale demolition of existing housing, not specifically safeguarded or identified for particular development purposes on the Local Plan maps.

The proposed development is considered to comply with the principles of Policy RES4 as the site falls within the settlement boundary of Cumnock and is considered to be a redevelopment site. As the application is for Planning Permission in Principle it is not possible to comment on the specific densities of the development however an indicative plan submitted does suggest a density compatible with the surrounding estate.

5.4 Policy ENV15 states that the Council will actively seek to preserve and supplement existing broadleaf and native tree species throughout East Ayrshire. In particular, the Council will:

(ii) protect those individual, groups and areas of trees which contribute significantly to the landscape quality of both the built and rural environment, through the serving of Tree Preservation Orders;

The site of the proposal contains a large number of mature mixed coniferous and deciduous trees which are statutorily protected under The Holmhead, Cumnock Tree Preservation Order 2007. The relatively high elevation of the site means that many of the larger trees are prominent from significant parts of the residential area east of the B7083 Auchinleck/ Cumnock road and contribute to the general amenity of the estate. Some of the trees on the margins of the site have an important screening and amenity function for existing adjacent residential properties. Any subsequent detailed plans will require to take account of the distribution of the protected trees and satisfy Neighbourhood Services that the development could be implemented without any adverse effects on the protected trees, including their root systems and disruption of local drainage patterns which might be unfavourable to the long term health of the trees.

5.5 Policy TLR5 states that the Council will subject to the necessary finance being available improve and enhance the provision of leisure, recreational and sporting facilities in the areas settlements and throughout the rural area. In this regard the Council will request all potential developers of residential sites comprising four or more houses to enter into a Section 75 Agreement with the Authority for contributions towards the provision of appropriate leisure and recreational facilities within the area to which the development relates. Contributions will be at a level to be agreed by the Council, based on the

expected number of houses and the level of need in a particular area for particular facilities.

The applicant has declined to contribute towards the Sports, Leisure and Recreation Fund.

6. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

6.1 The principal material considerations relevant to the determination of this application are the Alterations to the East Ayrshire Local Plan (finalised version with modifications) the impact on the visual amenity of the area, the consultation responses received which are addressed in Section 3 of the report and the planning history.

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

6.2 Policy RES3 states that within settlement boundaries, the Council will positively encourage the sympathetic residential development of gap, infill or other redevelopment sites not specifically safeguarded or identified for particular development purposes on the Local Plan maps. Such proposals will be particularly supported where a range of criteria are satisfied.

The proposal shows compliance with policy RES3.

6.3 Policy ENV18 states that the Council will actively seek to preserve and supplement existing broadleaf and native tree species throughout East Ayrshire. In particular, the Council will:

(i) protect those individual, groups and areas of trees which contribute significantly to the landscape quality of both the built and rural environment, through the serving of Tree Preservation Orders;

The site of the proposal contains a large number of mature mixed coniferous and deciduous trees which are statutorily protected under The Holmhead, Cumnock Tree Preservation Order 2007. The relatively high elevation of the site means that many of the larger trees are prominent from significant parts of the residential area east of the B7083 Auchinleck/ Cumnock road and contribute to the general amenity of the estate. Some of the trees on the margins of the site have an important screening and amenity function for existing adjacent residential properties. Any subsequent detailed plans will require to take account of the distribution of the protected trees and satisfy Neighbourhood Services that the development could be implemented without any adverse effects on the protected trees, including their root systems and disruption of local drainage patterns which might be unfavourable to the long term health of the trees.

6.4 The application site bounds land (Ref: 264H) outlined in the Alteration to the East Ayrshire Local Plan (finalised version with modifications) which in turn bounds the residential development site of 'Knockroon' (ref: 263H) in respect of which the Council recently agreed to grant consent subject to conclusion of a legal agreement. The proposal was in principle for residential development (770 units) with the provision of associated shops, workplaces, associated infrastructure, commercial spaces, community facilities and open space. It is important at this stage that the development of the Holmhead Hospital site reflects the design and the layout of the larger Knockroon development site which can potentially allow all three sites 263H, 264H including the application site to link together not only physically with a link road but also reflecting densities and designs.

Impact on the Amenity of the Area

6.5 The site at present is in a semi derelict condition adjacent to a relatively dense housing development. The application area has a rural feel to it as it bounds agricultural land to the north and a number of mature broadleaf trees occupy sections of the site (covered by TPO). The proposed redevelopment of the site for residential purposes is not considered to adversely impact on the amenity of the area provided the existing mature trees remain in place and form an integral part of the initial site design layout and that the overall density and house design shows compatibility not only with the existing surroundings but the future adjacent developments.

Consultation Responses

6.6 The submissions do not raise any issues of sufficient weight to warrant refusal of the application.

Planning History

6.7 The application site has not been the subject of any recent planning application, however an application for outline planning permission by the Prince's Charity Foundation for the residential development of 770 units and associated shops, workplaces, associated infrastructure, commercial spaces, community facilities and open space on the lands of Knockroon Farm (adjacent to the application site) was agreed by the Southern Local Planning Committee on 19 November 2009 (Ref. No. 09/0478/OL); subject to conclusion of a Section 75 Legal Agreement.

7. FINANCIAL AND LEGAL IMPLICATIONS

7.1 There are no financial or legal implications for the Council arising from this application.

8. CONCLUSIONS

8.1 As indicated in Section 5 of the report the application is considered to be in accordance 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. As indicated in Section 6 there are material considerations relevant to this application however it is considered that these are supportive of the proposals.

8.2 The application site can be classed as a brownfield area of ground and is compliant with the policies contained within both the adopted East Ayrshire Local Plan and the Alteration to the East Ayrshire Local Plan, Finalised Version with Modifications. There are material considerations relevant to the application and these indicate support for the proposed development.

9. RECOMMENDATIONS

9.1 It is recommended that the application for Planning Permission in Principle be approved subject to conditions as indicated on the attached sheet.

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 would not require to be referred to the Full Council as this would not constitute a significant breach of policy.

Alan Neish
Head of Planning and Economic Development

17 March 2010

RG/RG
FV/DVM

LIST OF BACKGROUND PAPERS

1. Application Forms/Plans.
2. Statutory Letters/Certificates.
3. Consultations.
4. Approved Ayrshire Joint Structure Plan 2007
5. Adopted East Ayrshire Local Plan 2003
6. East Ayrshire Local Plan (Finalised Version with Modifications 2009)

Anyone wishing to inspect the above papers should contact Robin Ghosh, Senior Planning Officer, on 01563 553505.

Implementation Officer: Dave Morris

TP24

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application No: 09/0552/PPP

Site of Proposal:	Holmhead Hospital, Cumnock
Nature of Proposal:	Proposed development of site for residential purposes.
Name & Address of Applicant:	NHS Ayrshire and Arran Primary Care Trust Brunston House, Ailsa, Dalmellington Road, Ayr

DPO's Reference: Robin Ghosh

1. Before any development commences on the site, the further approval(s) of the Planning Authority shall be obtained in respect of the matters specified in the conditions below.

- (a) the overall site layout/internal layout of the house plots;
- (b) the size, height, design and external appearance of the proposed dwelling houses;
- (c) the means of drainage and sewage disposal including the provision of a SUD system and details of any service diversions consequent on the development of the site;
- (d) details of the access arrangements;
- (e) the provision for car parking and turning within the site;
- (f) the boundary walls/fences to be erected;
- (g) the provision of private open space to East Ayrshire Council's standards;
- (h) existing and proposed site levels and floor levels.
- (i) the provision for open space and the associated maintenance arrangements;

REASON: The application is for planning permission in principle only at this stage.

2. Notwithstanding the provisions of Conditions 1(a) and 1(b) above, the site layout and general design of the dwellings shall be the subject of prior consultation with the Planning Authority.

REASON: In the interests of ensuring the development site layout and design is appropriate in the circumstances of the surrounding area.

3. Notwithstanding the provisions of Condition 1(d) above, prior to the occupation of any of the dwellings within the development the roads and footways to and across the frontage of any property must be completed to underside of wearing course level and street lighting shall be operational.

REASON: In the interests of road safety.

4. Notwithstanding the provisions of Condition 1(d) above, the internal road junction visibilities of 2.5m by 35m shall be formed at each junction and no fencing, buildings etc over 1 metre in height shall be allowed within these areas. Forward visibility of 35m shall be provided at all bends.

REASON: In the interests of road safety.

5. Notwithstanding the provisions of Condition 1(e) above, resident and visitor parking levels within the site shall be provided in accordance with East Ayrshire Council Roads Development Guide.

REASON: In the interests of road safety.

6. Notwithstanding the provisions of Condition 1(e) above, each private driveway shall be hard paved for a minimum distance of 2 metres from the rear of the footway, to avoid the over carry of loose material onto the public road.

REASON: In the interests of road safety.

7. Prior to the commencement of development works on site a full site investigation shall be submitted to and approved by the Planning Authority in line with PAN33 to assess the risk of exposure to contaminants in the soil to key receptors. The investigation shall be conducted in line with BS10175:2001 code of practice for "The investigation of potentially contaminated sites" and will contain details of:

- (i) The nature, extent and type(s) of contamination on the site
- (ii) A site specific risk assessment of all relevant pollutant linkages and
- (iii) A remedial strategy (if required) to treat and or remove contamination to ensure the site is fit for the use proposed.

Reason: To ensure potential risks arising from previous site uses have been fully assessed and dealt with.

8. Prior to any further site development the developer shall, where contamination has been identified on site, submit a report confirming that the remedial work has been carried out in accordance with the remediation plan.

Reason: To provide verification that remediation has been carried out in accordance with the remediation plan and to the Planning Authority's satisfaction.

9. Prior to the commencement of any development works on site a detailed tree survey of all the trees within the application site shall be undertaken. The tree survey (BS 5837; 2005) shall categorise the trees for retention (section 4) and have a plan showing the root protection zones (section 5). Category A and B trees shall be retained. The design of the site shall be around the retained trees protection zones (section 6) which shall have a permanent fence erected prior to any work starting on site (section 7). No work including utility work shall be carried out within the root protection zones without the prior approval in writing of the Planning Authority.

Reason: In the interests of visual amenity and environmental protection.

10. The details submitted within drawing number 1319 (July 09) "Indicative Site Layout" are not hereby approved.

Reason: The details within the drawing have been submitted for indicative purposes only.

Notes to Applicant

1. East Ayrshire Council Roads and Transportation Division has advised that Construction Consent will be required for the construction of the residential roads and footpaths, street lighting etc. The Division can be contacted on Tel 01563 555337. This consent would cover details such as road widths, footways, road construction, street lighting, drainage, traffic calming, internal junction visibilities etc. A road bond will require to be provided prior to construction works commencing on site.

2. The developer should make early contact with Scottish Water and the Scottish Environment Protection Agency regarding drainage of the site and to confirm the details of the proposed Sustainable Urban Drainage System (SUDS) with regard to surface water. These Authorities require this development to be drained in accordance with the recommendations contained in the CIRIA manual on SUDS.



3. The Council does not currently have a general agreement with Scottish Water in relation to the maintenance of public SUDS. Proposals for site specific agreements which may require to involve the developer or other third parties will be considered within the overall framework recommended in the design manual for SUDS published by CIRIA.

4. The developer should make early contact with Scottish Gas Networks, Scottish Water and Scottish Power Energy Networks regarding the possible protection/ diversion of their apparatus which lie in or adjacent to the application site.

The Council has granted this consent for the following reason(s):

The proposed development is in accordance with the development plan and there are no material considerations that indicate the application should be refused.



<p>Title/Location Holmhead Hospihal, Holmhead Road Holmhead, Cumnock Application No. 09/0552/PPP</p>	<p>East Ayrshire Council Planning & Economic Development Division. 6 Croft Street Kilmarnock KA1 1JB Tel: (01563) 576790 Fax: (01563) 576774 E-Mail : Planning@east-ayrshire.gov.uk Com Date: 26/3/2010 Checked By</p>
<p>Key</p>  <p>Application Site</p>	

The map is reproduced from the Ordnance Survey material with permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office(C) Crown copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. East Ayrshire Council. 100023409.