

EAST AYRSHIRE COUNCIL

NORTHERN AREA LOCAL PLANNING COMMITTEE: 23 JANUARY 2004

**03/0924/FL: PROPOSED ERECTION OF 32 FLATTED DWELLINGS,
12 GARAGES, NEW ACCESS ROAD, PARKING AND LANDSCAPING
(REVISED APPLICATION TO PREVIOUS APPLICATION)
AT FORMER BAKERY SITE, COCKLEBIE ROAD, STEWARTON
BY BMJ LTD**

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 It is proposed to develop the site for residential purposes and erect 32 flatted dwellings and 12 garages. The flats proposed comprise 3 separate 3 storey blocks facing onto Ravenscraig Road and Cocklebie Road. The garages are formed in two blocks, one of 2 and one of 10, adjacent to the southern site boundary to the railway line. The central residential block proposed comprises 12 units, with the adjacent proposed block to the south comprising 11 units, and the block to the north of the site comprising 9 units. External materials proposed comprise grey concrete roof tiles, a white render and pale stone cladding to the walls, and uPVC windows.

1.2 The blocks of flats are proposed to be formed with hipped roofs with a maximum ridge height of 10.6 metres above ground level. The windows on all storeys of the front elevations of the blocks proposed comprise a mix of lounge, kitchen, and bedroom windows. All 32 flats proposed accommodate 2 bedrooms each. In terms of vehicular access, it is proposed to form a single point of access to the site from Ravenscraig Road and a single point of egress from the site to Cocklebie Road. 35 car parking spaces have been shown within the site, accessed via a one way system in alternative coloured tarmac, and 12 single garages. It is proposed to locate 11 new 4 metre high lighting columns within the site. A scheme of landscaping is proposed within the site together with open space provision. The area of existing embankment to the rear of the residential properties on Ravenscraig Road to the south of the site is not proposed to be altered or re-graded. The applicant has indicated that the existing vegetation will be retained and additional planting will be incorporated within this area. A hedgerow and retaining wall is proposed along the southern site boundary and a laurel hedge proposed along the railway boundary. New 1.2 metre high timber fencing is proposed along the southern site boundary and the northern site boundary. The frontage of the site to Ravenscraig Road and Cocklebie Road is proposed to be unbounded by any formal treatment. The applicant proposes to

re-grade some areas within the site owing to the rise in levels from the front of the site to the rear of the site adjacent to the railway line.

2. RECOMMENDATION

2.1 It is recommended that the application be approved subject to the conditions listed on the attached sheet.

3. CONCLUSIONS

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.

3.2 As is indicated at Section 6 of the report, there are material considerations relevant to this application. The planning history of the site requires to be given due weight in arriving at a decision given the similarities between application Ref No 02/0853/FL and the current application. The effect of this Appeal Decision is to add considerable weight to a recommendation of approval in accordance with development plan policy. With regard to the consultations received, it is considered that the matters raised can be dealt with by means of appropriately condition. Whilst the comments provided by the Community Council are a material considerations to be taken into account, it is considered that on balance, these representations are not of sufficient weight to justify refusal of the application contrary to the terms of the development plan.

3.3 To ensure that the proposed development meets with the provisions of the East Ayrshire Local Plan and the issues raised by consultees, appropriately worded condition require to be attached to any planning permission granted.

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 will not require to be referred to the Development Services Committee because such a decision would not represent a substantial departure from 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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BY BMJ LTD**

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 scale of the proposed development which comprises 32 residential units.

2. APPLICATION DETAILS

2.1 **Site Description:** The site extends to 0.76 hectare and lies north of the centre of Stewarton in an area of residential character. The application site was formerly occupied by the Riverside Bakery premises, which have since been demolished and the site cleared. The frontage of the site to Ravenscraig Road measures approximately 50 metres and is defined by a mesh security fence. The rear of the site adjoins the Kilmarnock to Glasgow railway line over a length of approximately 155 metres. This boundary is defined by a galvanised metal palisade fence. Stewarton railway station is located on the opposite side of the railway with no direct access to the appeal site. The southern part of the site is elevated above the rear gardens of neighbouring residential properties. A steep embankment, partially covered by trees, is contained within the site and this falls to the level of the adjoining gardens. A footpath passes along the north-western site boundary and links Ravenscraig Road and Lamberton Road with the main road to the town centre and the railway station. This footpath follows Cocklebie Road, a short cul-de-sac to the rear of residential property in Lamberton Road. This cul-de-sac also provides access to an electricity sub-station. The rear gardens of these properties and the sub-station have boundaries defined by vertically boarded timber fencing.

2.2 A variety of housing styles are located in the surrounding area with older properties to the south and more recent development to the west and north with a mixture of terraced, semi-detached and detached dwellinghouses with a limited

number of low rise flats. The property immediately adjacent at the junction of Ravenscraig Road, Cocklebie Road, and Lamberton Road is two storeys in height but, beyond this, there are numerous single storey dwellings.

2.3 Proposed Development: It is proposed to develop the site for residential purposes and erect 32 flatted dwellings and 12 garages. The flats proposed comprise 3 separate 3 storey blocks facing onto Ravenscraig Road and Cocklebie Road. The garages are formed in two blocks, one of 2 and one of 10, adjacent to the southern site boundary to the railway line. The central residential block proposed comprises 12 units, with the adjacent proposed block to the south comprising 11 units, and the block to the north of the site comprising 9 units. External materials proposed comprise grey concrete roof tiles, a white render and pale stone cladding to the walls, and uPVC windows.

2.4 The blocks of flats are proposed to be formed with hipped roofs with a maximum ridge height of 10.6 metres above ground level. The windows on all storeys of the front elevations of the blocks proposed comprise a mix of lounge, kitchen, and bedroom windows. All 32 flats proposed accommodate 2 bedrooms each. In terms of vehicular access, it is proposed to form a single point of access to the site from Ravenscraig Road and a single point of egress from the site to Cocklebie Road. 35 car parking spaces have been shown within the site, accessed via a one way system in alternative coloured tarmac, and 12 single garages. It is proposed to locate 11 new 4 metre high lighting columns within the site. A scheme of landscaping is proposed within the site together with open space provision. The area of existing embankment to the rear of the residential properties on Ravenscraig Road to the south of the site is not proposed to be altered or re-graded. The applicant has indicated that the existing vegetation will be retained and additional planting will be incorporated within this area. A hedgerow and retaining wall is proposed along the southern site boundary and a laurel hedge proposed along the railway boundary. New 1.2 metre high timber fencing is proposed along the southern site boundary and the northern site boundary. The frontage of the site to Ravenscraig Road and Cocklebie Road is proposed to be unbounded by any formal treatment. The applicant proposes to re-grade some areas within the site owing to the rise in levels from the front of the site to the rear of the site adjacent to the railway line.

3. CONSULTATIONS AND ISSUES RAISED

3.1 Environmental Health has commented that the site is not considered to be 'high risk' in respect of ground contamination issues, apart from checks of any specific areas where plant or fuel tanks may have been located. However, there is a marked difference in ground levels between the front and rear of the site and this is understood to be because the rear portion of the site was originally a railway siding when Stewarton Railway Station was a main line station many years ago. Accordingly, there is a possibility that the area of ground to the rear is

made up of ground which would justify some site investigation prior to the commencement of development to assess its suitability for use and freedom from contamination.

Noted. This Division would agree with the imposition of an appropriately worded condition attached to any planning permission issued, to ensure site investigation prior to development commencing. This will of course also be covered by the submission of a Building Warrant.

3.2 In view of the scale of the development and the fact that the site is surrounded on three sides by existing housing, it is recommended that consideration be given to the attachment of a condition restricting noisy site engineering and construction works to dayshift operation for the avoidance of 'unsocial hours' nuisance to adjacent residents.

Noted. This Division would agree with the imposition of an appropriately worded condition attached to any planning permission issued in order to protect standards of adjacent residential amenity.

3.3 The refuse collection vehicle would not use the private access road around the rear of the flats. Residents would require to present their bins along the frontage of Ravenscraig Road for emptying. The developer should ensure that a satisfactory paved path is provided from all bin store areas to the collection point.

Bin stores have been shown within the application site, connected to Ravenscraig Road by a paved path.

3.4 East Ayrshire Council Roads and Transportation Division has stated that the footway over the frontage of the development on Ravenscraig Road and Cocklebie Road shall be reconstructed 2.0 metres wide extending to the steps leading to the railway station. The footway shall be continuous requiring the car park to be accessed by footway crossings rather than road junctions as indicated on the submitted layout plan.

Noted. An appropriately worded condition can be attached to any planning permission granted requiring the formation of this footpath to Roads requirements.

3.5 The car park will not be considered for adoption and therefore will be privately maintained. The street lighting layout proposed within the private car park will not be adoptable by the Roads Division and the developer should be informed that separate maintenance arrangements must be made for the lighting. The new lighting columns in the footway fronting the development shall be adopted by the Roads Division. The design of the frontage footway and street

lighting shall be confirmed when the applicant applies for a road construction consent for these elements.

Noted. Appropriately worded notes to the applicant can be attached to any planning permission granted to make the applicant aware of these requirements of the Roads Division.

3.6 The existing carriageways of both Cocklebie Road and Ravenscraig Road adjacent to the development should be the subject of a joint inspection prior to the commencement of the development to determine the original condition. Where there is a significant deterioration in the carriageway, the developer will be required to undertake reconstruction works. The condition of the carriageway on Cocklebie Road where it fronts onto the new development is presently at a stage where it requires renewal if it is to accommodate the construction traffic that the site redevelopment will impose. A temporary running surface may have to be provided for construction traffic.

Noted. An appropriately worded condition can be attached to any planning permission granted to avoid deterioration of the adjacent public road.

3.7 Scottish Power has no objection to the proposed development in principle. The applicant must be advised that Scottish Power have apparatus within/adjacent to the site which may require alteration or protection depending on the extent of the development.

Noted. A copy of the Scottish Power consultation response and records showing the location of all known apparatus can be forwarded to the applicant and an advisory note attached to any decision notice issued, to ensure that the proposed development does not affect Scottish Powers apparatus.

3.8 Transco has forwarded a copy of its record plan showing the location of their plant and has recommended that the applicant contact their Glasgow operations office prior to the commencement of works on site.

Noted. A copy of the Transco consultation response can be forwarded to the applicant and an advisory note attached to any decision notice issued.

3.9 The Coal Authority has not identified any instability issues which would affect the determination of this planning application.

Noted.

3.10 Scottish Water has objected to the application drainage due to the public sewerage system. This is due to the cost of providing infrastructure to serve the development being outwith Scottish Water's 'reasonable cost' obligations in terms of the Sewerage (Scotland) Act 1968. Scottish Water would remove its objection if the applicant:-

- i. Bears the cost of the increase in capacity of Scottish Water's existing infrastructure to accommodate their development; and/or
- ii. Promotes a scheme that does not compromise the quality and quantity of discharge from the existing sewerage system and which is in terms satisfactory to Scottish Water.

It is recommended that the developer makes early contact with Scottish Water to ensure that the drainage arrangements proposed from the development are to Scottish Water's satisfaction prior to the commencement of works on site. An appropriately worded note to the applicant can be applied in this respect.

3.11 The Scottish Environment Protection Agency (SEPA) has stated that they would seek a written assurance from Scottish Water that the additional foul drainage arising from this development can be accommodated within the present sewerage infrastructure and will cause or contribute to the premature operation of existing consented storm stream overflows.

Noted. See comments provided in paragraph 3.10 of the Report above. An appropriately worded advisory note to the applicant can also be attached in respect of this issue.

3.12 It is possible that previous uses at the site as a bakery and its proximity to railway sidings may have resulted in land contamination although no details have been received relating to the site history or its condition.

Noted. See comments provided in paragraph 3.1 of the Report.

3.13 Surface water from the site requires to be treated in accordance with the principles of Sustainable Urban Drainage Systems Design Manual for Scotland and Northern Ireland, published by CIRIA in March 2000. However, the type of SUDS scheme achievable at the site may be compromised if the subsequent site investigation works show there to be a significant level of contamination present at the location. SEPA would therefore recommend that these matters be addressed at an early stage of the development.

In order to fully address SEPA's comments regarding SUDS, it is recommended that an appropriately worded condition should be attached to any planning permission granted. Such a condition

would require the use of a SUDS arrangement to deal with surface water run-off, and the submission of details.

3.14 Stewarton and District Community Council has stated that the new application is for an increase in housing, now up to 32 Flats. Where will the elevations be increased to provide the additional houses?

In comparison with the previous application for the site (Ref No 02/0853/FL), the additional 2 flats have been accommodated within Blocks 1 and 3 (1 extra flat per block). The height of Blocks 1 and 3 has been increased to three storeys at 2 points which were previously 2 storey wings to the principal building under the terms of application Ref No 02/0853/FL. However, due to the use of a shallower roof pitch, the maximum height of Blocks 1 and 2 has fallen by 0.8 of a metre, with a fall of 0.4 of a metre at Block 3.

3.15 The Community Council objected to the previous 3-storey development of this site and would reiterate these objections in respect of the new application and on the same grounds. No doubt these objections will be over-ruled again.

Noted. In respect of the appropriateness of a three storey residential development on the site, it is considered that the comments provided by the Appeal Reporter on this specific issue in relation to application Ref No 02/0853/FL (which was granted planning permission on appeal) indicate that three storey development is acceptable. See paragraphs 6.5 and 6.6 of the Report.

3.16 With regard to the site boundary adjoining Railtrack property, we would want to ensure that sufficient ground is available for future development of Stewarton Railway Station for the provision of a twin track service which has been proposed and strongly supported in the past. In advocacy of a twin track service there is the continuing growth of the town, its busy rail link with Glasgow and with the line being part of the main West Coast Route to London (currently being improved elsewhere) this could be important to the town. With the Local Plan boundary for Stewarton again extended to include further land areas for housing and continuing approvals for other housing within its District Area, it seems only reasonable for Planning to ensure that other services to/from the town are borne in mind when the boundaries of such applications as the above are being considered.

See comments provided by Network Rail in paragraph 3.17 of the Report.

3.17 Network Rail has no objection in principle to the proposed development. They have, however, advised of their statutory obligation to ensure the availability of safe train paths and Network Rail therefore require to take an active

interest in any construction activity adjacent to their property. They have provided guidance details for the developer to follow.

It is recommended that a copy of Network Rail's correspondence be forwarded to the developer together with an advisory note bringing these matters to the applicant's attention.

4. REPRESENTATIONS

4.1 Apart from the comments received from Stewarton and District Community Council, no letters of representation have been received in respect of the application.

Noted.

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).

5.2 The adopted East Ayrshire Local Plan was prepared in the context of the Ayrshire Joint Structure Plan. The proposed development does not constitute a planning application which individually or cumulatively raises issues of more than local significance. As a consequence, there are no structure plan policies directly relevant to this proposal. Consequently, the proposed development falls to be considered in terms of the Policies IND 8, RES 4, RES 19, and RES 22 contained within the adopted East Ayrshire Local Plan.

East Ayrshire Local Plan

5.3 Policy IND8 states that proposals for alternative uses of land or premises currently or formerly used for industrial purposes shall be considered acceptable subject to a set of three criteria being met, as follows:

- (i) the proposed use not being detrimental to surrounding established uses;

The proposed use would not be detrimental to adjacent uses as the proposal is for residential use in a residential area.

- (ii) the proposal meeting with the requirement of all other relevant Local Plan policies; and

It is considered that the proposal generally meets with the requirement of all other relevant local plan policies.

- (iii) the existence of alternative industrial or business land or premises with potential for future employment use within the settlement concerned.

Stewarton has limited industrial land; one small site was identified in the adopted EALP and no industrial sites safeguarded. However the location of the site within a predominantly residential area with quite difficult access from the main routes, and little expansion opportunity because of physical constraints, make the site unsuitable for a modern industrial operation. There are therefore no objections to the use of the site for housing in principle.

5.4 Policy RES 4 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 a set of four stated criteria, as follows:

- (i) impact on the surrounding natural and built environment and adjacent uses;

There will be limited impact on surrounding uses. The site is vacant and unsightly at present therefore development will improve the general area.

- (ii) transportation and infrastructure implications;

See Section 3 of the Report which provides the comments of East Ayrshire Council Roads and Transportation Division and other infrastructure consultees.

- (iv) compatibility with surrounding densities and housing types; and

This proposal is of a much higher density and is a different house type to that of surrounding properties. However, this Division are of the opinion that this largely three storey development is satisfactory at this location and this has been established in a recent appeal decision (see Section 6). The part of the development closest to two storey former local authority housing has been lowered to two storeys which assists the proposal in its relationship with its surroundings.

- (v) compliance with the Council's Development Promotion Design Guidance.

Taking into account the setback of the frontage of the proposed buildings from the road and adjacent residential development, the siting of the blocks proposed in a roughly semi-circular arrangement, and the mixed nature of surrounding residential development, the design of the proposed development is considered to be acceptable. The proposed external materials comprise a mix of white render and pale stone clad walls with roofs clad in a grey concrete tile. This choice of materials is considered appropriate for the development given the context of the site amidst surrounding development.

5.5 Policy RES 19 requires all housing developers to provide areas of recreational and amenity open space in their developments to the indicative basic standards set out in Schedule 3 of the Local Plan. The policy states also that the precise type, size, location and design of the open space required is dependent on the extent of existing open space provision in the vicinity and the recreational and amenity needs of the wider area.

With the extensive area of land to the front being adequately landscaped and regularly maintained this will be acceptable as amenity open space and the proposal would meet with the requirements of Policy RES 19 above.

5.6 Policy RES 22 requires all developers to observe the minimum standards for the provision of private open space detailed in Schedule 4 of the Local Plan. The policy also allows those standards quoted to be relaxed in respect of the conversion of existing properties to flats where this can be fully justified by the developer and where considered appropriate by the Planning Authority.

With the area of land to the rear of the flats not taken up by parking spaces being adequately landscaped and thereafter maintained, it is considered that this would suffice as private open space and the proposal would be deemed as compliant with Policy RES 22. Landscaping within the site requires to be of a high standard and adequately maintained.

5.7 It should also be noted that a new three bin recycling system is to be introduced to the Council area in the coming months. In the case of flats it is likely that large communal bins will be required to store recycling waste. It should therefore be ensured that developers allocate sufficient space for these large bins in their plans. Developers are asked to contact the Council's Community Services Department for further information in this regard.

The applicant has indicated the position of the bin stores proposed following liaison with the Council's Community Services Department.

6. ASSESSMENT AGAINST OTHER MATERIAL CONSIDERATIONS

6.1 The other principal material considerations relevant to the determination of the application are the consultation responses, and the planning history of the site.

Consultation Responses

6.2 The Consultation responses do not indicate that the application should be refused. However, the comments received from Scottish Water indicate that, should planning permission be granted, a note should be attached to any consent requiring that the drainage from the development be agreed with Scottish Water.

Planning History

6.3 01/0262/FL: Planning permission was refused by the Northern Area Local Planning Committee on 21 December 2001 for the proposed development of 30 flats with 12 garages, parking and amenity landscaped space on the site. The application was refused on the grounds that the proposed development was considered to be too large at 3 storeys in height and would therefore be detrimental to the amenity of the area. The applicant attempted to appeal this decision to the Scottish Executive but failed to submit the appeal within the statutory period of six months following the Council's decision.

6.4 02/0076/FL: Following the Council's refusal of application Ref No 01/0262/FL, a further planning application for 30 flats, 12 garages, new access road, parking and landscaping on the site was submitted to the Council on 11 February 2002. This application proposed a similar format of development in terms of site layout compared to the previous refused application, with amended elevational details. The submitted proposals retained the three storey features although the height of the building was reduced by 1.4 metres to virtually equate it to the maximum height of the existing factory at its highest point. The number of units remained at 30 although the proposed reduction of roof pitch steepness and lowering of the external ground level of the site served to present a lower form of development. This application was withdrawn on 22 October 2002 prior to it being presented to the Northern Area Local Planning Committee for determination.

6.5 02/0853/FL: A further planning application for 30 flats, 12 garages, parking, landscaped amenity space, and new access road was submitted to the Council on 24 October 2002. This application replicated the previous planning

application Ref No 01/0262/FL in all respects. On 13 January 2003, this Division received correspondence from the applicant's agent intimating his intention to appeal to the Scottish Ministers on the grounds of non-determination of the application within two months of receipt. The key implication of this appeal was the fact that the Council could no longer proceed to determine the application.

6.6 This appeal was allowed and planning permission was granted 12 May 2003. In arriving at his conclusion, the Reporter considered that the wide range of property types in the area made for a residential character of a diverse nature with no single type predominating, this especially being the case at the site which lies between bungalows to the north and two storey properties to the south. The Reporter concluded that within an area of varied character a development including an element of three storey flats would not necessarily be out of place. Additionally, due to the positioning of the blocks and the separation distance to adjacent properties, the Reporter did not consider that the blocks proposed would be significantly detrimental to residential amenity or privacy.

It is considered that the decision of the Scottish Ministers relative to the application detailed in paragraphs 6.5 and 6.6 of this Report should be given appropriate weight in reaching a decision.

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.

8.2 As is indicated at Section 6 of the report, there are material considerations relevant to this application. The planning history of the site requires to be given due weight in arriving at a decision given the similarities between application Ref No 02/0853/FL and the current application. The effect of this Appeal Decision is to add considerable weight to a recommendation of approval in accordance with development plan policy. With regard to the consultations received, it is considered that the matters raised can be dealt with by means of appropriately condition. Whilst the comments provided by the Community Council are a material considerations to be taken into account, it is considered that on balance,

these representations are not of sufficient weight to justify refusal of the application contrary to the terms of the development plan.

8.3 To ensure that the proposed development meets with the provisions of the East Ayrshire Local Plan and the issues raised by consultees, appropriately worded condition require to be attached to any planning permission granted.

9. RECOMMENDATION

9.1 It is recommended that the application be approved subject to the conditions listed 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 and Building Control, the application will not require to be referred to the Development Services Committee because such a decision would not represent a substantial departure from Council policy.

Alan Neish
Head of Planning and Building Control

14 January 2004
(RD/MMM)

FV/MMM

LIST OF BACKGROUND PAPERS

1. Application Form and Plans.
2. Statutory Notices and Certificates.
3. Consultation responses.
4. Adopted East Ayrshire Local Plan (2003).
5. Approved Ayrshire Joint Structure Plan (1999).
6. Planning application reference 01/0232/FL.
7. Planning application reference 02/0076/FL.
8. Planning application reference 02/0853/FL.

Anyone wishing to inspect the above background papers should contact Robert Duncan on 01563 576 771.

Implementation Officer: Dave Morris

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application No: 03/0924/FL

Location	Former Bakery Site Cocklebie Road, STEWARTON KA3 5BE
Nature of Proposal:	Proposed Erection of 32 Flatted Dwellings, 12 Garages, New Access Road, Parking and Landscaping (Revised Application to Previous Application)
Name and Address of Applicant:	BMS Ltd c/o CRGP Ltd 26 Herbert Street GLASGOW G20 6NB
Name and Address of Agent	CRGP Ltd 26 Herbert Street GLASGOW G20 6NB

DPO's Ref: Robert Duncan (RD/MMM)

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

1. Prior to the commencement of works on site, samples of all materials to be used for the external finishes of the buildings and surfaces of the internal access road and parking spaces shall be submitted to and approved in writing with the Council as Planning Authority.

REASON To ensure that full details of all the external finishes of the buildings and internal road and parking spaces including colours, are agreed.

2. Prior to the commencement of works on site, details of the proposed external lighting scheme (including details of the lighting columns), which shall not cause a light spillage nuisance to the development itself or to neighbouring properties, shall be submitted to and approved in writing by the Planning Authority.

REASON To protect residential amenity from inappropriate light spillage.

3. Prior to the commencement of works on site, a report describing soil and ground conditions throughout the site shall be submitted to and approved in writing by the Planning Authority. This Report shall include details of the nature, concentration and distribution of any contaminants and indicate how any such contaminants will be treated to render the site safe for development.

REASON To ensure that the ground is stable, suitable for development and free from contamination.

4. Prior to the commencement of works on site, details of any security and safety fencing required during the period of site development shall be submitted to and approved in writing by the Planning Authority.

REASON In the interests of the residential amenity of the surrounding area.

5. Prior to the commencement of works on site, details of a Sustainable Urban Drainage System and its maintenance following installation shall be submitted to and approved in writing by the Planning Authority.

REASON To ensure adequate drainage.

6. Works external to any building shall take place only between 8 am and 6 pm, Monday to Friday, and between 8 am and 5 pm on Saturday. No such works shall be undertaken at any time on Sunday.

REASON In the interests of the residential amenity of the surrounding area.

7. Notwithstanding the approved plans, a landscaping scheme shall be submitted to and approved by the Planning Authority prior to the commencement of any development, and shall be implemented not later than the next appropriate planting season after the development has been carried out, and shall be maintained thereafter to the satisfaction of the Council as Planning Authority.

REASON To ensure that adequate landscaping is provided within the site and that it is subsequently maintained, in the interest of residential and visual amenity.

8. Prior to the occupation of any of the flats to which they relate, vehicle car parking spaces shall be provided in accordance with the approved plans, and bin stores shall be provided in the locations indicated on the approved plans.

REASON To ensure appropriate bin storage and parking facilities area available within the site for incoming residents.

9. Prior to the occupation of any flats, the approved on-site vehicle circulation system shall be operational.

REASON To ensure that vehicles can utilise the circulation system from the outset in the interests of road safety and the residential amenity of the neighbourhood.

10. Prior to the occupation of any flats, the external lighting scheme approved under the terms of condition 3 shall be fully operational.

REASON To protect residential amenity from inappropriate light spillage.

11. Prior to the occupation of any flats, the SUDS arrangement approved under the terms of condition 6 shall be installed and be fully operational.

REASON To ensure for the provision of adequate surface water drainage within the site.

12. Prior to the start of any decontamination works required under the terms of condition 4, the Planning Authority shall be given a minimum of 7 days notice.

REASON To provide the Planning Authority with adequate notice to arrange the monitoring of any decontamination works.

13. Prior to the occupation of any flats a 2.0 metre wide footway shall be constructed along the nearer edge of Ravenscraig Road between the site and the steps leading to the railway station. Car park access shall be formed by footway crossings.

REASON In the interests of road and public safety.

14. Prior to the commencement of development works on site, a joint inspection of both Cocklebie Road and Ravenscraig Road shall be undertaken in conjunction with the Councils Roads and Transportation Division in order to ascertain the condition of the adjacent public road prior to the commencement of development works. Should a significant deterioration occur in the public carriageway thereafter, the developer will require to undertake reconstruction works to the satisfaction of the Council as Planning Authority.

REASON To ensure the provisions and maintenance of a secure road surface in the interests of road and public safety.

NOTES TO THE APPLICANT

1. A copy of the consultation responses received from Transco, Railtrack and The Coal Authority are attached. The developer is strongly advised to note same and take any appropriate recommended action.
2. SEPA have advised that all drainage arrangements should be to the public sewer and consideration given to the use of Sustainable Urban Drainage (SUDS) techniques for the disposal of surface water. The developer is advised to contact SEPA at 2 Alloway Place, Ayr, KA7 2AA, Tel 01292 294 000, particularly with regard to confirming the consequences, if any, of surface water drainage connection to the public sewer.
3. Scottish Water have advised the following. Early contact with Scottish Water is advised at their Office at 35 Glenburn Road, Prestwick, KA9 2NS, Tel 0845 601 8855. Scottish Water would remove its objection to the application if the applicant either:-
 - i. Bears the cost of the increase in capacity of Scottish Water's existing infrastructure to accommodate their development; and/or
 - ii. Promotes a scheme that does not compromise the quality and quantity of discharge from the existing sewerage system and which is in terms satisfactory to Scottish Water.
4. Following the advice in Notes 2 and 3 above, the Developer is strongly advised to make early contact with the Scottish Environment Protection Agency (SEPA), 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.
5. Following the advice in Note 4 above, the developer is advised that the Council does not currently have a general agreement with Scottish Water in relation to the maintenance of public SUDS. Proposals for site specific arrangements 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. The developer should not assume that East Ayrshire Council will undertake maintenance unless there is a site specific agreement to that effect. Where the developer makes his own maintenance arrangements, the Council will require to be convinced that these will work without impact on Council interests.
6. The applicant will require to secure the necessary Roads Construction Consent, details of which should be discussed with the Roads and Transportation Division of East Ayrshire Council.

7. The applicant should contact Scottish Power to discuss alteration/protection of their apparatus within the site.