

**EAST AYRSHIRE COUNCIL**

**SOUTHERN LOCAL PLANNING COMMITTEE: 12 AUGUST 2005**

**04/0528/FL: PROPOSED DEMOLITION OF EXISTING BUILDINGS,  
ERECTION OF 8 NO. HOUSES PLUS ASSOCIATED DRAINAGE AND  
ROADWORKS AND RELOCATION OF EXISTING BOLLARDS IN STATION  
LANE AT FORMER A & W POLLOCKS, STATION ROAD, MAUCHLINE**

**APPLICATION BY JHP DEVELOPMENT LTD**

**EXECUTIVE SUMMARY SHEET**

**1. DEVELOPMENT DESCRIPTION**

1.1 Full planning permission is sought for the erection of eight executive style detached dwellinghouses. The houses are to be situated around a cul-de-sac arrangement with access taken off Barskimming Road via the northern section of Station Road.

1.2 The plots, which are sizeable, would accommodate two storey units of hipped roof configuration. There are two house types (Ca) and (Bb). House type Ca has a two storey bay window feature to the front elevation with an external chimney breast on one side elevation and a hipped roof integral garage to the other side. A hipped roof conservatory is proposed to the rear elevation along with a two storey bay feature. House type Bb has a two storey bay to the middle of the front elevation with bay windows to the ground floor also on the front. An external chimney breast is also proposed to one side and a hipped roof integral garage to the other. This house type also incorporates a two storey bay feature with a hipped roof conservatory to the rear. The houses are to be constructed of brick though no specification for this or the roof tile has yet been confirmed. The windows are shown as sash and case look alike with a transom at the mid rail.

1.3 A previous application (Ref. No. 04/0528/FL) for the erection of 8 dwellings on this site was approved by the Southern Local Planning Committee on 03 December 2004. This present application is in effect for a change of layout, house plans and means of access to the site. As part of the original proposals for this application, layout plans were submitted indicated a new access to the development site taken from Station Lane. This attracted a number of objections, but the applicant has now finalised the details of the means of access and this will now be taken from Barskimming Road via the northern section of Station Road. The current approved layout shows access taken from the southern section of Station Lane with a repositioning of bollards at the end of this section. The current proposals supersede the approved access arrangements.

## **2. RECOMMENDATION**

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

## **3. SUMMARY OF ANALYSIS**

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 Section 25 and Section 37(2) of the Town and Country Planning (Scotland) Act 1997, the application should be approved unless material considerations indicate otherwise. As is indicated at Section 6 of the report, there are material considerations relevant to this application, however it is considered that these have all been given due consideration and are not of sufficient weight to indicate the recommendation should be one of refusal.

3.2 Full planning permission is being sought for the erection of eight dwellinghouses on what is essentially a brownfield site within the settlement envelope. The site has no particular designation in the development plan and it is located in what is predominantly a residential area thereby indicating that the proposed development is compatible with the surrounding land use. As stated previously, this application is in effect an amended application for a site that currently has the benefit of detailed consent for eight dwellings.

3.3 The proposed dwellings are large two storey detached dwellings of sizeable proportions and which are executive in style. They differ from the majority of dwellings in the vicinity which are primarily modestly proportioned single storey units but which are also detached and of a medium density. The proposed units will create more variety in terms of style, scale and layout which contributes to the character of any area. Though sizeable the units are of proportions which mean they are not oppressive or inappropriate. They display vertically emphasised fenestration in keeping with the local traditional style and the roof configuration is acceptable. External finishing materials have not yet been specified but in discussions between the developer and planning officials it has been noted that quality locally found materials will be used.

3.4 The main difference in terms of site layout relates to the internal access arrangements and the proposal now to access the site from the Barskimming Road end of Station Road rather than the current approved situation where access was to be taken from the section of Station Road linking onto Cumnock Road. The revised proposal will not now necessitate the relocation of the existing bollards on Station Road. The proposed dwellings are acceptable in principle and also in terms of visual and residential amenity. Service and infrastructure provision for the development is sufficient and the only other material planning

consideration is the extant planning permission that could be implemented at any time.

### **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, the application will not require to be referred to the Development Services Committee because it would not represent a significant departure from the development plan.

**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.**

## EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE: 12 AUGUST 2005

**04/0528/FL: PROPOSED DEMOLITION OF EXISTING BUILDINGS,  
ERECTION OF 8 NO. HOUSES PLUS ASSOCIATED DRAINAGE AND  
ROADWORKS AND RELOCATION OF EXISTING BOLLARDS IN STATION  
LANE AT FORMER A & W POLLOCKS, STATION ROAD, MAUCHLINE**

**APPLICATION BY JHP DEVELOPMENT LTD**

**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 subject to letters of objection.

### 2. APPLICATION DETAILS

2.1 **Site Description:** The site comprises an industrial site extending to approximately 7000m<sup>2</sup> in the southwest of the settlement of Mauchline and on the east side of Station Road. At present there are a variety of buildings on the site which accommodates Pollocks Works, an agricultural engineering business. The buildings are industrial buildings of no architectural merit and some are flat roofed units.

2.2 The site which is bounded by a 2m high chain link security fence is located in a primarily residential area. There are several dwellings along Station Road and a large modern residential development lies to the southeast at Station Lane. Corrie Mains Farm lies northeast of the site.

2.3 **Proposed Development:** Full planning permission is sought for the erection of eight executive style detached dwellinghouses. The houses are to be situated around a cul-de-sac arrangement with access taken off Barskimming Road via the northern section of Station Road.

2.4 The plots, which are sizeable, would accommodate two storey units of hipped roof configuration. There are two house types (Ca) and (Bb). House type Ca has a two storey bay window feature to the front elevation with an external chimney breast on one side elevation and a hipped roof integral garage to the other side. A hipped roof conservatory is proposed to the rear elevation along

with a two storey bay feature. House type Bb has a two storey bay to the middle of the front elevation with bay windows to the ground floor also on the front. An external chimney breast is also proposed to one side and a hipped roof integral garage to the other. This house type also incorporates a two storey bay feature with a hipped roof conservatory to the rear. The houses are to be constructed of brick though no specification for this or the roof tile has yet been confirmed. The windows are shown as sash and case look alike with a transom at the mid rail.

2.5 A previous application (Ref. No. 04/0528/FL) for the erection of 8 dwellings on this site was approved by the Southern Local Planning Committee on 03 December 2004. This present application is in effect for a change of layout, house plans and means of access to the site. As part of the original proposals for this application, layout plans were submitted indicated a new access to the development site taken from Station Lane. This attracted a number of objections, but the applicant has now finalised the details of the means of access and this will now be taken from Barskimming Road via the northern section of Station Road. The current approved layout shows access taken from the southern section of Station Lane with a repositioning of bollards at the end of this section. The current proposals supersede the approved access arrangements.

### **3. CONSULTATIONS AND ISSUES RAISED**

3.1 East Ayrshire Council Roads and Transportation Division has no objection to the proposed development subject to the following conditions:

1. Access to the site will require to be taken via internal roads which comply with the Roads Development Guide 1996 and will require Construction Consent. from East Ayrshire Roads Department. This consent would cover details such as road widths, footways, road construction, street lighting, drainage, traffic calming etc.
2. Junction visibility splay areas of 2.5 m by 90 m will be required junction of Barskimming Road and Station Road, with no object greater than 1m in height allowed within these areas.
3. Any existing public utility apparatus located in the verge will require to be protected beneath the proposed access road.
4. No surface water must be allowed to discharge onto the public road.
5. Minimum 3 number off road parking spaces will require to be provided for each dwelling.
6. Minimum 3 number visitor parking spaces will require to be provided for the development.
7. Any garage(s) must be set back a minimum distance of 6m from the rear of the footway.

8. The private driveways will require to be paved for a minimum distance of 2 metres from the rear of the footway to avoid overcarry of loose material onto the public road.

***Conditions can be attached to any consent granted for the proposed development to meet the requirements of the Roads and Transportation Division.***

3.2 East Ayrshire Environmental Health, Licensing and Community Safety Service has advised that it has no objection to the proposed development commencing as recent land remediation reports have been submitted that have satisfactorily addressed the contaminated land issue relating to the site.

***Noted.***

3.3 Scottish Water has no objections to the proposed development.

***Noted.***

3.4 The Scottish Environment Protection Agency has no objections in principle to the proposals provided that the drainage arrangements are to its satisfaction. All foul drainage from the development must be connected to the public sewerage system in accordance with Scottish Water requirements. The development must not entail the use of dual manholes for connections to the existing sewerage system, either in the public sewers or within the curtilage of the development. As there are no SUDS included in the proposals, SEPA requests that planning permission be withheld until the surface water drainage arrangements are agreed with SEPA. All waste materials generated by this development that require to be removed such as construction, demolition materials and surplus excavated material, must be removed from the site by licensed waste carriers. Waste must be removed to a site that has either an appropriate waste management licence or is registered with SEPA as exempt from licensing.

***The matter of surface water treatment is a matter for the applicant to resolve with Scottish Water and SEPA. Appropriate conditions and notes can be attached to any consent granted for the development to meet the requirements of SEPA.***

3.5 Scottish Power has no objection to the proposed development.

***Noted.***

3.6 Transco has no objection to the proposed development and enclosed a location map to identify the position of apparatus which may be affected by the development.

***The location map has been forwarded to the developer's agent.***

3.7 Mauchline Community Council has been consulted but no response had been received at the time of writing this report.

***Noted.***

#### **4. REPRESENTATIONS**

4.1 A total of six letters of representation have been received from nine signatories. Four of the letters, from five signatories, object to the proposed development in relation to the proposal to take access off Station Lane. However, this proposal has since been superseded and these objections are no longer valid to the current proposal. It is not therefore intended to summarise the points of objection raised in these letters. Of the two remaining letters of representation, the point of objection is summarised as follows:

4.2 The proposed two storey dwellings with numerous windows and conservatories overlooking our property from an already elevated site would be an intolerable invasion of our privacy. Perhaps a one and a half storey unit as previously proposed would be more suitable with the inclusion of a 2 metres high screen fence and the use of obscure glass to rear facing windows.

***It should be noted that planning permission has already been granted for two storey dwellinghouses on this site and as stated previously, this application is in effect an amendment to the layout and for alterations to the house types. The proposed dwellinghouses lying closest to the objectors properties lie approximately 32 metres and 39 metres away. In this regard it is not considered that there would be any significant impact on the objectors' residential amenity in terms of loss of privacy. It is further noted that the objectors did not make any representations regarding this matter in relation to the original planning application (Ref. No. 04/528/FL).***

#### **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 and the Adopted East Ayrshire Local Plan (2003).

Ayrshire Joint Structure Plan

5.2 There are no policies contained within the structure plan which are especially relevant to the application.

### East Ayrshire Local Plan

5.3 Policy IND8 states that, other than those sites specifically safeguarded for industrial use under Policy IND5, proposals for alternative uses of land or premises currently or formerly used for industrial purposes shall be considered acceptable subject to the following criteria:

- (i) the proposed use not being detrimental to surrounding established uses;

***The proposed residential use would not be detrimental to surrounding established uses.***

- (ii) the proposal meeting with the requirement of all other relevant Local Plan policies; and

***The proposal requires to meet the provisions of Policy RES4 as set out below.***

- (iii) the existence of alternative industrial or business land or premises with potential for future employment use within the settlement concerned.

***It is considered that there is sufficient alternative industrial and business land for future employment uses in Mauchline.***

5.4 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. Developments will be assessed against the following criteria:

- (i) impact on the surrounding natural and built environment and adjacent uses;

***The proposed erection of 8 No. 2 storey homes at this site would not impact detrimentally on the surrounding built and natural environment.***

- (ii) transportation and infrastructure implications;

***The proposed development has been found to be acceptable in terms of road safety and drainage for the site.***

- (iii) compatibility with surrounding densities and housing types; and

***The proposed residential development is compatible with surrounding densities and housing types.***

- (iv) compliance with the Council's Development Promotion and Design Guidance.

***The erection of 8 residential properties is in keeping with the type of housing already in existence in the area. However, although the design of the proposed properties differs with regards to size and materials, it is considered that the proposed housing at this site will complement the design of surrounding properties.***

5.5 Policy RES22 requires all developers to observe the minimum private open space criteria and standards detailed in Schedule 4 of the Local Plan.

***The minimum standards detailed in Schedule 4 of the Local Plan regarding the provision of private open space within this development have been met.***

## **6. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS**

6.1 The principal material considerations relevant to the determination of the application are the consultation responses, third party representations and planning history of the site.

### Consultations Responses

6.2 There are no significant issues raised in the consultation responses that cannot be addressed through the imposition of appropriate conditions in any consent granted for the proposed development.

### Representations

6.3 The objections raised by third party representation are primarily based on loss of privacy and in this regard it is considered that the grounds of objection are not of sufficient weight as to justify refusal of the application.

### Planning History

6.4 The site has previously been the subject of planning applications. In 2000 full planning permission (Ref: 00/0059/FL) was granted for the erection of ten dwellings on the site which at that time included land opposite the entrance to the industrial premises and backing onto Barskimming Road. Both of these sites have subsequently received full planning permission for the erection of two separate dwellinghouses which are now occupied at 71 Station Road (Ref: 02/0982/FL) and 73 Station Road (Ref: 03/0651/FL). A further application (Ref. No. 04/0528/FL) for the erection of 8 dwellings on the site was approved on 03 December 2004.

## **7. FINANCIAL AND LEGAL IMPLICATIONS**

7.1 There are no financial or legal implications for the Council in the determination of 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 Section 25 and Section 37(2) of the Town and Country Planning (Scotland) Act 1997, the application should be approved unless material considerations indicate otherwise. As is indicated at Section 6 of the report, there are material considerations relevant to this application, however it is considered that these have all been given due consideration and are not of sufficient weight to indicate the recommendation should be one of refusal.

8.2 Full planning permission is being sought for the erection of eight dwellinghouses on what is essentially a brownfield site within the settlement envelope. The site has no particular designation in the development plan and it is located in what is predominantly a residential area thereby indicating that the proposed development is compatible with the surrounding land use. As stated previously, this application is in effect an amended application for a site that currently has the benefit of detailed consent for eight dwellings.

8.3 The proposed dwellings are large two storey detached dwellings of sizeable proportions and which are executive in style. They differ from the majority of dwellings in the vicinity which are primarily modestly proportioned single storey units but which are also detached and of a medium density. The proposed units will create more variety in terms of style, scale and layout which contributes to the character of any area. Though sizeable the units are of proportions which mean they are not oppressive or inappropriate. They display vertically emphasised fenestration in keeping with the local traditional style and the roof configuration is acceptable. External finishing materials have not yet

been specified but in discussions between the developer and planning officials it has been noted that quality locally found materials will be used.

8.4 The main difference in terms of site layout relates to the internal access arrangements and the proposal now to access the site from the Barskimming Road end of Station Road rather than the current approved situation where access was to be taken from the section of Station Road linking onto Cumnock Road. The revised proposal will not now necessitate the relocation of the existing bollards on Station Road. The proposed dwellings are acceptable in principle and also in terms of visual and residential amenity. Service and infrastructure provision for the development is sufficient and the only other material planning consideration is the extant planning permission that could be implemented at any time.

## **9. RECOMMENDATION**

**9.1 It is recommended that the application 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, the application will not require to be referred to the Development Services Committee because it would not represent a significant departure from the development plan.

**Alan Neish**  
**Head of Planning, Development and Building Standards**

03 August 2005  
HM/HM

## **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. Approved Ayrshire Joint Structure Plan (1999).
7. Previous planning applications.

Anyone wishing to inspect the above background papers should contact Mr. Hugh Melvin on 01563 555481.

**Implementation Officer: Dave Morris**

Form TP24A

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application No: 05/0228/FL

---

Location	Former A & W Pollocks Works Station Road MAUCHLINE KA5 5EU
Nature of Proposal:	Proposed demolition of existing buildings erection of 8 no houses plus associated drainage and roadworks
Name and Address of Applicant:	JHP Development Ltd Prosperity House 77 Holywell Road St. ALBANS Herts KA5 5EU
Name and Address of Agent	PCA Architects 9 High Street EYNSHAM Oxford OX29 4HA

---

DPO's Ref:  
PPO's Ref: Hugh Melvin

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 received on 28 February 2005 and the amended plans (Ref: 557-4-SL04 and 557-4-SL02 received on 2 May 2005a and 557-4-AL02a received by the Planning Authority on 22 June 2004).

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

2. Prior to the commencement of development the developer shall submit a written specification for the external finishing materials which shall be a slate look alike roof tile and a brick or render appropriate to the local area. This shall be submitted for the further written approval of the Planning Authority and thereafter implemented as approved.

REASON – To ensure the external finishing materials are appropriate to the character of the area in the interests of visual amenity.

3. Notwithstanding the details on the plans hereby approved the windows to be installed shall be a sash and case look alike with a 50mm stepped transom at the mid rail to the satisfaction of the Planning Authority.

REASON – In the interests of visual amenity.

4. Surface water runoff shall be disposed of on site via an appropriate method of Sustainable Urban Drainage system which shall be installed and maintained in perpetuity to the satisfaction of the Planning Authority in consultation with Scottish Environment Protection Agency.

REASON – In the interests of public health and safety.

5. Access to the site shall be taken via internal roads which comply with the Roads Development Guide 1996 and will require Construction Consent from East Ayrshire Roads Department. This consent would cover details such as road widths, footways, road construction, street lighting, drainage, traffic calming etc.

REASON – In the interests of road safety.

6. Prior to the occupation of any of the dwellinghouses the developer shall form junction visibility splay areas of 2.5m by 35m at all internal road junctions with no object greater than 1m in height allowed within these areas which shall be retained in perpetuity to the satisfaction of the Planning Authority. Junction visibility splay areas of 2.5 m by 90 m will be required junction of Barskimming Road and Station Road, with no object greater than 1m in height allowed within these areas.

REASON – In the interests of road safety.

7. Any existing public utility apparatus located in the road verge will require to be protected beneath the proposed access road.

REASON – In the interests of public health and safety.

8. No surface water must be allowed to discharge onto the public road.

REASON – To ensure a secure road surface in the interests of road safety.

9. Prior to the occupation of any of the dwellinghouses hereby approved the developer shall form a minimum 3 number off road parking spaces for each dwelling.

REASON – In the interests of road safety.

10. Prior to the occupation of the last dwellinghouse to be completed on site the developer shall form a minimum of 3 number visitor parking spaces for the development.

REASON – In the interests of road safety.

11. Any garages must be set back a minimum distance of 6m from the rear of the footway.

REASON – In the interests of road safety.

12. Prior to the occupation of any of the dwellinghouses hereby approved the private driveway will require to be paved for a minimum distance of 2 metres from the rear of the footway to avoid overcarry of loose material onto the public road.

REASON – To ensure a secure road surface in the interests of road safety.

13. Any gates will require to open inwards away from the public road.

REASON – In the interests of road safety.

14. All construction traffic associated with the development hereby approved will gain access to and egress from the site directly from Barskimming Road and at no time shall any construction traffic use Station Road which shall remain closed off by the existing bollards until all construction has been completed.

REASON – In the interests of road safety.

15. Construction works on site shall not be carried out prior to 0800 hours and after 1700 hours on Mondays to Fridays, between 0800 and 1300 hours on Saturdays, 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 interest of residential amenity.

#### **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 555330. The internal roads must comply with the Roads Development Guide 1996. This consent would cover details such as road widths, footways, road construction, street lighting, drainage, traffic calming, internal junction visibilities etc.
2. The developer should make early contact with Scottish Water and the Scottish Environment Protection Agency regarding drainage of the site, (including capacity issues), and to confirm the request to utilise a 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.

**DUE TO ORDNANCE SURVEY REGULATIONS AND COPYRIGHT  
THE MAP IS AVAILABLE FOR VIEWING AT THE COUNCIL'S  
PLANNING OFFICE IN LUGAR. FOR INFORMATION ON  
VIEWING PLEASE CONTACT (01563) 555320.**