

EAST AYRSHIRE COUNCIL

SPECIAL CENTRAL LOCAL PLANNING COMMITTEE: 1ST AUGUST 2003

**02/0992/FL: PROPOSED 4 ARM ROUNDABOUT TO SERVE FUTURE
DEVELOPMENT SITES , MOORFIELD B7064, KILMARNOCK BY LAND
IMPROVEMENT HOLDINGS PLC**

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 Full planning consent is sought for 4 arm roundabout to serve identified development sites to the east and west which are the subject of separate planning applications to be considered by this Committee. The proposed roundabout is to be constructed at the junction which currently accesses the Brewers Fayre and Travel Lodge. Two new arms are to be constructed, one will provide access to the west for business and industrial development subject to a separate application (03/0434/OL). The other arm to the east will access the housing development subject to a separate planning application (03/0313/OL).

2. RECOMMENDATION

2.1 It is recommended that the application should be approved subject to the conditions indicated on the enclosed sheet and that the issuing of the Planning Decision Notice be withheld until the Solicitor to the Council has satisfactorily concluded a formal agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 with the applicant in respect of the matters detailed in Section 5 of the Overview Report.

3. CONCLUSIONS

3.1 As indicated in Section 5 of the report, the application is in accordance with the development plan. Therefore given the terms of Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 the application should be approved unless material considerations indicate otherwise.

3.2 There are material considerations relevant to this application as indicated in Section 6 of the report. The concerns of the objectors regarding traffic congestion have not been echoed by the Roads Division and in fact the new access arrangements for the objector will improve exiting on to the B7064. The proposed roundabout will provide an effective and suitable access to both the Springhill Farm/Mount House housing area and the Moorfield North industrial development site, both identified sites with the

EALP. The proposed roundabout will facilitate the aims and strategies of the EALP to be met on adjacent sites.

CONTRARY DECISION NOTE

Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning and Building Control the application would require to be referred to the Development Services Committee as the proposal is in accordance with Council Policy.

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.

EAST AYRSHIRE COUNCIL

SPECIAL CENTRAL LOCAL PLANNING COMMITTEE: 1ST AUGUST 2003

02/0992/FL: PROPOSED 4 ARM ROUNDABOUT TO SERVE FUTURE DEVELOPMENT SITES , MOORFIELD B7064, KILMARNOCK BY LAND IMPROVEMENT HOLDINGS PLC

Report by Head of Planning and Building Control

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 due to the nature of the development proposed and is subject to objection.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site is B7064, some 200 metres north of the Moorfield Roundabout and some 600 metres south of Dalespark Roundabout. It is bounded to the south by the A71 and Moorfield Roundabout, to the north by B7081 Kilmarnock to Crosshouse Road and Dalespark Roundabout, to the east by Brewers Fayre and Travel Lodge and Annandale Guest House and agricultural land , and to the west by concrete hardstanding, colliery, waste/spoil heap and agricultural land which is the subject to a separate planning application for business and industrial development.

2.2 **Proposed Development:** Full planning consent is sought for 4 arm roundabout to serve identified development sites to the east and west which are the subject of separate planning applications to be considered by this Committee. The proposed roundabout is to be constructed at the junction which currently accesses the Brewers Fayre and Travel Lodge. Two new arms are to be constructed, one will provide access to the west for business and industrial development subject to a separate application (03/0434/OL). The other arm to the east will access the housing development subject to a separate planning application (03/0313/OL).

3. CONSULTATIONS AND ISSUES RAISED

3.1 East Ayrshire Council Roads and Transportation Division have no objections to the proposed development. The Transport Assessment submitted with the outline planning application for residential development recommended changes to the existing roundabouts at Moorfield and Irvine Road. These works should be undertaken prior to the commencement of housing road construction. It would be advisable to undertake these

improvement works with the construction work for the new roundabout to minimise traffic congestion.

The construction and implementation of the new roundabout prior to the commencement of housing building on site can be safeguarded by the Section 75 legal agreement. The external improvement to the existing roundabouts at Moorfield and Irvine Road are addressed by the Transport Assessment submitted with the outline consent with residential development.

3.2 Scottish Water have advised that the proposal may involve building over or in such a way as to obstruct access to an existing public sewer and they should be contacted in order to ascertain if diversion or protection is appropriate. The applicant may be required to enter into an agreement with Scottish Water in terms of Section 21 of The Sewerage (Scotland) Act 1968. Water apparatus located within the development site may be affected by this proposal.

The comments of Scottish Water can be addressed by attaching a note to any grant of planning consent.

3.3 Scottish Environment Protection Agency have no objection and surface water from the site should be treated in accordance with the principles of the Sustainable Urban Drainage Systems Design Manual for Scotland and Northern Ireland.

The requirements of SEPA regarding SUDS can be addressed by attaching a condition and notes to any grant of planning consent.

3.4 The Coal Authority have advised that the proposal is within the likely zone of influence on the surface from workings in 6 seams of coal at shallow to 140m depth the last date of working being 1920.

A note can be attached to any grant of planning consent advising the applicant of the advice of the Coal Authority.

3.5 East Ayrshire Council Economic Development Division supports this proposal as it will provide access to an important new strategic industrial site.

Noted.

3.6 Crosshouse Community Council and Grange Howard Community Council have not responded to their consultation letter at the time of writing this report.

Noted.

4. REPRESENTATIONS RECEIVED

4.1 There are 2 objectors to the proposed development and their grounds of objection are as follows.

4.2 They have difficulty already exiting from their property onto the B7064 because of the volume of traffic. Any increase onto this roadway would intensify the traffic flow and exacerbate difficulty they have in exiting from the existing roadway.

The existing road which accesses Annandale Guest House will be linked into the new distributor road which will serve the new residential development. The construction of a new roundabout on B7064 this will enable exiting onto B7064 to be much easier than the present access arrangements.

4.3 They would like a link onto the proposed roundabout and therefore remove their problem of exit.

See response to 4.2

4.4. They object to the roundabout opening up access to the lands at the rear of their property for housing development. This would affect the rural nature and amenity of their property. Any development on the site would be disruptive. There is no indication on the application plan where the access road would be to the intended building site or indeed how close the development would be to the perimeter of their land.

The roundabout will serve both the proposed residential and business and industrial sites which are identified for these uses within the East Ayrshire Local Plan and are the subject of separate applications to be considered by the Committee. Details regarding the siting of the proposed distributor road are addressed within the separate outline application for residential development.

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 planning application, the Development Plan comprises the Approved Ayrshire Joint Structure Plan and the Adopted East Ayrshire Local Plan.

5.2 The proposed development is considered to comply with the overall aims and policies of both the Ayrshire Joint Structure Plan and Adopted East Ayrshire Local Plan. The roundabout is of a standard and design to be capable of providing suitable and effective access to both the Mount

House/Springhill Farm housing site (1.45h) and the Moorfield North Strategic Industrial site – 158B as identified in the Adopted East Ayrshire Local Plan.

6. ASSESSMENT AGAINST OTHER MATERIAL CONSIDERATIONS

6.1 The principal material considerations relevant to the determination of the application are the consultation responses and objection received detailed in Sections 3 and 4 of the report.

Consultation Responses and Representations Received

6.2 It is not considered that the consultation responses raise any issues that would warrant the refusal of this application. The concerns of the objectors regarding traffic congestion are not echoed by the Roads Division. Construction of the roundabout will improve access and road safety in the long term. It is acknowledged that there will be some disturbance to the traffic flow during construction of the roundabout, however this will be of a short term nature.

7. FINANCIAL AND LEGAL IMPLICATIONS

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

7.2 Legal Implications would arise from the Council entering into a legal agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 with the application. The heads of terms of the Section 75 are addressed in detail in the Overview Report Section 5.

8. CONCLUSIONS

8.1 As indicated in Section 5 of the report, the application is in accordance with the development plan. Therefore given the terms of Sections 25 and 37 (2) of the Town and Country Planning (Scotland) Act 1997 the application should be approved unless material considerations indicate otherwise.

8.2 There are material considerations relevant to this application as indicated in Section 6 of the report. The concerns of the objectors regarding traffic congestion have not been echoed by the Roads Division and in fact the new access arrangements for the objector will improve exiting on to the B7064. The proposed roundabout will provide an effective and suitable access to both the Springhill Farm/Mount House housing area and the Moorfield North industrial development site, both identified sites with the EALP. The proposed roundabout will facilitate the aims and strategies of the EALP to be met on adjacent sites.

9. RECOMMENDATION

9.1 It is recommended that the application should be approved subject to the conditions indicated on the enclosed sheet and that the issuing of the Planning Decision Notice be withheld until the Solicitor to the Council has satisfactorily concluded a formal agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 with the applicant in respect of the matters detailed in Section 5 of the Overview Report.

CONTRARY DECISION NOTE

Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning and Building Control the application would require to be referred to the Development Services Committee as the proposal is in accordance with Council Policy.

Alan Neish
Head of Planning and Building Control

22 July 2003 (PC/SA)

LIST OF BACKGROUND PAPERS

1. Application form and plans.
2. Statutory Notices/Certificates.
3. Consultation Responses.
4. Letter of Representation.
5. Adopted East Ayrshire Local Plan.
6. Approved Ayrshire Joint Structure Plan.
7. Report into Objections to the East Ayrshire Local Plan Volume 2 Housing.
8. Development Proposals at Moorfield North Industrial Site Development Services Committee: 20 May 2003.
9. Moorfield/Mount House Action Plan Development Services Committee: 21 November 2000.
10. Planning Application Nos: 02/0992/FL; 03/0313/OL; 03/0434/OL.

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

Implementation Officer: Dave Morris

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

02/0992/FL

Site of Proposal:	Moorfield B7064 KILMARNOCK
Nature of Proposal:	Proposed 4 Arm Roundabout to Serve Future Development Sites
Name & Address of Applicant:	Lands Improvement Holdings plc 1 Buckingham Place LONDON SW1E 6HR
Name & Address of Agent:	URS Corporation Ltd 243 West George Street GLASGOW G2 4QE

DPOs Reference: PC/MMM

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

1. Before any works commence on site, details of a Sustainable Urban Drainage System and its maintenance following installation shall be submitted to and approved by the Planning Authority. The Sustainable Urban Drainage System shall thereafter be installed on site prior to the operation of the roundabout.

REASON To ensure that adequate drainage is provided.

2. Notwithstanding the submitted plans, the proposed roundabout shall be landscaped. The landscaping and maintenance details shall be submitted to and approved by the Planning Authority prior to the commencement of development on site and implemented on site prior to the roundabout being brought into use.

REASON In the interests of visual amenity of the area.

Notes:

1. The applicant is advised that the proposal is within the likely zone of influence on the surface from workings in 6 seams of coal at shallow to 140 m depth the last date of working being 120. The applicant should satisfy himself to the stability of the site.
2. The developer shall make early contact with the Scottish Environment Protection Agency and Scottish Water to confirm their request to utilise a Sustainable Urban Drainage System (SUDS) with regard to surface water. These authorities require this development to be in accordance with the recommendations contained in the CIRIA manual on SUDS.
3. The Council does not currently have a general agreement with Scottish Water in relation to the maintenance of public SUDS. Proposals for site specific agreements which may require to involve the developer or other third parties will be considered within the overall framework recommended in the design manual for SUDS published by CIRIA.
4. The applicant is advised to make early contact with Scottish Water, 35 Glenburn Road, Prestwick, KA9 2NS, as the proposal may involve building over or in such a way as to obstruct access to an existing public sewer in order to ascertain if diversion or protection is appropriate.

**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.**