

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE: 14 FEBRUARY 2003

**02/0924/FL: PROPOSED ERECTION OF PORTACABIN FOR TEMPORARY
ACCOMMODATION AT THE SURGERY, 69 AFTON BRIDGEND, NEW
CUMNOCK
BY NEW CUMNOCK MEDICAL PRACTICE**

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 Full planning consent is sought to erect a portacabin amongst the existing buildings of the Medical Centre. The proposed development is a double portacabin and will provide support accommodation for the existing surgery comprising administration room, interview room, treatment room, toilet and storage. The portacabin comprises cladding board with a textured paint wall finish and a flat felt roof. It is proposed that the portacabin will provide accommodation to serve short-term needs for an anticipated 3-year timescale until funding is secured for more permanent accommodation.

2. RECOMMENDATION

2.1 The application should be approved subject to the conditions indicated on the enclosed sheet.

3. CONCLUSIONS

3.1 As indicated in Section 5 of this report there are no applicable policies in the Adopted New Cumnock Local Plan and therefore greater weight should be attached to the other material considerations.

3.2 There are no policies within the EALP that would significantly affect the determination of this application and so the greatest weight should be attached to other material considerations. The proposed development is considered to be acceptable in terms of design and location on a temporary basis. With regard to the letter of objection and obstruction of the driveway, this is an existing situation and is a matter that requires to be resolved between the owners of the private access road. It is not anticipated that the additional portacabin will increase the use of the medical centre as the facilities to be accommodated within the portacabin already exist within the practice.

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 it would not represent a significant 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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**02/0924/FL: PROPOSED ERECTION OF PORTACABIN FOR TEMPORARY
ACCOMMODATION AT THE SURGERY
69 AFTON BRIDGEND, NEW CUMNOCK**

APPLICATION BY NEW CUMNOCK MEDICAL PRACTICE

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 as it is subject to objection.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site is the existing medical centre within the settlement boundary of New Cumnock. The site is bounded to the north by a telephone exchange, to the south by A76 Trunk Road and then residential properties, to the west by an access road into the medical centre and the Spar Supermarket and a residential property, and to the east by sheltered housing units.

2.2 **Proposed Development:** Full planning consent is sought to erect a portacabin amongst the existing buildings of the Medical Centre. The proposed development is a double portacabin and will provide support accommodation for the existing surgery comprising administration room, interview room, treatment room, toilet and storage. The portacabin comprises cladding board with a textured paint wall finish and a flat felt roof. It is proposed that the portacabin will provide accommodation to serve short-term needs for an anticipated 3-year timescale until funding is secured for more permanent accommodation.

3. CONSULTATIONS AND ISSUES RAISED

3.1 East Ayrshire Council Roads Division and Transportation Division and the Scottish Executive Development Department Road Network Management and Maintenance Division have no adverse comments to make regarding the proposed development.

Noted.

3.2 New Cumnock Community Council and the Department of Homes and Technical Services have not replied to their consultation letter at the time of writing this report.

Noted.

4. REPRESENTATIONS

4.1 There is one letter of objection and the grounds of objection are as follows:

4.2 The objectors have great difficulty driving their car in and out of their driveway due to patients parking in front of their driveway when the surgery's car park is full. The road into the surgery is a single road so there is no way that their car can get out of the drive. There have been on occasions patients using their runway to turn their vehicles which has resulted in various damage to their property.

The applicant has indicated that the proposed development will not result in an increase in the services presently available at the Medical Practice but will allow the accommodation of existing services within an additional building. The Roads Division has offered no objections to the proposed development. As the access road is private, the obstruction of the driveway is a legal matter between the objector and the other owners of the access road. The applicant has indicated that if a building is constructed permanently then an additional car parking area may be 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 Adopted New Cumnock Local Plan (1993). The Adopted Local Plan was prepared within the context of the approved Strathclyde Structure Plan.

5.2 Notwithstanding the age of the Adopted Local Plan the proposal would fall to be considered against this document and its associated policies. There are no relevant policies within the Adopted New Cumnock Local Plan and therefore greater weight should be placed on the 'other material considerations' as identified in Section 6 of the report.

6. ASSESSMENT AGAINST OTHER MATERIAL CONSIDERATIONS

6.1 The other principal material considerations relevant to the determination of the application are the East Ayrshire Local Plan Finalised Version with Modifications 2002, (EALP), the consultation responses and representations received, both of which are addressed in Sections 3 and 4 of this report.

East Ayrshire Local Plan Finalised Version with Modifications

6.2 The Adopted Local Plan is considerably out of date and it is considered appropriate that greater weight should be attached to more recent expressions of policy. The Council has agreed that the EALP should be considered as a prime material consideration. There are however no policies with this document which would specifically relate to the present proposal. The design and location of the portacabin are, however, considered to be acceptable.

Consultation Responses

6.3 The consultation responses do not indicate that the application should be refused.

Representations

6.4 The main point of objection relates to problems of access including obstruction and damage caused by patients attending the centre. However, the proposed development will not in itself result in any increased usage of the medical centre and the resolution of the objection is essentially a legal issue between the various owners of the access road.

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 this report there are no applicable policies in the Adopted New Cumnock Local Plan and therefore greater weight should be attached to the other material considerations.

8.2 There are no policies within the EALP that would significantly affect the determination of this application and so the greatest weight should be attached to other material considerations. The proposed development is considered to be acceptable in terms of design and location on a temporary basis. With regard to

the letter of objection and obstruction of the driveway, this is an existing situation and is a matter that requires to be resolved between the owners of the private access road. It is not anticipated that the additional portacabin will increase the use of the medical centre as the facilities to be accommodated within the portacabin already exist within the practice.

9. RECOMMENDATION

9.1 The application should be approved subject to the conditions indicated on the enclosed 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 it would not represent a significant departure from Council policy.

Alan Neish
Head of Planning and Building Control

29 January 2003
PC/MMM/SMB
FV/DVM

LIST OF BACKGROUND PAPERS

1. Application Form and Plans.
2. Statutory Notices/Certificates.
3. Consultation Replies.
4. Letter of Representation.
5. Adopted New Cumnock Local Plan.
6. East Ayrshire Local Plan Finalised Version with Modifications.
7. Approved Ayrshire Joint Structure Plan.

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

Implementation Officer: Dave Morris

EAST AYRSHIRE COUNCIL
TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

02/0924/FL

Site of Proposal: Surgery
69 Afton Bridgend
NEW CUMNOCK

Nature of Proposal: Proposed Erection of Portacabin for Temporary
Accommodation

Name & Address of Applicant: New Cumnock Medical Practice
Per Ayrshire & Arran NHS Trust
Brunston House
Ailsa Hospital
Dalmellington Road
AYR KA6 6AB

Name & Address of Agent: Fleming Muir Architects
20 St Quivox Road
PRESTWICK KA9 1LJ

DPOs Reference: PC/MMM

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

1. Permission is granted for a limited period of 3 years from the date hereof, and at the expiration of this period, the portacabin shall be removed from the land, and the land shall be restored in accordance with a scheme to be agreed by the Planning Authority unless further permission is granted.

REASON: The proposed portacabin is of a temporary nature.

Note:-

1. The applicant shall make early contact with Scottish Water, 35 Glenburn Road, Prestwick KA9 2NS, regarding connecting to the public sewerage system.

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VIEWING PLEASE CONTACT (01563) 555320.**