

EAST AYRSHIRE COUNCIL

NORTHERN AREA LOCAL PLANNING COMMITTEE: 26 OCTOBER 2001

01/0519/FL: PROPOSED ALTERATIONS TO APPROVED CAR PARKING LAYOUT AT 4-12 BREWLANDS STREET, GALSTON, BY J C MORTON HOMES

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 It is proposed to amend the layout of the parking area from that previously approved in Planning Consent 98/0645/FL dated 28 January 2000. This Consent identified 22 no. car parking spaces, 9 of which are for visitors. A bin store, bin pick-up area and hatched tarmac area showing the access points to No 3 Glebe Road are also identified. The Consent also indicated a hatched area of approximately 2.5metres by 5 metres at the north west corner of the parking bays. This Consent has not been fully implemented due to the hatching in the north west corner of the site not being carried out.

The proposal aims to identify the hatched area in the north west corner of the car park as a parking bay, designated to flat 10/8. The proposal also aims to allocate an existing visitor's parking space to the occupier of 14 Brewlands Street. Eight car parking spaces will be provided for visitors, but there would remain 22 spaces associated with the flats.

2. RECOMMENDATION

2.1 It is recommended that the application be approved.

3. SUMMARY OF ANALYSIS

3.1 As indicated in Section 5 of the report, there are no provisions within the Development Plan relevant to the determination of this application. Therefore, given the terms of Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997, the application should be determined on the basis of the material considerations. As indicated at Section 6 of the report, there are material considerations relevant to this application which support a favourable recommendation.

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 a full planning application which is to be considered by the Local Planning Committee under the scheme of delegation because it is subject to objections.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site is located within the town centre of Galston at the rear of the converted Co-op building at Brewlands Street. The parking area is at the rear of the flats and is accessed off Brewlands Lane from Glebe Road. The car parking layout painted on the car park is substantially as approved with the omission of a hatched, no parking area at the north west corner of the car park.

2.2 **Proposed Development:** It is proposed to amend the layout of the parking area from that previously approved in Planning Consent 98/0645/FL dated 28 January 2000. This Consent identified 22 no. car parking spaces, 9 of which are for visitors. A bin store, bin pick-up area and hatched tarmac area showing the access points to No 3 Glebe Road are also identified. The Consent also indicated a hatched area of approximately 2.5metres by 5 metres at the north west corner of the parking bays. This Consent has not been fully implemented due to the hatching in the north west corner of the site not being carried out.

The proposal aims to identify the hatched area in the north west corner of the car park as a parking bay, designated to flat 10/8. The proposal also aims to allocate an existing visitor's parking space to the occupier of 14 Brewlands Street. Eight car parking spaces will be provided for visitors, but there would remain 22 spaces associated with the flats.

3. CONSULTATIONS AND ISSUES RAISED

3.1 East Ayrshire Council Roads and Transportation Division have no objection to the application.

Noted.

3.2 Galston Community Council has not responded at the time of writing this report.

Noted.

4. REPRESENTATIONS

4.1 Two letters of objections have been received.

The plans which are being referred to in respect of this latest application are not the ones updated last year.

The plans approved under Planning Consent 98/0645/FL were amended through a condition attached to the Planning Consent. Therefore the approved plan requires to be read in conjunction with the Planning Consent to ascertain a true reflection of the proposal granted consent.

It was also noted that the parking space held in title by Flat 10/8 is hatched off and that no alternative is shown on the plan.

The proposed scheme identifies the north west area of the car park as a parking place for Flat 10/8.

In the development, there are 14 flats and over the past 5 years, it has been noticed that there are few enough visitors parking spaces to cater for the development and no nearby public parking, so therefore the giving away of a space simply cannot be afforded.

As stated above, the Roads Division are satisfied with the proposed number of visitor parking spaces provided.

Number 14 Brewlands Street has no right to park in the car park

This is a legal matter and not relevant to the planning application.

The Neighbour Notification has been carried out during the Kilmarnock Fair to make objection more difficult.

The timing of the Neighbour Notification is not relevant to the determination of the planning application.

The change proposed does away with a much needed parking space.

As stated above, the Roads Division are satisfied with the proposed number of visitor parking spaces provided.

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 Ayr County Development Plan (1953).

The Adopted Ayr County Development Plan is now considerably out of date. Given the age of this plan, its relevance to the application is negligible.

6. ASSESSMENT AGAINST OTHER MATERIAL CONSIDERATIONS

6.1 The principal material considerations relevant to the determination of this application are the East Ayrshire Local Plan (Finalised Version with Modifications) (EALP) and the representations.

The Adopted Ayr County Development Plan is considerably out of date and therefore it is considered appropriate that greater weight should be attached to more recent expressions of policy. The Council has agreed that the East Ayrshire Local Plan (Finalised Version with Modifications) should be considered a prime material consideration.

The relevant Policy within the East Ayrshire Local Plan (Finalised Version with Modifications) is Policy T3. This Policy requires developers to provide adequate car parking as an integral part of their development proposal to the standards laid down by the Council as Roads Authority. The reason for this Policy is to ensure that parking provision meets the required standards. In this case, the Council's Roads Authority, as stated above, are satisfied with the parking provisions provided.

The objection received relates to the loss of one visitor space. It is considered that, as the car parking provision meets the requirements of the Council's Roads Authority, then the loss of one visitor space is not a significant loss.

7. FINANCIAL AND LEGAL IMPLICATIONS

7.1 There are no financial or legal implications for the Council in determining the application.

8. CONCLUSION

8.1 As indicated in Section 5 of the report, there are no provisions within the Development Plan relevant to the determination of this application. Therefore, given the terms of Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997, the application should be determined on the basis of the material considerations. As indicated at Section 6 of the report, there are material considerations relevant to this application which support a favourable recommendation.

9. RECOMMENDATION

9.1 It is recommended that the application be approved.

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

17 October 2001
(CI/MLS)
FV/DVM

LIST OF BACKGROUND PAPERS

1. Application Form and Plans
2. Statutory Notices/Certificates
3. Ayr County Development Plan
4. East Ayrshire Local Plan (Finalised Version with Modifications)
5. Approved Ayrshire Joint Structure Plan
6. Consultations
7. Representations
8. Approved Strathclyde Structure Plan

Anyone wishing to inspect the above papers please contact Craig Iles on (01563) 576770.

Implementation Officer: Dave Morris

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

01/0519/FL

Site of Proposal:	4-12 Brewland Street GALSTON
Natural of Proposal:	Proposed alterations to Approved Car Parking Layout
Name & Address of Applicant:	J C Morton Homes 4 Templehill TROON KA10 6EB
Name & Address of Agent:	H B Paton 43 Hunter Crescent TROON KA10 7AH

DPOs Reference: IW/MLS

The above FULL application should be approved.

AGENDA