

EAST AYRSHIRE COUNCIL

CENTRAL LOCAL PLANNING COMMITTEE: 30 MAY 2003

**03/0287/OL: PROPOSED ERECTION OF 200 SQUARE METRES LIGHT
INDUSTRIAL UNIT
SITE TO SOUTH OF UNITS 1 & 2, BLOCK 5, MOORFIELD INDUSTRIAL
ESTATE, KILMARNOCK
BY J F SMITH**

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 Outline planning consent is sought for the erection of a 200 square metre light industrial unit. The applicant has provided a plan showing the siting of the light industrial unit, car parking and visitor parking within the site. Details regarding the design of the unit would be submitted at the reserved matters or detailed stage. The applicant has indicated that the development is speculative.

2. RECOMMENDATION

2.1 The application should be refused for the reasons indicated on the enclosed sheet.

3. CONCLUSIONS

3.1 As indicated at Section 5 of the report the application is in accordance with the Adopted East Ayrshire Local Plan in principle. 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 As is indicated in Section 6 of the report, there are material considerations relevant to this application and these are not supportive of the proposal. Although the development is consistent with the development plan, it is considered that greater weight should be attached to the other material considerations. The negative comments of the Roads Division and Power Systems are material in the determination of this application and justify a recommendation of refusal. The proposed development would in effect prejudice future road improvements in the area, which would conflict with the objectives of the East Ayrshire Local Plan that identify Moorfield Industrial Estate as an area being suitable for industrial uses. The development would prejudice the future development of Moorfield Industrial Estate and detrimentally affect existing users in the industrial estate. The siting of the industrial unit in this very visually prominent area would be detrimental to the character and amenity of the area.

CONTRARY DECISION NOTE

Should the Committee agree that the application be approved contrary to the recommendation of the Head of Planning and Building, the application will require to be referred to the Development Services Committee as there would be a significant breach of 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.

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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 subject to objections and recommended for refusal.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site is a grassed area adjacent to the A759 Kilmarnock to Troon road and the main entrance to Moorfield Industrial Estate. The site is 0.08 acres and is surrounded to the north by industrial units, to the south by A759 Kilmarnock to Troon road and agricultural land, to the west by the main access to Moorfield Industrial Estate and open space and to the east by open space. The site is bounded by a hedge adjacent to the A759 and there are 6 ornamental trees in the site.

2.2 **Proposed Development:** Outline planning consent is sought for the erection of a 200 square metre light industrial unit. The applicant has provided a plan showing the siting of the light industrial unit, car parking and visitor parking within the site. Details regarding the design of the unit would be submitted at the reserved matters or detailed stage. The applicant has indicated that the development is speculative.

3. CONSULTATIONS AND ISSUES RAISED

3.1 East Ayrshire Council Roads & Transportation Division have recommended refusal of the application as the location of the building would appear to be within the junction visibility envelope and therefore presents a road safety hazard. The space indicated as car parking for the unit does not conform to parking standards and therefore will not be considered as being available. The existing units on the access road use the current parking spaces and at times park on the adjoining footways when there appears to be insufficient capacity. Visitor parking areas included in the application site currently serve the existing units and can not be considered to be for

the use of this development. No provision for the parking of service vehicles is indicated and the units currently on site suffer from this inadequacy and at times this results in obstruction of the access road. It is therefore considered inappropriate to increase the problem further by permitting this development without adequate service vehicle provision.

A culverted watercourse passes through the Moorfield Industrial Estate and the Roads Division believe that it may pass under the footprint of the proposed building. There are also significant underground services in the vicinity of the proposed building which will require relocating.

The Roads Division are currently proposing to undertake road junction improvement works to permit further development of Moorfield Estate. The ground taken by this development would prevent such improvements and effectively end all future development on the site.

A SUDs drainage system should be provided for the increased run off from the new development.

The proposed industrial unit would prejudice future road improvements at the entrance to Moorfield Industrial Estate from the A759. If these road improvements do not take place the Industrial Estate would be effectively sterilised from future development. The development would also have a detrimental impact on existing operators by being sited in the junction visibility splay which would be a road safety hazard. The development would also aggravate car parking and service vehicle difficulties in the immediate area.

3.2 Scottish Environment Protection Agency have no objection on the understanding that the foul drainage is connected to the public sewer. Surface Water from the site should be treated in accordance with principles of the Sustainable Urban Drainage Systems Design Manual for Scotland and Northern Ireland.

A condition and notes can be attached to any grant of planning consent regarding the use of a Sustainable Urban Drainage System.

3.3 Power Systems have strong objections to the development as the location of units shall interfere with underground cables that are the main supply to Moorfield Industrial Estate. The cost and the expense of the deviation of the cables would be substantial together with the disruption and required shutdown of the supply to Moorfield Industrial Estate.

The comments of Power Systems are material as the proposed development would have severe consequences for the existing users within the industrial estate.

3.4 Transco and Crosshouse Community Council have no adverse comments to make regarding the proposed development.

Noted.

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

Noted.

3.6 Scottish Water has advised that there is a public sewerage system to which a connection may be made and their permission should be sought to connect to the public sewerage system at the appropriate time. A totally separate drainage system of foul and surface water sewers will be required. The development may involve building over or in such a way to obstruct access to an existing public sewer, therefore the applicant should contact them to ascertain if diversion or protection is appropriate. It is recommended that the applicant should consider the implementation of a Sustainable Urban Drainage System within the proposed drainage design.

The requirements of Scottish Water can be met by attaching conditions and notes to any grant of outline planning consent.

4. REPRESENTATIONS AND ISSUES RAISED

4.1 There are two letter of objection from consultees which are detailed in Section 3 of the report.

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.

5.2 Policy IND5 of the Adopted East Ayrshire Local Plan is relevant which safeguards established industrial areas for business, industrial and storage and distribution uses falling within Classes 4, 5 and 6 of the Use Classes Order.

The proposed development accords with the above policy in principle, but in detail would prejudice the expansion or enhancement of the industrial estate.

6. ASSESSMENT AGAINST OTHER MATERIAL CONSIDERATIONS

6.1 The principal material considerations relevant to the determination of this application are the consultations received which are detailed in Section 3 of the report and the impact of the proposal on the amenity of the area.

Consultations Received

6.2 The comments of the Roads Division and Power Systems are material in the determination of this application. The Roads Division have indicated that the location of the unit would appear to be within the junction visibility splay and therefore would present a road safety hazard. They are also intending to undertake road junction improvement works within the application site to permit the further development of Moorfield Industrial Estate. The ground taken by this development would prevent such improvements and effectively prevent all further development of Moorfield Industrial Estate.

6.3 Power Systems have also indicated that underground cables are sited within this area which are the main supply to Moorfield Industrial Estate. If these cables were diverted, it would require the temporary shutdown of the electrical supply to Moorfield Industrial Estate which would have a major effect on the current uses within the Industrial Estate.

Impact on the Amenity of the Area

6.4 The proposed development is located substantially forward of the building line of the existing industrial properties in the industrial estate in an area which forms a landscaped area at the entrance to the industrial estate. The proposed development would be unduly visually prominent from the A759 and would be detrimental to the character and amenity of the area.

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 arise in connection with the proposed road widening project at the entrance to Moorfield Industrial Estate from the A759 which involves the application site. The Council has commenced compulsory purchase of the grassed area as not all owners/occupiers are prepared to sell the land to the Council.

8. CONCLUSIONS

8.1 As indicated at Section 5 of the report the application is in accordance with the Adopted East Ayrshire Local Plan in principle. 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 As is indicated in Section 6 of the report, there are material considerations relevant to this application and these are not supportive of the proposal. Although the development is consistent with the development plan, it is considered that greater weight should be attached to the other material considerations. The negative comments of the Roads Division and Power Systems are material in the determination of this application and justify a recommendation of refusal. The proposed development would in effect prejudice future road improvements in the area, which would conflict with the objectives of the East Ayrshire Local Plan that identify Moorfield Industrial Estate as an area being suitable for industrial uses. The development would prejudice the future development of Moorfield Industrial Estate and detrimentally affect existing users in the industrial estate. The siting of the industrial unit in this very visually prominent area would be detrimental to the character and amenity of the area.

9. RECOMMENDATION

9.1 The application should be refused for the reasons indicated on the enclosed sheet.

CONTRARY DECISION NOTE

Should the Committee agree that the application be approved contrary to the recommendation of the Head of Planning and Building, the application will require to be referred to the Development Services Committee as there would be a significant breach of Council policy.

Alan Neish
Head of Planning & Building Control

21 May 2003
(PC/MS)

FV/DVM

List of Background Papers

1. Application form and plans.
2. Consultation Responses.
3. Statutory Notices/Certificates.
4. Adopted East Ayrshire Local Plan.
5. Approved Ayrshire Joint Structure Plan.

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

Implementation Officer: Dave Morris

I:CLPC/030287OL

TP24

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application No: 03/0287/OL

Location: Block 5
Units 1 & 2
Moorfield Industrial Estate
KILMARNOCK

Nature of Proposal: Proposed Erection of 200 square metres Light Industrial Unit

Name & Address of Applicant: J F Smith
14 Main Road
FAIRLIE
KA29 ODP

Name & Address of Agent:

DPO's Ref: PC/MS

The above OUTLINE application should be refused on the following grounds:

1. The proposed development of the application site would prejudice future road improvements at the entrance to Moorfield Industrial Estate from the A759. The road improvements are intended to safeguard and enable future development of Moorfield Industrial Estate for existing and future industrial users.
2. The proposed development would aggravate the existing car parking difficulties in the immediate area and does not provide satisfactory accommodation within the application site for the parking (loading and unloading) of vehicles and service vehicles.
3. The proposed development would be detrimental to road safety by reason of the siting of the industrial unit within the junction visibility envelope to the A759.
4. The proposed development would interfere with underground cables that are the main supply to Moorfield Industrial Estate. Diversion of these cables would result in the shutdown of the supply to existing uses in the Industrial Estate which would have severe consequences for their existing operations.

5. The proposed development would have a detrimental effect on the character and amenity of the area by reason of its siting substantially forward of the front building line of existing industrial units in a landscaped area.

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