

## **EAST AYRSHIRE COUNCIL**

**SOUTHERN LOCAL PLANNING COMMITTEE: 03 DECEMBER 2004**

**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 to demolish the existing industrial units and to redevelop the site for the erection of eight executive style detached dwellinghouses. The houses are to be situated around a cul-de-sac arrangement taken off 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 It is proposed to access the site off Station Road and upon completion of the proposed dwellinghouses the access onto Barskimming Road would be closed off by relocating the bollards presently in situ at the southern end of Station Road. The bollards are to be relocated at the end of Station Road where they would continue to prevent through access to Barskimming Road. It is proposed to form a connection to the public sewer for foul drainage.

#### **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.

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 houses are larger than those which they back onto at Station Road and it is therefore material that they would not be overbearing on these, primarily single storey houses. The house on Plot 7 would be closest to No. 42 Station Road but the rear garden is 14 metres in depth which ensures that it will not cause overshadowing to the rear garden of No.42. Nor is it considered that overlooking would be to an unacceptable degree. It is also noted that none of the houses backing onto the site have objected to the dwellings for reasons other than those associated with road safety.

3.5 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. With regard to drainage of the site, this will be to the existing public mains as confirmed by Scottish Water.

3.6 Following the decision of the Committee on the 10 September 2004, the developer was contacted regarding the potential to access the application site from Barskimming Road. The developer has now confirmed that the possibility of using the existing access onto Barskimming Road has been considered. If this access was to be used it would require significant road safety improvements, on third party land, at the junction of Station Lane onto Barskimming Road. The developer has confirmed this would have financial implications that would render the residential development unviable. Additionally the access as currently proposed is in accordance with the Roads Construction Consent already approved and which is currently under renewal with the Roads and Transportation Division.

3.7 Therefore it is proposed to access the site off the existing Station Road by relocating the bollards, currently spanning the road between Nos. 42 and 65 Station Road. This element of the proposal in particular has raised much concern amongst people residing along Station Road, especially in relation to heavier vehicles during the construction period. It is intended to use the existing access to the site from Barskimming Road during the construction phase and the bollards will only be relocated once the houses are ready for occupation. The developer will be required to bring the relevant section of Station Road as well as the road forming a cul-de-sac into the dwellings up to an adoptable standard and they have confirmed their agreement to do so. The potential increase in vehicles exiting from Station Road onto the A76 is not considered to be significant and the relocation of the bollards to the top end of Station Road will prevent the road becoming a through route which is of concern to some of the local residents.

3.8 Network Rail has a servitude right of access along this section of Station Road which they retained when the land was sold, therefore their agreement to relocating the bollards is necessary. This has been sought and they have now confirmed in writing that they have no objections to the bollards being relocated. Additionally they currently access the signal box from the Station Road end and hence they do not foresee any reason why they would require access from the Barskimming Road.

### **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

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**04/0528/FL: PROPOSED DEMOLITION OF EXISTING BUILDINGS,  
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ROADWORKS AND RELOCATION OF EXISTING BOLLARDS IN STATION  
LANE AT FORMER A & W POLLOCKS, STATION ROAD, MAUCLINE**

**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. Members will recall considering this application at the meeting on 10 September 2004 when it was agreed to continue consideration of the application to enable further investigation regarding the proposed access to the site. This concerned whether alternative access from Barskimming Road might be feasible and whether all aspects of the access proposed for the site had been fully examined.

### **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 to demolish the existing industrial units and to redevelop the site for the erection of eight executive style detached dwellinghouses. The houses are to be situated around a cul-de-sac arrangement taken off 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 It is proposed to access the site off Station Road and upon completion of the proposed dwellinghouses the access onto Barskimming Road would be closed off by relocating the bollards presently in situ at the southern end of Station Road. The bollards are to be relocated at the end of Station Road where they would continue to prevent through access to Barskimming Road. It is proposed to form a connection to the public sewer for foul drainage.

### **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:

- (i) 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.
- (ii) junction visibility splay areas of 2.5m by 35m will be required at all internal road junctions with no object greater than 1m in height allowed within these areas;
- (iii) any existing public utility apparatus located in the verge will require to be protected beneath the proposed access road;
- (iv) no surface water must be allowed to discharge onto the public road;
- (v) minimum 3 number off road parking spaces will require to be provided for each dwelling;
- (vi) minimum 3 number visitor parking spaces will require to be provided for the development;
- (vii) any garages must be set back a minimum distance of 6m from the rear of the footway;

- (viii) 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;
- (ix) any gates will require to open inwards away from the public road;
- (x) the bollards located at the end of Station Road will require to be replaced at the end of the extended road, upon completion of the works. Construction traffic will gain access to and egress from the site directly from Barskimming Road. Construction traffic shall not use Station Road.

***The developer has confirmed that the above road safety requirements can be met and Network Rail has confirmed their agreement to the existing bollards being relocated.***

3.2 East Ayrshire Environmental Health, Licensing and Community Safety Service has advised that it has no objection to the proposed development subject to the following conditions:

- (i) a comprehensive contaminated land investigation to be completed in accordance with a recognised Code of Practice and including a site specific risk assessment of all relevant pollutant linkages;
- (ii) where the risk assessment identifies any unacceptable risk or risks as defined under Part 11A of the Environmental Protection Act 1990, a detailed remediation strategy shall be submitted;
- (iii) remediation of the site in accordance with the remediation strategy;
- (iv) the presence of any previously unsuspected or unencountered contamination that becomes evident during the development of the site shall be brought to the immediate attention of the Planning Authority.

***The developer has confirmed that these matters are currently being investigated and shall be fully addressed prior to any works taking place on the site. This can be secured through the application of conditions in any consent granted for the development.***

3.3 Scottish Water has been consulted but had not responded at the time of writing this report.

***Albeit no response has been received from Scottish Water the agent has enclosed a copy of correspondence from them confirming that they have no objection to the development connecting to the public foul sewer in Station Road.***

3.4 The Scottish Environment Protection Agency has no objection to the proposed development provided that all foul drainage from the development is connected to the public sewerage system in accordance with Scottish Water

requirements. SEPA is seeking a condition requiring the applicant to obtain assurance from Scottish Water that the additional foul drainage arising from this development will not cause or contribute to premature operation of downstream consented storm sewer overflows. SEPA has also requested a condition requiring the applicant to install a surface water treatment system.

***Both of these requirements can be addressed by a note on the planning consent if the Committee is minded to approve the application.***

3.5 Scottish Power has no objection to the proposed development.

***Noted.***

3.6 Network Rail has no objection to the proposed development.

***Noted.***

3.7 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.***

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

***Noted.***

#### **4. REPRESENTATIONS**

4.1 Four letters of representation have been received from five signatories. These letters are objecting to the proposed development on the following matters:

4.2 The removal of the bollards will create an approximate increase of about 20-25 cars passing the writer's house when there are currently none. I am strongly objecting to the bollards being moved when the new houses start to get built. A&W Pollock has been there for over 100 years and it is still temporary being used as an industrial unit and the entrance has always been and still is from Barskimming Road and there have been no accidents, so why do the bollards need to be moved now. If the bollards are moved, the top of Station Road that joins with Cumnock Road will become even more of a jam as cars, lorries etc try to get onto the very busy A76 Dumfries/Kilmarnock road together

with traffic from the Catrine Road side onto a crossroads “who dares wins” type of situation where there have been accidents.

***It is proposed to relocate the bollards from their current position to the top end of Station Road so that the existing access onto Barskimming Road from the site shall be closed off. This will be done only when the houses have been completed so that heavy vehicles used during the construction period shall use the existing access. The Council’s Roads and Transportation Division has no objection to the proposals and therefore this objection, whilst material to the consideration of the application, is not of sufficient weight to merit refusal of the application. No further separate consent beyond the planning permission sought would be required to relocate the bollards as proposed.***

4.3 My young children will lose a safe play area – the local park is too far away and is usually inhabited by broken glass and dog litter.

***The objector resides in a dwelling close to the bollards on Station Road and it is this area which the writer is referring to as a safe play area. This area of ground, although currently a no through route, is still a public road and therefore not a preferred location for children to play. This objection is therefore not material in the consideration of this planning application.***

4.4 Access by Corrie Mains Farm junction has existed for more than 20 years and been used by existing property owners including heavy traffic from the industrial site why should this now change?

***The access to Corrie Mains Farm shall remain as it exists. It is proposed to use the existing Station Road to serve the development and subject to conditions to improve the access, the Council’s Roads and Transportation Division have found the proposals acceptable.***

4.5 The junction from Station Road to Cumnock Road is more hazardous than the junction at Corrie Mains Farm as there is less visibility at the Cumnock Road end for a right turn and fast moving traffic for a left turn. I experience this on a daily basis and if the bollards were moved traffic coming out of this junction would greatly increase as all the residents in Station Road would be using this.

***It is inevitable that the proposed development will indeed increase the number of vehicles exiting from Station Road onto the Cumnock Road. However this matter formed part of the consideration by the Council’s Roads and Transportation Division and the increase in vehicles is not so significant as to indicate it would be unacceptable.***

4.6 If the bollards are moved prior to the development as indicated by JHP, heavy plant vehicles and building materials will be passing our house regularly thus affecting the quality of the existing road which is currently in excellent condition.

***The bollards are not to be moved until after the houses have been constructed so that the construction traffic will require to use the existing access off Barskimming Road***

4.7 Why have we been asked to sign over responsibility to our road to JHP when the Council already maintains it?

***Once the section of Station Road from the bollards into the site and the internal roads have been made up to an adoptable standard they will be adopted by the Council and thereafter managed and maintained.***

4.8 Has anyone from the Roads and Transportation done a feasibility study on both Corrie Mains junction and Cumnock Road junction to check safety.

***As stated under Para 4.5 the likely increase in traffic generated by a further eight dwellings, along with the existing four houses, has been considered by the Roads and Transportation Division and the proposed use of this junction is found to be acceptable.***

4.9 JHP has indicated that if they improve the Corrie Mains junction then the bollards can be moved completely thus turning into Station Road into a through road.

***If the junction onto Barskimming Road was to be incorporated into the site and the appropriate improvements made then a developer may wish to propose removal of the bollards altogether and this could create a through road likely to result in a problem of road safety through the residential area. As currently proposed however, the relocation of the bollards to the top end of Station Road will prevent this and hence this specific issue is not material to the consideration of the planning application.***

4.10 We are objecting to this proposal due to the increased traffic volume which would be created on Station Road southeast from the bollards current location. The eight new houses together with the present four which are accessed from Barskimming Road, have the realistic potential of allowing another twenty two private cars use of the present cul-de-sac. This proposal has obvious safety concerns for children playing in the presently "quiet" street. During construction

there will be the associated heavy goods and plant traffic together with works cars and vans adding to the safety and quality of life concerns.

***The proposed development along with the existing four houses which would also then take access off Station Road has the likely potential to generate an additional twenty four cars along Station Road to the A76. This is not considered to be an increase sufficient to merit refusal of the proposal; indeed the Roads and Transportation Division has no objections in this regard. The bollards would not be moved until after the construction so addressing concerns about construction traffic travelling along the length of Station Road.***

4.11 These additional vehicles, during and after construction, will also cause congestion and further safety concerns at the junction of Station Road and the A76 (Cumnock Road). At present it is difficult for the refuse collection vehicle to emerge from Station Road onto the A76 without the rear wheels mounting the shrub border and trailing soil onto the roadway. Articulated vehicles have to wait for a long gap in southbound traffic too as they require use of that lane to turn onto the A76. Invariable such vehicles' trailer wheels mount the said shrub border.

***Any issues of the nature described are noted. However the Council's Roads and Transportation Division has not indicated that the proposed dwellinghouses will exacerbate this situation to a significant and therefore unacceptable degree. Hence this is not so material as to merit refusal of the application.***

## **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 None of the consultation responses have raised any objections to the proposed development.

### Representations

6.3 The objections raised by third party representation are primarily based on the traffic increase; relocation of the bollards, construction traffic; impact on a road which is "quiet" for children to play around and the access from Station Road onto the A76. All of these matters have been given thorough consideration and can be satisfactorily resolved or are not of sufficient weight to indicate that the application should be refused.

### 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). Hence the current application site relates to the industrial premises and a section of Station Road only on which there is an extant planning permission as granted in 2000.

## **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.

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 houses are larger than those which they back onto at Station Road and it is therefore material that they would not be overbearing on these, primarily single storey houses. The house on Plot 7 would be closest to No. 42 Station Road but the rear garden is 14 metres in depth which ensures that it will not cause overshadowing to the rear garden of No.42. Nor is it considered that overlooking would be to an unacceptable degree. It is also noted that none of the houses backing onto the site have objected to the dwellings for reasons other than those associated with road safety.

8.5 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. With regard to drainage of the site, this will be to the existing public mains as confirmed by Scottish Water.

8.6 Following the decision of the Committee on the 10 September 2004, the developer was contacted regarding the potential to access the application site from Barskimming Road. The developer has now confirmed that the possibility of using the existing access onto Barskimming Road has been considered. If this access was to be used it would require significant road safety improvements, on third party land, at the junction of Station Lane onto Barskimming Road. The developer has confirmed this would have financial implications that would render the residential development unviable. Additionally the access as currently proposed is in accordance with the Roads Construction Consent already approved and which is currently under renewal with the Roads and Transportation Division.

8.7 Therefore it is proposed to access the site off the existing Station Road by relocating the bollards, currently spanning the road between Nos. 42 and 65 Station Road. This element of the proposal in particular has raised much concern amongst people residing along Station Road, especially in relation to heavier vehicles during the construction period. It is intended to use the existing access to the site from Barskimming Road during the construction phase and the bollards will only be relocated once the houses are ready for occupation. The developer will be required to bring the relevant section of Station Road as well as the road forming a cul-de-sac into the dwellings up to an adoptable standard and they have confirmed their agreement to do so. The potential increase in vehicles exiting from Station Road onto the A76 is not considered to be significant and the relocation of the bollards to the top end of Station Road will prevent the road becoming a through route which is of concern to some of the local residents.

8.8 Network Rail has a servitude right of access along this section of Station Road which they retained when the land was sold, therefore their agreement to relocating the bollards is necessary. This has been sought and they have now confirmed in writing that they have no objections to the bollards being relocated.

Additionally they currently access the signal box from the Station Road end and hence they do not foresee any reason why they would require access from the Barksimming Road.

## **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**

22 November 2004  
NM/NM/SMB  
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. Approved Ayrshire Joint Structure Plan (1999).
7. Previous planning applications.

Anyone wishing to inspect the above background papers should contact Nicola Monroe on 01563 555485.

**Implementation Officer: Dave Morris**

Form TP24A

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application No: 04/0528/FL

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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 and relocation of ex bollards in Station Lane
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

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DPO's Ref: Nicola Monroe  
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 14 May 2004 and the amended plans (Ref: 557/SL02B; 557/AL02A and 557/AL01A) received by the Planning Authority on 18 August 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. Prior to the commencement of development the developer shall submit a scheme to deal with contamination on the site for the further written approval of the Planning Authority. The scheme shall contain details of proposals to deal with contamination to include:
  - i. the nature, extent and type(s) of contamination on the site
  - ii. measures to treat/remove contamination to ensure the site is fit for the use proposed
  - iii. measures to deal with contamination during construction works
  - iv. condition of the site on completion of decontamination measures.

Prior to any dwellinghouse hereby approved being occupied the measures to decontaminate the site shall be fully implemented as approved by the Planning Authority.

REASON – To ensure that any contamination on the site receives the appropriate remediation measures in the interests of public health and safety.

5. The presence of any previously unsuspected or unencountered contamination that becomes evident during the development of the site shall be brought to the attention of the Planning Authority within one week of it becoming evident. At this stage, a comprehensive contaminated land investigation shall be carried out if requested by the Planning Authority.

REASON – To ensure that all contamination on the site is sufficiently dealt with.

6. 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.

7. 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.

REASON – In the interests of road safety.

8. 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.

REASON – In the interests of road safety.

9. 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.

10. 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.

11. 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.

12. 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.

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

REASON – In the interests of road safety.

14. 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.

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

REASON – In the interests of road safety.

16. Prior to the occupation of last of the proposed dwellinghouses, the bollards located at the end of Station Road shall be relocated to the end of the extended road to the satisfaction of the Planning Authority in consultation with the Roads and Transportation Division.

REASON – In the interests of road safety.

17. 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.

## **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.

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