

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE : 01 DECEMBER 2000

**00/0142/FL : PROPOSED CHANGE OF USE FROM DOMESTIC GARAGE
TO PUMPING STATION, THE PUMPHOUSE, 1 BURNGRANGE LANE,
MAUCHLINE**

APPLICATION BY MR A COOPER

EXECUTIVE SUMMARY

1. DEVELOPMENT DESCRIPTION

1.1 Permission is sought for the change of use of an existing residential garage to form a pumping station to extract spring water from an artesian well located within the development site. An electronic pump will be installed underneath the garage, together with an underground chamber and stainless steel piping and valves. There will be a maximum of 6,000 litres of water extracted per day, which will be transported in tanks from the site. The vehicle will transport 1,500 litres per tank. The tanks will be transported from the site in a long wheelbase transit van to an industrial unit in Station Road, Mauchline where it will be bottled and distributed. The applicant has indicated that there will be 4 vehicle movements associated with this development per day.

2. RECOMMENDATION

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

3. SUMMARY OF ANALYSIS

3.1 The proposed development is in keeping with Policy IND II of the East Ayrshire Local Plan, Finalised Version as it is supportive of the operation of small businesses in residential properties or associated outbuildings. The immediate two residential properties are in the control of the applicant. In terms of the houses to the rear it is considered the proposal will not have an adverse affect in terms of noise and general disturbance. There will be no visual alterations to the garage to accommodate the proposal as all alterations are underground, the exception being a valve installed within the interior of the garage.

3.2 The applicant has indicated an output of 6,000 litres of water per day with 1,500 litres per tank. This equates to 4 vehicle uplifts per day. The Roads Division has no objections to the proposal on pedestrian and road safety grounds provided road alterations such as 1.8 metre footway, road hump, bollards, pedestrian barrier and culverting are carried out. Concerns have been expressed regarding the impact of the increase in traffic and the use of the adjacent access road by school children. The applicant has indicated that

he would be willing to transport the water outwith School opening and closing time and lunch-time and this can be secured through the imposition of appropriate conditions.

3.3 It is considered that due to the size of vehicle being used and the number of vehicle movements proposed, together with the road alterations proposed by the Roads Division, the proposal will not have a detrimental impact on the area in terms of road safety and general amenity.

Alan Neish
Head of Planning & 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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MAUCHLINE

APPLICATION BY MR A COOPER

Report by the 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 Southern Local Planning Committee under the Scheme of Delegation as the proposed development is subject to objection.

2. APPLICATION DETAILS

2.1 **Site Description** : The application site is a domestic garage within the curtilage of the existing residential property at Burngrange Lane. The site lies within a small development of two existing houses under the control of the applicant. To the north of the site lies the applicant's house with agricultural land to the south. There is the residential property of Burngrange, the Mauchline Burn and other residential properties lying to the west of the application site and to the east the site is bounded by the access road to the two houses and agricultural land.

2.2 **Proposed Development** : Permission is sought for the change of use of an existing residential garage to form a pumping station to extract spring water from an artesian well located within the development site. An electronic pump will be installed underneath the garage, together with an underground chamber and stainless steel piping and valves. There will be a maximum of 6,000 litres of water extracted per day, which will be transported in tanks from the site. The vehicle will transport 1,500 litres per tank. The tanks will be transported from the site in a long wheelbase transit van to an industrial unit in Station Road, Mauchline where it will be bottled and distributed. The applicant has indicated that there will be 4 vehicle movements associated with this development per day.

3. CONSULTATIONS AND ISSUES RAISED

3.1 East Ayrshire Roads Division has no objections to the development subject to the following requirements :-

- a) a pedestrian barrier being provided;
- b) a road hump to be installed at the site access;

- c) hedging at the access to be removed to improve access visibility;
- d) concrete bollards/kerbing to be installed to protect the existing building belonging to Ramsay & Jackson;
- e) a manhole access chamber to be formed at the location of the existing culvert headwall for inspection and cleaning purposes and the existing trash screen required to be removed. The design of the manhole will require to be submitted for approval;
- f) the new section of culvert, headwall and trash screen must be to Construction Industry Research and Information Association Report No.168 - Culvert Design. The culvert should be designed to cater for accidental wheel loading;
- g) the existing culvert to be cleaned of any debris prior to the construction of new section of culvert; and
- h) new footway construction to meet the requirements of the Roads Division. The applicant will require Construction Consent prior to undertaking the proposed works and full detailed design drawings and calculations submitted as part of Construction Consent application.

Conditions can be attached to any consent granted for the proposed development to meet the requirements of the Roads Division.

3.2 East Ayrshire Council Environmental Health & Waste Management Division has no objection to the proposed development but would have a continuing interest in this project if it should develop into a water extraction and production/bottling operation.

Noted.

3.3 West of Scotland Water has commented that the application may involve excavation work and the developer should contact them in order to establish the position of the existing drainage within the development site.

A note can be attached to any planning consent granted to advise the applicant to make early contact with West of Scotland Water.

3.4 Scottish Environment Protection Agency has no objections provided drainage arrangements are to SEPA's satisfaction.

Noted.

3.5 British Gas Transco and Scottish Power have no adverse comments to make regarding the proposed development.

Noted.

3.6 East Ayrshire Economic Development Division has concerns about this particular location. It is accepted that this is the location of the water wellhead and it is necessary to get the water out somehow, be it in bulk containers or by pipeline to another point. The intention is to use comparatively small

vehicles for this purpose but there must obviously be the longer term concern about increased size of vehicle.

The Roads Division has no objections to the proposed development on road safety grounds provided various road alterations are carried out. The applicant has indicated that there will be an output of 6,000 litres per day. A condition could be attached to any planning consent to ensure that the output does not increase without the further consent of the Planning Authority.

3.7 Mauchline Community Council is concerned about the safety of school children going to and from Loch Road up to the school. The Community Council has been told that there will be a movement of 3 transit vans per day, this is six movements per day. The Community Council has been in touch with Mauchline Primary School and the Head Teacher is very concerned. They would like the applicant to tell them what particular time the van will be going in and out. They are also concerned that this is a residential area and also the commercial aspects.

The applicant has indicated that there will be 4 movements per day. He has indicated that there will be 1 movement in the morning, 2 between morning and lunch and 2 after lunch. Any vehicle movements will be outwith school opening and closing time and lunch-time. A condition can be attached to any consent granted for the development to restrict the movement of the vehicle to avoid conflict with pupils walking to and from school.

4. REPRESENTATIONS

Eleven letters of objection (one of which is from Mauchline Community Council) and a petition signed by 49 people have been received with respect to the development.

4.1 The entrance to the access road is narrow, it sits at an angle. It is unsuitable for vehicles other than a car except with complex manoeuvring.

The Roads Division has no objections subject to road alterations being carried out . See response to 4.7.

4.2 The access road is situated beside a public footpath to the local Primary School. It is used by the general public. The increased volume of traffic and use which can be expected from the proposed development poses a danger to children and the general public.

See response to 4.7.

4.3 There should be speed bumps installed on the access road given its close location to a lane used by children.

The Roads Division has recommended that a road hump be provided at the entrance of the access road to the application site.

4.4 The first part of the access road is shared with the adjacent properties. There is likely to be increased traffic on the access road and increased wear and tear on the access road which he uses and owns jointly.

It is not considered that the proposed development will result in a significant increase in traffic using this private access road. Any increased wear and tear on this access is a legal matter between the applicant and the owners of the access road.

4.5 There will be an increase in traffic on the access road and in and around the premises. This will have a detrimental effect on the amenity of adjacent residential properties.

The applicant has indicated that there will be 4 vehicle movements per day with the water being transported in a long wheel base transit van. It is considered in terms of traffic that the proposed development will not have any significant detrimental impact on adjacent residential properties.

4.6 The proposed change of use will have a detrimental effect on the amenity.

It is considered that the proposed development will not have a detrimental impact on neighbouring properties in terms of noise, dust and traffic.

4.7 The only access to the property is via Burnside Lane which is the route that most of the children in the village take to school. This lane is ideal for children going to the school, it keeps them off the Sorn Road which is very busy in the morning between 8.00 and 9.00am. It is also used at lunchtime and again at school closing between 15.00 and 16.00 hours. The childrens' parents will not want their children to be subject to negotiating confrontations with vehicles where there are no pavements. The safety of school children comes first. The lane is very narrow and unsuitable for large vehicles such as tankers or delivery trucks. There could quite easily be a serious accident occurring if this was being used by such vehicles.

The Roads Division has recommended alterations to the access road in the interests of pedestrian and road users safety. The Division has recommended the erection of a pedestrian barrier at the entrance to the lane leading to the school and doctors surgery. A 1.8 metre footway is proposed along the side of the burn with a pedestrian barrier. A road hump is proposed at the entrance to the access road to the application site. The applicant has indicated that vehicle movements will be outwith school opening and closing times and lunch period. This can be

controlled through the imposition of an appropriate condition on any consent granted for the development.

4.8 Any extra traffic could have an adverse effect on the planning application being sought for development of the site at Burnside House which belongs to Ramsay & Jackson.

The proposed development will not have an adverse effect on the proposals for Burnside House which are the subject of a separate planning application and outwith the consideration of this application.

4.9 This application would result in 8 tankers per day crossing a public footpath used by school children. The applicants web site claims the well from which the proposed pumping station is to pump water would produce 30 million litres per annum. This converts to 80,000 per day. A milk tanker holds approx. 10,000 litres, this volume of water would involve 8 tankers per day. The vehicular access to the site is totally unsuitable for any heavy goods vehicles. The access from High Street via Burngrange Road to Burngrange Lane is narrow (currently used by families of 3 residential properties) and crosses the public footpath.

The applicant has indicated that there will be an output of 6,000 litres of water per day. This will be transported in a tank which holds 1,500 litres. The applicant has indicated that there will be 4 uplifts per day or 8 vehicle movements in total. A condition can be attached to any planning consent to ensure that there is no increase in the output of water per day and vehicle movements.

4.10 The road is not strong enough and wide enough to carry the increased weight of transport. They do not want any of the existing drains damaged due to heavy vehicle traffic as a neighbouring property depends on them to keep them from being flooded and act to take flood water back into the river.

The Roads Division has no objections to the proposed development. The proposal involves an additional 8 vehicle movements per day by a long-wheelbase transit van. This increase in traffic is unlikely to damage existing drains.

4.11 The vibrations from the increased transport will cause the old sandstone building (Burnside House) to deteriorate and become unsafe.

The proposal involves an additional 8 vehicle movements per day by a long-wheelbase transit van. This increase in transport will be unlikely to lead to the deterioration of the adjacent Burnside House

4.12 The safety of the school children comes first. The times for movement of vehicles in and out of Burngrange Lane would need to be monitored if this project gets the go ahead. They would object to transport movements before

0900 hours and after 1630 hours Monday to Friday, before 09.00 hours and after 13.00 hours on Saturday and no movements on Sundays.

The applicant has indicated that the vehicle movements will be outwith school opening and closing time and lunch times. This can be controlled through the imposition of an appropriate condition on any consent granted for the development.

4.13 The objectors are delighted that Ramsay & Jackson have moved to Mauchline Pit, as their quality of life has improved with less noise and an improvement in the quality of air with less diesel fumes and they would like to keep it like that.

Noted.

4.14 The property is situated among residential houses and is totally unsuitable for industrial use. The nearby properties will experience a substantial loss of amenity. A bedroom window from one house is approximately 5 metres away and they are concerned at the noise levels likely to be generated by the Pumping Station.

The proposal will not have an impact on the amenity of adjacent residential properties as there is little noise associated with the proposal. There will be no visual changes as all alterations are beneath the garage, with stainless steel, piping to the burn. The applicant has control over the two residential properties adjacent to the development site.

4.15 There are concerns about the noise levels which pumping the proposed volume of water and transportation of this water from the well would generate.

It is considered that there would not be any significant noise nuisance created by the pumping of water to the tank nor from the transportation of the tank by transit van.

4.16 There are concerns as to the storage of water once it is pumped from the spring.

The water pumped from the well would be pumped directly into the tanks. No water will be stored on site and no bottling operations will take place at the extraction point.

4.17 The applicant started this water business about 2 years ago with tankers going in and out and without permission.

The applicant has been pumping water over the last 2 years for his own use, but this is not a valid reason for objecting to the proposed development.

5. DEVELOPMENT PLAN STATUS

5.1 The relevant policy document is the East Ayrshire Local Plan, Finalised Version. The development site is located in a residential area and it is affected by Policy IND II. This policy is supportive of the operation of small businesses in residential properties or associated outbuildings subject to the following criteria :-

- I. the primary use of the property remains residential;
- II. the business can be adequately accommodated within the existing property;
- III. the business use does not adversely affect the existing residential use of the property or impact adversely on other residential properties in the area; and
- IV. that adequate car parking is provided to the standards of the Council as Roads Authority.

The principal use of the property will remain residential and the proposed use can be accommodated within the existing garage. The existing car parking provision is acceptable to the Roads Division. It is considered that the proposed use will not have any significant adverse impact on the surrounding residential properties in terms of noise, dust and general disturbance. In this respect it is considered that the proposal would not conflict with Policy IND II.

6. OTHER PLANNING CONSIDERATIONS

6.1 None

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 The proposed development is in keeping with Policy IND II of the East Ayrshire Local Plan, Finalised Version as it is supportive of the operation of small businesses in residential properties or associated outbuildings. The immediate two residential properties are in the control of the applicant. In terms of the houses to the rear it is considered the proposal will not have an adverse affect in terms of noise and general disturbance. There will be no visual alterations to the garage to accommodate the proposal as all alterations are underground, the exception being a valve installed within the interior of the garage.

8.2 The applicant has indicated an output of 6,000 litres of water per day with 1,500 litres per tank. This equates to 4 vehicle uplifts per day. The Roads Division has no objections to the proposal on pedestrian and road safety grounds provided road alterations such as 1.8 metre footway, road hump, bollards, pedestrian barrier and culverting are carried out. Concerns have been expressed regarding the impact of the increase in traffic and the use of the adjacent access road by school children. The applicant has indicated that he would be willing to transport the water outwith School opening and closing time and lunch-time and this can be secured through the imposition of appropriate conditions.

8.3 It is considered that due to the size of vehicle being used and the number of vehicle movements proposed, together with the road alterations proposed by the Roads Division, the proposal will not have a detrimental impact on the area in terms of road safety and general amenity.

9. RECOMMENDATION

9.1 It is recommended that the application should be approved subject to the conditions on the attached sheet.

Alan Neish
Head of Planning and Building Control

17 November 2000
PC/HM/IH
FV/DVM

LIST OF BACKGROUND PAPERS

1. Application form and plans.
2. Statutory notices and certificates.
3. Consultation responses.
4. Letters of objection.
5. East Ayrshire Local Plan, Finalised Version.

Any person wishing to inspect the background papers listed above should contact Miss Pamela Clifford on 01563 555483.

Implementation Officer : Dave Morris

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|--------------------------------|---|
| Location | The Pumphouse 1 Burngrange Lane MAUCHLINE, KA5 6AL |
| Nature of Proposal: | Proposed change of use from domestic garage to pumping station. |
| Name and Address of Applicant: | Mr Andrew Cooper 1 Burngrange Lane MAUCHLINE, KA5 6AL |
| Name and Address of Agent | |

DPO's Ref: [HM]

PPO's Ref; []

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

1. The proposed development shall be carried out in accordance with the application form and plans submitted on 29 February 2000 and the proposed road alterations plan submitted to the planning Authority on 14 April 2000.

REASON : To ensure that the development is carried out in accordance with the approved details.

2. The proposed road alterations at the entrance to Burngrange outlined in the plan dated 14 April 2000, shall be carried out prior to the use of the domestic garage as a pumping station, all to the satisfaction of the Planning Authority and East Ayrshire Roads Division.

REASON : In the interests of road safety.

3. Prior to the use of the pumping station, a manhole access chamber shall be formed at the location of the existing culvert headwall for inspection and cleaning purposes and the existing trash screen shall be removed. Details of the manhole shall be submitted to and approved by the Planning Authority.

REASON : In the interests of road safety.

4. Prior to the use of the pumping station, the existing culvert shall be cleared of any debris prior to the construction of the new section of culvert. Details of the culvert shall be submitted to and approved by Planning Authority before the commencement of development on site.

REASON : In the interests of public safety.

5. This permission relates to an output of 6,000 litres of spring water per day and the further permission of the Planning Authority will be required for any increase in the output of water per day.

REASON : To enable the Planning Authority to retain control over the future development of the site in the interests of residential amenity.

6. Any vehicle movements associated with the proposed development shall not take place within a period of 30 minutes prior to opening time, 30 minutes after closing time and during the lunch-time period of Mauchline Nursery and Primary School.

REASON : To allow ease of access by school children in the interests of pedestrian safety.

7. This permission relates to 8 vehicle movements per day for the proposed use and the further permission of the Planning Authority will be required for any increase in vehicle movements per day associated with the transportation of extracted spring water.

REASON : To enable the Planning Authority to retain control over future development of the site.

8. No bottling of the water shall take place within the application site.

REASON : To enable the Planning Authority to retain control over future development of the site.

9. Before 07:00 hours and after 19:00 hours on Mondays to Fridays and before 08:00 hours and after 12:00 hours on Saturdays and at all times on Sundays, there shall be no transport of tanks of spring water.

REASON : To prevent noise and disturbance extending into hours during which other sources of noise have subsided, in the interest of residential amenity.

NOTE

1. The applicant shall make early contact with East Ayrshire Council Roads Division, Council Offices, Lugar regarding construction consent for the footway and the culvert.
2. The applicant shall make early contact with West of Scotland Water, 35 Glenburn Road, Prestwick, KA9 2NS regarding their requirements.

**DUE TO ORDNANCE SURVEY REGULATIONS AND COPYRIGHT
THE MAP IS AVAILABLE FOR VIEWING AT THE COUNCIL'S
PLANNING OFFICE IN LUGAR. FOR INFORMATION ON
VIEWING PLEASE CONTACT (01563) 555320.**

AGENDA

