

EAST AYRSHIRE COUNCIL

**NORTHERN AREA LOCAL PLANNING COMMITTEE:
5 SEPTEMBER 2003**

**03/0264/OL: OUTLINE PLANNING PERMISSION FOR RESIDENTIAL USE
FROM FORMER STATION GOODS YARD AT JAMIESON ROAD, DARVEL
BY KEYHOLE DESIGN LTD**

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 It is proposed to use the site for residential purposes. Information including a plotted layout and finished ground levels has been submitted in support of this application. A brief contamination report was also provided at the request of the Council's Environmental Health Service. The applicants have confirmed that they intend to dispose of the site to a housing developer on the favourable determination of the application. They have advised through correspondence with this Division that they are seeking approval in principle for the residential use and that the supporting information is indicative only to assist in the assessment of the application. The information accordingly would not form part of any consent.

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 the report the application is considered to be in accordance with the Development Plan. Therefore given the terms of Sections 25 and 37(2) of the Town and Country Planning (Scotland) Acts 1997 the application should be approved unless material considerations indicate otherwise. As indicated in the report there are material considerations relevant to this application which are generally supportive of the application.

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 as this would not represent a significant breach of 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 application that requires to be considered by the Local Planning Committee under the scheme of delegation because it represents a larger proposal of area significance.

2. APPLICATION DETAILS

2.1 **Site Description:** The site comprises an area of degraded and over grown land to the west side of Jamieson Road Darvel, between Campbell Street and the north side of West Donnington Street. The site extends to a total of 1.39 hectares and is part of a larger area of a former railway goods yard. There is some sign of the former use still discernible on site; base of railway lines and concrete remains of platforms and related structures; the site also has a marked difference in levels from the (higher) north side (where the railway ran) relative to the south.

2.2 **Proposed Development:** It is proposed to use the site for residential purposes. Information including a plotted layout and finished ground levels has been submitted in support of this application. A brief contamination report was also provided at the request of the Council's Environmental Health Service. The applicants have confirmed that they intend to dispose of the site to a housing developer on the favourable determination of the application. They have advised through correspondence with this Division that they are seeking approval in principle for the residential use and that the supporting information is indicative only to assist in the assessment of the application. The information accordingly would not form part of any consent.

3. CONSULTATIONS AND ISSUES RAISED

3.1 East Ayrshire Council Roads and Transportation Division have raised a number of issues in connection with the application, concentrating on the indicative layout that was submitted in addition to issues that are connected with other housing developments in the vicinity. They are of the view that due to the

potential scale of development in the area, traffic calming measures will be required to assist in managing the additional traffic. Accordingly the Division has confirmed that in its view this application should be deferred pending the resolution of these issues.

Given the nature of the application, being in outline, it is considered appropriate that Outline Consent be issued. The concerns the Roads Division have about the extent of additional traffic in the area can be addressed in the context of the subsequent detailed application, when more information about the application and the actual number of units will be available.

3.2 Scottish Environment Protection Agency have confirmed that whilst they have no objection in principle to the application they do anticipate that there will be contamination issues that require to be addressed prior to the development of the site. Accordingly they have recommended that a risk assessment be undertaken to determine the extent of this matter and the required amelioration measures. It is their view that these matters could be appropriately addressed by means of conditions.

They have also confirmed that surface water from the site should be treated in accordance with the principles of Sustainable Urban Drainage Systems; the appropriate mechanism would depend on the degree of contamination.

These aspects can be secured by means of conditions attached to any consent.

3.3 East Ayrshire Council's Environmental Health Service has commented on the submitted contamination report confirming that it is basic and not sufficiently detailed to facilitate a positive response from their officers.

Again the nature of the application and the consequent indicative nature of the information submitted has been discussed with that Service. Accordingly they have confirmed that they would be satisfied with planning consent being issued subject to appropriate conditions being attached to secure a full contamination assessment of the site prior to the construction of any houses on site.

3.4 The Coal Authority have confirmed that they have no records of any works in the area. Accordingly they do not anticipate any ground stability issues impacting on the development of the site.

Noted

3.5 Scottish Water have not raised any objection to the application. They have advised that there is a public sewerage system available for connection but have confirmed that a connection may not be guaranteed.

With regard to the provision of a public water supply they have advised that the applicants should contact their office to discuss how the proposed development would best be served.

These matters can be attached to the planning consent as a conditions and note if the Committee is of mind to approve the application.

3.6 Darvel and District Community Council have not responded at the time of writing this report.

Noted

3.7 West of Scotland Archaeology Service have confirmed that they have no records of any archaeological issue on the site

Noted.

3.8 The Council's Community Services has confirmed that there are no trees of any amenity value on the site.

Noted.

4. REPRESENTATIONS

4.1 No letters of objection have been submitted in respect of this application

5. ASSESSMENT AGAINST THE 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 (EALP).

5.2 In respect of the EALP the site is identified as part of a larger Miscellaneous Development Opportunities Site, Reference 103M. The local Plan confirms that both industrial or residential use for this site will be encouraged.

The proposal consequently accords with the provisions of the Adopted Local Plan

5.3 Normally applications would be assessed against the terms of RES4 of the Plan but again due to the outline nature of the application, which is to establish formally the acceptance of Residential use at the site, such an assessment cannot be made. Any subsequent full application however will be assessed accordingly.

6. ASSESSMENT AGAINST OTHER MATERIAL CONSIDERATIONS

6.1 The other material considerations relevant to the determination of this application are the consultation responses, and the extent of any impact the application will have on the amenity of the area or adjacent residents.

6.2 It is considered that the use of the site will improve the general amenity of the area but the specific issues of detailed local impact can only be assessed at the subsequent detailed stage. The site is large enough to accommodate housing in accordance with current Council policy with the potential for no unacceptable impact on the adjacent uses. It is accepted that significant land engineering works will be required to create suitable levels for building. Details of this would be required in any full or reserved matters application.

6.3 The content of consultations is confirmed in the report and these are not considered to raise any matters that cannot be addressed by means of conditions if the Committee is of a mind to approve the application.

7. FINANCIAL AND LEGAL IMPLICATIONS

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

8. CONCLUSIONS

8.1 As indicated in the report the application is considered to be in accordance with the Development Plan. Therefore given the terms of Sections 25 and 37(2) of the Town and Country Planning (Scotland) Acts 1997 the application should be approved unless material considerations indicate otherwise. As indicated in the report there are material considerations relevant to this application which are generally supportive of the application.

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 as this would not represent a significant breach of policy.

Alan Neish
Head of Planning and Building Control

28 August 2003 (IW/SA)

FV/DVM

LIST OF BACKGROUND PAPERS

1. Application Form and Plans.
2. Statutory Notices.
3. Consultation responses.
4. Approved Ayrshire Joint Structure Plan.
5. Adopted East Ayrshire Local Plan.

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Site of Proposal: Jamieson Road
DARVEL

Nature of Proposal: Proposed Change of Use from Former
Station Goods Yard to Residential Use

Name & Address of Applicant: Keyhole Design Ltd
184 Main Street
PRESTWICK
KA9 1PG

Name & Address of Agent:

DPOs Reference: IW/SA

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

1. Notwithstanding the details of the application hereby approved the application is for outline planning permission only as per the application letter dated 12 August and 11 July 2003.

REASON: To ensure that the nature of the consent hereby granted is approval in outline only.

2. Before any development commences on the site, the further approval of the Planning Authority shall be obtained in respect of the undermentioned 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 and associated maintenance arrangements;
- (f) The provision for car parking;
- (g) The boundary walls/fences to be erected;
- (h) The landscaping of the site and associated maintenance arrangements;
- (i) Existing and proposed finished site levels/floor levels.

REASON The approval is in outline only.

3. Details to be submitted in pursue of Condition 2 above shall include a scheme to deal with contamination on the site. The scheme shall contain details of proposals to deal with contamination in accordance with BS 10175 and PAN 33 "Development of Contaminated Land", and shall in particular address the following:

- (i) the nature, extent and type(s) of contamination on the site
- (ii) measures to treat/remove contamination to ensure the site is fit for the use proposed
- (iii) measures to deal with contamination during construction works
- (iv) condition of the site on completion of decontamination measures

Before any residential unit is occupied the measures to decontaminate the site shall be fully implemented as approved by the Planning Authority.

REASON: In the interests of public safety and residential amenity.

4. Details submitted in pursuance of Condition 2 above shall accord with the Council's Development Promotion Design Guidance.

REASON: In the interests of residential and visual amenity.

5. Details submitted in pursuance of Condition 2 above shall include details of a Sustainable Urban Drainage System and its maintenance following installation. The Sustainable Urban Drainage System shall be installed on site prior to the erection of any of the dwellinghouses in the development site.

REASON: To ensure that adequate drainage is provided.

6. The reserved matters application to be submitted under the terms of Condition 1 shall include a traffic calming scheme detailing traffic calming to be provided from the application site boundary to the junction of Campbell Street East and Jamieson Road. The scheme shall accord with the Road Humps (Scotland) Regulation 1990. None of the dwellinghouses shall be occupied until the traffic calming has been constructed on site in accordance with the approved details.

REASON In the interests of road and pedestrian traffic safety.

NOTES:

1. Prior to the commencement of any works on site for the development hereby approved, the applicant should satisfy him/herself as to the suitability of the site for construction purposes.
2. The developer shall make early contact with Scottish Water and the Scottish Environment Protection Agency to confirm their request to utilise a Sustainable Urban Drainage System (SUDS) 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.
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. Early contact is strongly suggested with Scottish Water on 0845 601 8855 and Transco on 0141 418 40923 to discuss permissions for connection/drainage to equipment.
5. Early contact with the Council's Roads and Transportation Division is recommended to discuss access and traffic calming issues. The applicant is also advised to note that an internal road will require to be provided with a standard residential turning head and in terms of a SUDS system, the Roads Division will require the road drainage to be either discharged into the public sewer or a watercourse. The design of any SUDS system into which road surface water is to pass will require the approval of the roads and Transportation Division.
6. This site is known/suspected to be contaminated. You should be aware that the responsibility for the safe development and secure occupancy of the site rests with the developer.
7. The Planning Authority has determined the application on the basis of the information available to it. This does not necessarily mean that the land is free from contamination.

**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.**

