

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE: 27 FEBRUARY 2004

**03/1074/FL: PROPOSED ERECTION OF TWO STOREY 52 BED
RESIDENTIAL CARE HOME ON VACANT LAND / CAR PARK,
WILLIAM MCCOMB COURT, AUCHINLECK**

APPLICATION BY CC CARE LTD.

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 Full planning permission is sought to erect a residential care home to provide accommodation for fifty two bed spaces. This unit is primarily two storey in construction and is based on an "L" shaped floor plan, with a wing protruding from the central block which is single storey in height. The proposed external finishing materials are a facing brick with render and concrete roof tiles.

1.2 Vehicular access is to be taken off William McComb Court and car parking will be provided across the school access at the rear. It is proposed to introduce some hard and soft landscaping within the curtilage of the site which shall be enclosed by a chain link fence.

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. As is indicated at Section 6 of the report, there are material considerations relevant to this application, however it is considered that these are supportive of the proposed development.

3.2 The principal of developing this brownfield site for the erection of a residential care home is acceptable. The provision of a residential care home at

this location will improve this type of community facility in the area which is to be encouraged.

3.3 It is considered that the design scheme as submitted is compatible with the surrounding built environment and has no adverse impact on the amenity of the area. All of the necessary infrastructure requirements have been addressed. The proposed development is policy compliant and raises no adverse issues.

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 the proposal would not represent a significant departure from the development plan.

Alan Neish
Head of Planning and Building Control

Note: This document combines key sections of the associated report for quick reference and should not in itself be considered as having been the basis for recommendation preparation or decision making by the Planning Authority.

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Report by Head of Planning and Building Control

1. PURPOSE OF REPORT

1.1 The purpose of this report is to present for determination a full planning application which is to be considered by the Local Planning Committee under the scheme of delegation, as the proposed development is of area significance.

2. APPLICATION DETAILS

2.1 **Site Description:** The site comprises a brownfield parcel of land situated off the residential street of William McComb Court in Auchinleck. There are the remains of the former Dalshalloch Centre which accommodated the Council's Social Work Department. This building was destroyed by a fire in December 2001 and the site has remained vacant since then.

2.2 To the east of the application site lies Auchinleck Primary School which is a new building with a mixed roof configuration and constructed using a light brown facing brick with brown concrete roof tiles. The school is bounded by a security fence of approximately 2 metres in height. To the west of the site is Affleck House Residential Care Home which is, in the main, a single storey unit finished in grey render and with a flat roof. A two storey element is located on the far side of the building from the application site and this is roofed in grey concrete tiles. There is a gently sloping bank of maintained open space immediately to the front of the site which fronts onto a footpath from the school and beyond this is the vehicular access to the school. To the rear of but included within the site is a secondary vehicular access into the school and beyond this an area of public open space which adjoins the rear of two storey houses on Arran Drive.

2.3 **Proposed Development:** Full planning permission is sought to erect a residential care home to provide accommodation for fifty two bed spaces. This unit is primarily two storey in construction and is based on an "L" shaped floor

plan, with a wing protruding from the central block which is single storey in height. The proposed external finishing materials are a facing brick with render and concrete roof tiles.

2.4 Vehicular access is to be taken off William McComb Court and car parking will be provided across the school access at the rear. It is proposed to introduce some hard and soft landscaping within the curtilage of the site which shall be enclosed by a chain link fence.

3. CONSULTATIONS AND ISSUES RAISED

3.1 East Ayrshire Council's Roads and Transportation Division has no objection to the proposed development subject to the following conditions:

- (i) an over run area to be provided at the bend on William McComb Court;
- (ii) disabled parking spaces to be provided in accordance with the Roads Development Guide

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

3.2 The Scottish Environment Protection Agency has no objection in principle to the proposed development. SEPA states that the developer should select and install suitable SUDS to treat and attenuate surface water before leaving the site. All waste materials generated by the development that require to be removed such as construction and demolition wastes, which may also include excavated material, must be removed from site by authorised persons. Waste must be removed to a site that has either an appropriate waste management licence or registered exemption from licensing as issued by SEPA.

Appropriate notes can be attached to any consent granted for the proposed development to advise the developer of the requirements of SEPA.

3.3 East Ayrshire Council's Department of Education and Social Services has no objection to the proposed development.

Noted.

3.4 Power Systems has no objection to the proposed development provided it does not interfere with their apparatus.

Noted and this information has been copied to the developer.

3.5 Scottish Water has advised there is an existing public water main located in the street adjacent to the site and there is a public sewerage system to which a connection may be made from the proposed development.

Noted.

3.6 East Ayrshire Council's Environmental Health & Waste Management Section has raised no objections to the proposed development but did make some comments regarding environmental health issues.

The comments of the Service have been forwarded onto the developer.

3.7 East Ayrshire Council's Administrative and Legal Services Section has no specific comments to make regarding the proposed development.

Noted.

3.8 Transco has no objection to the proposed development and submitted an information pack to be passed to the developer.

Noted and this information has been copied to the developer.

3.9 The Coal Authority has no objection to the proposed development and has no adverse comments to make.

Noted.

3.10 Auchinleck Community Council has no objection to the proposed development.

Noted.

4. REPRESENTATIONS

4.1 No third party letters of representation have been submitted in respect of the application.

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 (1999) and the Adopted East Ayrshire Local Plan (2003).

Ayrshire Joint Structure Plan

5.2 There are no policies contained within the structure plan which are especially relevant to this application.

Noted.

East Ayrshire Local Plan

5.3 Policy RES4 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 houses, 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;

It is considered that a nursing home will have a minimal impact on the surrounding built and natural environment and adjacent uses.

- (ii) transportation and infrastructure implications;

The proposal does include only a minimal amount of car parking but the Council's Roads and Transportation Division has agreed to the parking level on the basis that the proposed development will have only a slight increase in staff levels on the existing Affleck House and also will be significantly less than the traffic volume which was incurred by the Dalshalloch Centre.

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

The proposed development is compatible with surrounding densities and house types.

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

The design is considered to be acceptable.

5.4 Policy CS1 states that the Council will respond positively to changing needs and demands for community and educational facilities throughout East Ayrshire. Wherever possible, existing facilities will be retained and improved and support and encouragement will be given to all other community facility and public service organisations to maintain and improve the services they provide.

The proposed nursing home will improve community facilities in the Council area and therefore is supported by the terms of Policy CS1.

6. ASSESSMENT AGAINST OTHER MATERIAL CONSIDERATIONS

6.1 The other principal material considerations relevant to the determination of the application are the consultation responses.

Consultations Responses

6.2 None of the consultation responses raise any comments which would indicate that the application should be refused.

7. FINANCIAL AND LEGAL IMPLICATIONS

7.1 Financial and legal implications will arise for the Council in the determination of this application through the disposal of the site to the applicant.

7.2 The Council is the current owner of the application site and is certified as such. The proposed development complies fully with the development plan and no third party letters of representation or objections have been received. The Council has a financial interest in this site which does not require the application to be notified to the Scottish Ministers and this interest should form no part in the decision making on 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. As is indicated at Section 6 of the report, there are material considerations relevant to this application, however it is considered that these are supportive of the proposed development.

8.2 The principal of developing this brownfield site for the erection of a residential care home is acceptable. The provision of a residential care home at

this location will improve this type of community facility in the area which is to be encouraged.

8.3 It is considered that the design scheme as submitted is compatible with the surrounding built environment and has no adverse impact on the amenity of the area. All of the necessary infrastructure requirements have been addressed. The proposed development is policy compliant and raises no adverse issues.

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 the proposal would not represent a significant departure from the development plan.

Alan Neish
Head of Planning and Building Control

13 February 2004
NM/NM/HM

LIST OF BACKGROUND PAPERS

1. Application Form and Plans.
2. Statutory Notices and Certificates.
3. Letters of Representation.
4. Consultation responses.
5. Adopted East Ayrshire Local Plan (2003).
6. Approved Ayrshire Joint Structure Plan (1999).

Anyone wishing to inspect the above background papers should contact Nicola Monroe on 01563 555485.

Implementation Officer: Dave Morris

Form TP24A

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application No: 03/1074/FL

Location	Vacant Land / Car Park William McComb Court AUCHINLECK KA18 2HH
Nature of Proposal:	Proposed erection of 2 storey, 52 bed residential care home
Name and Address of Applicant:	C C Care Ltd Torrance Lodge Nursing Home Riccarton Road HURLFORD KA1 5LQ
Name and Address of Agent	Armitage Associates Fleming House 134 Renfrew Street GLASGOW G3 6ST

DPO's Ref: Nicola Monroe
PPO's Ref: Hugh Melvin

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 received on 28 November 2003 and the amended plans received by the Planning Authority on 16 January 2004.

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

2. Prior to the commencement of development the developer shall submit to, and have approved by the Planning Authority, a full specification for the proposed finishing materials, including the roof tile, facing brick and render.

REASON – In the interests of visual amenity.

3. The boundary to the residential care home shall be a chain link fence as specified in the application form unless an alternative receives the prior written approval of the Planning Authority.

REASON – To ensure that the boundary enclosure is appropriate to the amenity of the area.

4. Prior to the commencement of development the developer shall finalise with the Council's Roads and Transportation Division the details of the over-run area to be provided at the bend of William McComb Court and this shall be formed by the developer prior to the occupation of the building hereby approved.

REASON – In the interests of road safety.

5. The developer shall provide disabled parking spaces in accordance with the Roads Development Guide and to the satisfaction of the Council's Roads and Transportation Division.

REASON – In the interests of road safety.

NOTES TO APPLICANT

1. The developer is advised to make early contact with Scottish Water and the Scottish Environment Protection Agency to confirm the 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.

2. 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.

3. All waste materials generated by the development that require to be removed such as construction and demolition wastes, including excavated material, must be removed from site by authorised persons. Waste must be removed to a site that has either an appropriate waste management licence or registered exemption from licensing as issued by SEPA.

**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.**