

EAST AYRSHIRE COUNCIL

NORTHERN AREA LOCAL PLANNING COMMITTEE: 18 MARCH 2005

**04/1183/FL: PROPOSED ERECTION OF 19 NO. DWELLINGHOUSES
AT FORMER RAILWAY SITE, BURN ROAD, DARVEL
BY SRC DEVELOPMENTS LTD**

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 The proposed development is for the erection of 19 No. Dwellings at Burn Road in Darvel. The proposed scheme comprises 12 two storey semi-detached properties, 4 two storey semi-detached properties with integral double garages, 2 detached properties with external double garages and a single detached bungalow.

2. RECOMMENDATION

2.1 The application should be approved subject to the conditions indicated on the attached sheet.

3. CONCLUSIONS

3.1 As indicated at Section 5 of the report, applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise. The proposed development accords with the Development Plan and therefore the application should be approved unless material considerations indicate otherwise.

3.2 The proposed development accords with policies RES22 and ENV7 of the Adopted East Ayrshire Local Plan. The proposed development is considered to be appropriate in terms of scale and design and it is considered that it will be a significant improvement on the current site and will improve the area as a whole. The consultation responses offer no objection and are generally supportive and no letters of representation have been received.

3.3 Amended plans have been secured that will provide for a substantial tree planting screen along much of the south of the site where it abuts and is raised above an adjacent housing site.

CONTRARY DECISION NOTE

Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning, Development and Building Standards and should that decision be solely on the basis of the principle of residential development, the application will require to be referred to the Development Services Committee because it would be contrary to Council policy.

Alan Neish
Head of Planning, Development and Building Standards

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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Report by Head of Planning, Development and Building Standards

1. PURPOSE OF REPORT

1.1 The purpose of this report is to present for determination a full planning application which is to be considered by the Local Planning Committee under the scheme of delegation as it is a larger application which accords with the East Ayrshire Local Plan and is of area significance.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site is a plot of land located on the former railway site at Burn Road in Darvel. The site is bounded by residential properties of Burn Road and Campbell Street to the north and west. The former Bonfab Factory lies to the south which has an outline consent for residential development awaiting issue pending conclusion of a Section 75 Agreement and the Jamieson Road site to the east which has a full application for 30 dwellings currently under consideration.

2.2 **Proposed Development:** The proposed development is for the erection of 19 No. Dwellings at Burn Road in Darvel. The proposed scheme comprises 12 two storey semi-detached properties, 4 two storey semi-detached properties with integral double garages, 2 detached properties with external double garages and a single detached bungalow.

3. CONSULTATIONS AND ISSUES RAISED

3.1 Transco, SEPA and West of Scotland Archaeology Service have all been consulted as part of this application and have offered no objections.

Noted. SEPA require connection to a public sewer of foul drainage and the treatment of surface water with SUDS. They also request provision of appropriate waste storage.

3.2 East Ayrshire Council's Roads and Transportation Division sought details of traffic calming for the new road layout, details of SUDS and the provision of appropriate sightlines at the junction with Burn Road.

These matters can be addressed in this instance through the application of conditions to any consent granted.

3.3 East Ayrshire Council's Department of Neighbourhood Services have requested that there be no detriment to neighbouring householders from construction operations on site, that there be provision for waste/re-cycling bins and that appropriate contamination conditions be applied relative to the past use of the site.

Conditions can be applied to any consent granted to address these points.

3.4 Scottish Water and Darvel Community Council have not responded to their consultations at the time of writing this report.

Noted. It will remain necessary for the developers to secure separate and relevant consents from Scottish Water relative to disposal of foul drainage and provision of water supply.

4. REPRESENTATIONS

4.1 No letters of representation have been received with respect to the above proposed development.

5. ASSESSMENT AGAINST DEVELOPMENT PLAN

5.1 Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that 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 and the Adopted East Ayrshire Local Plan.

Approved Ayrshire Joint Structure Plan

5.2 The application does not raise any strategic issues that would require assessment against the provisions of the Approved Ayrshire Joint Structure Plan

Adopted East Ayrshire Local Plan

5.3 The application site forms part of a larger miscellaneous development opportunity site 103M identified in Policy DARVEL 3 as being suitable for either industrial or residential development. The principle of residential development at this location is therefore acceptable.

5.4 Policy RES22 requires all developers to observe the minimum standards for the provision of private open space detailed in Schedule 4 of the Local Plan.

The development meets with the Council's minimum private open space standards.

5.5 Policy ENV7 states that all developers will be expected to comply fully with the Council's existing and emerging Design Guidance and Policy documents relating to and advising on the particular type of development proposed. The policy also states that developments which do not meet the required design standards detailed in these documents will require to be fully justified and may not be supported by the Council.

The design of the proposed development is considered to be acceptable as it complies fully with the Council's Design Guidance and Policy Documents relating to this particular type of development.

6. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

6.1 The principal material considerations relevant to the determination of this application are the consultations received and the impact of the proposal on the amenity of the area and immediate neighbours.

Consultations

6.2 The consultation responses received are detailed in section 3 of this report and are generally supportive, offer no objections or seek the use of appropriate conditions.

Impact on the Amenity of the Area and Neighbours

6.3 The circumstances of the proposed development are such that it is considered that the proposed development can be accommodated without a detrimental impact on the residential amenity of the area and neighbours. Furthermore it is considered that the proposed development will be a significant improvement on the current site and will improve the area as a whole.

7. FINANCIAL AND LEGAL IMPLICATIONS

7.1 There are no financial or legal implications for the Council in determining this application.

8. CONCLUSIONS

8.1 As indicated at Section 5 of the report, applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise. The proposed development accords with the Development Plan and therefore the application should be approved unless material considerations indicate otherwise.

8.2 The proposed development accords with policies RES22 and ENV7 of the Adopted East Ayrshire Local Plan. The proposed development is considered to be appropriate in terms of scale and design and it is considered that it will be a significant improvement on the current site and will improve the area as a whole. The consultation responses offer no objection and are generally supportive and no letters of representation have been received.

8.3 Amended plans have been secured that will provide for a substantial tree planting screen along much of the south of the site where it abuts and is raised above an adjacent housing site.

9. RECOMMENDATION

9.1 The application should be approved subject to the conditions 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, Development and Building Standards and should that decision be solely on the basis of the principle of residential development, the application will require to be referred to the Development Services Committee because it would be contrary to Council policy.

Alan Neish
Head of Planning, Development and Building Standards

10 March 2005
(EMcL/MMM)
FV/DVM

LIST OF BACKGROUND PAPERS

1. Application Forms/Plans.
2. Statutory Letters/Certificates.
3. Consultations.
4. Letter of Objection.
5. Approved Ayrshire Joint Structure Plan.
6. Adopted East Ayrshire Local Plan.
7. Application No: 99/0829/FL.

Anyone wishing to inspect the above papers please contact Ian Walker on 01563 576769.

Implementation Officer: Dave Morris

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

04/1183/FL

Site of Proposal:	Former Railway Line Site Burn Road DARVEL
Nature of Proposal:	Proposed Erection of 19 No. Dwellinghouses
Name & Address of Applicant:	SRC Developments Ltd London Road KILMARNOCK
Name & Address of Agent:	BSP Architects Ravenstone Drive Giffnock GLASGOW

DPOs Reference: EMcL/MMM

The above FULL application should be granted subject to the following conditions:-

1. The proposed development shall be carried out in accordance with the application form and plans submitted on 02 December 2004 as revised by the amended plans received by the Planning Authority on the 23 December 2004, 18 February 2005 and the 22 February 2005.

REASON To ensure that the development is carried out in accordance with the approved details.

2. Before any work commences on site, details of a sustainable urban drainage system and its maintenance following installation shall be submitted to, and approved by the Planning Authority. Under no circumstances will a soakaway drainage system be considered acceptable and the applicant will have to provide an alternative system of drainage. The sustainable urban drainage system shall thereafter be installed on site, prior to the occupation of any dwellinghouses on site.

REASON To ensure that adequate drainage is provided.

3. Notwithstanding the plans hereby approved, the external surface of the walls shall be rendered or roughcast in a colour to be agreed in writing with the Planning Authority prior to the commencement of development.

REASON In the interests of visual amenity.

4. Notwithstanding the plans hereby approved details/samples of the roofing material to be used in the construction of the dwellings shall be submitted to and approved in writing by the Planning Authority prior to the commencement of development on site.

REASON In the interests of visual amenity.

5. Notwithstanding the submitted plans details of the design and construction of all fences and walls to be erected on the site shall be submitted to and approved by the Planning Authority in writing before any development commences on the site.

REASON To allow the Planning Authority to control the design and construction of such features in the interests of visual amenity.

6. A detailed landscaping scheme, including the treatment of the southern boundary of the site and the landscape/SUDS area shall be submitted to and approved by the Planning Authority in writing prior to commencement of any development, and shall be implemented not later than the next appropriate planting season after the development has been carried out. The details to be submitted shall include proposed maintenance arrangements for areas to which the public has access. The landscaping to the south of Plots 14-19 shall be such as to allow for the establishment of a substantial tree planted screen in that area and shall feature heavy and extra heavy standards.

REASON To ensure that adequate provision of public open space is provided, to an adequate standard, and that it is subsequently maintained, in the interest of residential and visual amenity.

7. Notwithstanding the plans hereby approved details of traffic calming measures shall be submitted to and approved by the Planning Authority in writing prior to the commencement of development on site.

REASON In the interests of road safety and residential amenity.

8. Notwithstanding the submitted plans the visibility splay areas of $X = 2.5$ metres by $Y = 90$ metres shall be provided at the junction of the access to the

development with the public road with no obstruction to visibility greater than 1 metre in height being allowed within these areas.

REASON To enable drivers of vehicles leaving the site to have a clear view over a length of road sufficient to allow safe exit

9. Notwithstanding the plans hereby approved no development shall begin on site (with the exception of site investigation works) until a comprehensive contaminated land investigation has been submitted to and approved in writing by the Planning Authority. The investigation shall be conducted in line with BS 10175:2001 Code of Practice for "The Investigation of Potentially Contaminated Sites" and will contain details of proposals to deal with contamination (if present) to include:

1. The nature, extent and types of contamination on the site.
2. A site specific risk assessment of all relevant pollutant linkages
3. Remediation measures to treat/remove contamination to ensure the site is fit for the use proposed.
4. Measures to deal with unsuspected contamination discovered during construction works.

REASON To ensure that potential risks arising from previous site uses have been fully assessed.

10. If the application is approved under the terms of Condition 9 above and prior to any further site development, the developer shall submit a report confirming that the remedial works have been carried out in accordance with the remedial plan.

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

11. Construction works on site shall not take place prior to 08:00 hours and after 18:00 hours on Mondays to Fridays, Saturdays 09:00 hours and 13:00 hours, and not at any time on Sundays.

REASON To prevent noise and disturbance extending into hours during which other sources of noise have subsided, in the interests of residential amenity.

12. During construction, the developer of the plot shall ensure that adequate and continuing measures are taken to ensure that roads and footpaths adjoining the site are maintained free from mud and other material carried from the site by construction and any other vehicles.

REASON In the interests of public and road safety and residential amenity.

13. Any screen fencing to be erected within the site shall not project forward beyond the front building line of any dwellinghouse.

REASON In the interests of visual amenity.

14. Prior to the commencement of development, details shall be submitted to and approved by the Planning Authority of the measures to be provided to accommodate the storage of waste bins on site in furtherance of the Council's recycling policies.

REASON In the interests of visual amenity and public health.

15. The developer shall ensure that construction works proceed on site in such a way as not to cause nuisance to neighbouring householders by reason of dust arising and smoke from burning of waste.

REASON In the interests of residential amenity.

NOTE:-

1. The applicant should make early contact with TRANSCO (0141 418 4093) as the development may affect Transco apparatus in the area.

**DUE TO ORDNANCE SURVEY REGULATIONS AND COPYRIGHT
THE MAP IS AVAILABLE FOR VIEWING AT THE COUNCIL'S
PLANNING OFFICE IN KILMARNOCK. FOR INFORMATION ON
VIEWING PLEASE CONTACT (01563) 576790.**