

EAST AYRSHIRE COUNCIL

CENTRAL LOCAL PLANNING COMMITTEE: 13 OCTOBER 2000

**00/0135/OL: PROPOSED RESIDENTIAL DEVELOPMENT
AT MONTGOMERY'S CAR BREAKERS STORAGE AREA
AT KILMAURS ROAD, KNOCKENTIBER
BY JOHN MONTGOMERY & SONS LTD**

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 This is an outline planning application for residential development. No details regarding the design and layout of the development have been provided at this stage.

2. RECOMMENDATION

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

3. SUMMARY OF ANALYSIS

3.1 The proposed development does not conflict with the policies of the East Ayrshire Local Plan Finalised Version. The proposed use will bring visual improvement to this site which is presently used as a car breakers storage yard. The proposed development will be compatible with the surrounding area. The Roads Division have recommended that the site is serviced by a single access and traffic calming measures are provided along Kilmaurs Road. These road details and details regarding the number, layout and design of houses can be submitted at the detailed stage.

**Alan Neish
Head of Planning and Building Control**

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 and Building Control

1. PURPOSE OF REPORT

1.1 The purpose of this report is to present for determination an outline 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 Development Plan and is of area significance.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site extends to 0.531 hectares and it is the site of the car breakers storage area. The site is located within the settlement boundary of Knockentiber. It is surrounded by agricultural land to the North, South and East and residential development and Montgomery's Garage to the West.

2.2 **Proposed Development:** This is an outline planning application for residential development. No details regarding the design and layout of the development have been provided at this stage.

3. CONSULTATIONS AND ISSUES RAISED

3.1 East Ayrshire Council Roads Division have no objections subject to the following conditions regarding no direct vehicle access onto Kilmaurs Road from individual dwellings to be permitted, access to be taken from a new internal road forming a single junction with Kilmaurs Road and the new junction to have sightlines of 2.5metres by 90metres with a spacing of 25metres from any other junction, i.e. the commercial access on the opposite side of the road. Pedestrian access to the site will include the formation of a footway over the frontage of the site and traffic calming measures on Kilmaurs Road.

The requirements of the Roads Division could be met by attaching conditions to the planning consent if granted.

3.2 West of Scotland Water have commented that the developer should satisfy himself by site investigation that relative levels are such as will allow the development to be connected at a reasonable gradient. The development can be serviced from an existing public water main located in the street adjacent to the site location.

Noted.

3.3 The Scottish Environment Protection Agency have no objection provided foul drainage is connected to the public sewer. If contaminated land is identified on site the applicant should contact them.

A note can be attached to the planning consent if granted advising the applicant to contact the Scottish Environment Protection Agency regarding the identification of contaminated land.

3.4 East Ayrshire Council Environmental Health and Waste Management have no objection in principle to housing. The former use of the site could have resulted in a degree of contamination of the ground from leaking oil, fuel and other debris over the years. Some site investigation would be desirable to ascertain the degree of contamination of the ground and permit consideration of what might be required to ensure its suitability for housing.

A condition could be attached to any planning consent if granted regarding the submission of a ground contamination report.

3.5 The Coal Authority and Knockentiber Community Council have not responded to the consultation letter.

Noted.

4. REPRESENTATIONS

4.1 No letters of representation has been received.

5. DEVELOPMENT PLAN STATUS

5.1 The relevant policy document is the East Ayrshire Local Plan and the site is located within the settlement boundary of Knockentiber. Policy RES4 encourages sympathetic residential development of gap, infill or other redevelopment sites 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.

- (ii) Transportation and infrastructure implications.
- (iii) Compatibility with surrounding densities and housing types; and,
- (iv) Compliance with the Council's Development Promotion and Design Guidance.

The application site is presently used as a car breakers storage yard, the proposal will bring visual improvement to this area. The proposed use would be compatible with the surrounding area. The number and layout of the proposed houses will be submitted at the detailed stage. The Roads Division have no objections to the proposed development subject to a number of conditions which are detailed in Section 3.1 of the report.

6. OTHER PLANNING CONSIDERATIONS

6.1 There are no other planning considerations.

7. FINANCIAL AND LEGAL IMPLICATIONS

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

8. CONCLUSION

8.1 The proposed development does not conflict with the policies of the East Ayrshire Local Plan Finalised Version. The proposed use will bring visual improvement to this site which is presently used as a car breakers storage yard. The proposed development will be compatible with the surrounding area. The Roads Division have recommended that the site is serviced by a single access and traffic calming measures are provided along Kilmaurs Road. These road details and details regarding the number, layout and design of houses can be submitted at the detailed stage.

9. RECOMMENDATION

9.1 The application should be approved subject to the conditions indicated on the enclosed sheet.

**Alan Neish
Head of Planning and Building Control**

4 October 2000
(PC/MMM)
FV/DVM

LIST OF BACKGROUND PAPERS

1. Application form and plans.
2. Statutory Notices/Certificates.
3. Consultation Replies.
4. East Ayrshire Local Plan Finalised Version.

Anyone wishing to inspect the above papers please contact Pamela Clifford on 01563 576772.

Implementation Officer: David Morris

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

00/00135/OL

Site of Proposal: Montgomery Car Breakers Storage Area
37 Kilmaurs Road
KNOCKENTIBER Kilmarnock KA2 0DY

Natural of Proposal: Proposed Residential Development
(Outline Planning Permission)

Name & Address of Applicant: John Montgomery and Sons Ltd
Montgomery's Car Breakers Storage Area
37 Kilmaurs Road
KNOCKENTIBER Kilmarnock KA2 0DY

Name & Address of Agent: Barry Atkinson
Maryfield
64 Riccarton Road
HURLFORD
Kilmarnock KA1 5AJ

DPOs Reference: PC/MMM

The above OUTLINE 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 2000 and the amended plans received by the Planning Authority on 07 September 2000.

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

2. Before any development commences on the site, the further approval of the Planning Authority shall be obtained in respect of the under mentioned matters hereby reserved.

- (a) The layout of the site.
- (b) The size, height, design and external appearance of the proposed dwellinghouses.
- (c) The means of drainage and sewage disposal.

- (d) Details of the access arrangements.
- (e) The provision for open space.
- (f) The provision for car parking.
- (g) The boundary walls/fences to be erected.
- (h) The landscaping of the site.
- (i) Finished site levels/floor levels.
- (j) The submission of a ground contamination report detailing the measures necessary to address and resolve contamination on site.

REASON The approval is in outline only.

3. Details to be submitted under Condition 2(d) shall include the following road details.

- (a) Access to the site to be taken from a single junction onto Kilmaurs Road.
- (b) Sightlines of 2.5metres by 90metres to be provided at the junction and with a spacing of 25metres from any other junction.
- (c) A footway to be provided along the full frontage of the site.

REASON In the interests of road safety.

4. There shall be no occupation of any of the houses until such time as traffic calming measures, of a type submitted to and agreed by the Planning Authority, are in place on Kilmaurs Road; B751.

REASON In the interests of road safety.

Note:

- 1) The applicant shall make early contact with the Scottish Environment Protection Agency regarding the identification of contaminated land on site.
- 2) Prior to the commencement of development on site, the applicant should satisfy him/herself as to the suitability of the site for construction purposes.

**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.**

AGENDA