

## EAST AYRSHIRE COUNCIL

### SOUTHERN LOCAL PLANNING COMMITTEE : 16 JUNE 2000 00/0059/FL : ERECTION OF 10 NO. HOUSES PLUS ASSOCIATED DRAINAGE AND ROADWORKS (RELOCATION OF EXISTING BOLLARDS IN STATION ROAD) – FORMER A & W POLLOCK WORKS AND ADJACENT SITE, STATION ROAD, MAUCHLINE APPLICATION BY SILK HILL 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 because it is a larger application which accords with the Development Plan and is of Area Significance, and which has been subject to objections.

## 2. APPLICATION DETAILS

2.1 **Site Description** : The application site lies to the east of Barskimming Road, Mauchline and lies some 130 metres south of the junction of Station Road with Barskimming Road.

2.2 The application site extends to 0.7885 hectares in area. The site is divided into two areas by Station Road. One area is the former A & W Pollock Works which has derelict industrial buildings. The second area is a former haulage contractor's yard where there is a brick-built garage/workshop building.

2.3 The application site is bounded to the west by Barskimming Road, to the north and east by Grassmillees Farm and agricultural land and to the south by existing houses on Station Road.

2.4 **Proposed Development**: This is a full planning application for the erection of 10 houses on the site with access being taken from Station Road. The proposal involves the erection of 2 single-storey houses of 2-bedroom accommodation and 8 1½ -storey houses of 3 bedroom accommodation. Eight of the houses will be located around a turning circle and the other two houses located parallel to Station Road. Pitched roof dormers are proposed to the front and rear of the 1½-storey houses. Materials proposed are dry dash render with facing brick basecourse and grey roof tiles.

## 3. CONSULTATIONS AND ISSUES RAISED

3.1 East Ayrshire Council Roads and Transportation Division have no objections to the proposed development subject to conditions regarding

visibility splay areas, car parking spaces, surfacing of the driveway, traffic calming measures and relocation of existing bollards. The development will require Construction Consent and a Road Bond. The owner/occupiers of 67 & 69 Station Road will require to access the properties from Station Road now instead of Barskimming Road.

***The requirements of the Roads Division can be met by attaching conditions to the planning consent if granted. The owner/occupiers of 67 and 69 Station Road have not submitted any objections to the proposed development.***

3.2 West of Scotland Water have commented that the developer should satisfy himself by site investigation that relative levels are such as will allow the development to be connected at a reasonable gradient. Their permission should be sought to connect to the public sewerage system. A totally separate drainage system will be required. The Scottish Environment Protection Agency have indicated that further development in this area would cause a breach of existing consents to discharge. West of Scotland Water would be liable to prosecution were this to occur as a result of having agreed this proposal and this development must be considered premature pending upgrading of the sewerage system. Contact should be made with the Water Network Section to discuss how the proposed housing development would obtain a public water supply.

***West of Scotland Water have indicated that they are not objecting to the proposed development. They have indicated that they cannot refuse a connection to the public sewerage system, however it may take up to 3 years to achieve the connection. Therefore a refusal of planning consent cannot be justified on the basis of the comments received.***

3.3 Scottish Environment Protection Agency have no objections provided drainage arrangements are to their satisfaction. All foul drainage from the development must be connected to the public sewer to the satisfaction of West of Scotland Water. The use of porous paving for car parking to decrease the amount of surface water leaving the site should be considered.

***See comments to Paragraph 3.2***

3.4 Scottish Power, The Coal Authority have no adverse comments to make regarding the proposed development.

***Noted.***

3.5 British Gas Transco have commented that no mechanical excavation should be carried out within 500mm of Transco plant.

***A condition can be attached to the planning consent if granted to ensure the requirements of British Gas Transco.***

3.6 Mauchline Community Council and East Ayrshire Council Department of Community Services Environmental Health and Waste Management have not responded to the consultation letter.

***Noted.***

#### 4. REPRESENTATIONS

Three letters of objection have been received.

4.1 The proposal is for vehicular access to be taken from Station Road rather than the shorter route from Barskimming Road which would involve the re-siting of the bollards preventing access from Barskimming Road to the houses on Station Road. The road leading from Barskimming Road to the site is private and it is wondered why this is not utilised.

***The applicant has submitted a development accessed from Station Road and the Roads Division have no objections to the proposed development.***

4.2 The objectors fear that in time the bollards will disappear and heavy traffic will commence using the access from Barskimming Road to the Station Road industrial units.

***A condition can be attached to the planning consent if granted to ensure that the relocated bollards remain.***

4.3 The construction traffic will use Station Road rather than the shorter route from Barskimming Road thus leading to the deterioration of the Station Road surface. Station Road is at present effectively a cul-de-sac with no through traffic and the street can be used by children without fear of thorough traffic or heavy traffic.

***The Roads Division have no objections to the use of either Barskimming Road or Station Road by construction traffic provided bollards are in place to prevent through traffic.***

4.4 The Pollock yard site is higher than the adjacent plots. Any houses on the site would therefore impinge on the objectors' privacy. One of the houses lies approximately 5 to 6 feet below the proposed development. It may be that, if there is a proposal to erect screening along the southern boundary of the site, the objectors' fears would be met in this regard.

***The applicant has submitted details of a 1.8metre close boarded wooden fence to be erected around the rear boundary of the houses. This fence will be erected along the southern boundary adjacent to existing wire mesh fencing. This fence will help to reduce the impact of the development on adjacent properties.***

4.5 The boundary fence adjacent to Grassmillees Farm has been in existence for over 100 years and also the wall of Pollocks shed. If demolished they would like the replacement fence to remain the responsibility of the new house owners. As a Free-Range Egg producer, they would require a 6 foot palletised wooden fence completely stockproof. On demolition of the shed, temporary fencing would need to be erected. Along the boundary there are some land drains which they trust would be catered for.

***The applicant has submitted details of a 1.8metre fence to be erected along the rear gardens of the houses. It will be the responsibility of each new house owner to maintain the fence adjacent to their property. The erection of a temporary fence following the demolition of the shed is a legal matter between the applicant and the objector.***

## **5. DEVELOPMENT PLAN STATUS**

5.1 The relevant policy document is the East Ayrshire Local Plan Finalised Version and the application site is located within the settlement boundary of Mauchline. The site is not protected for industrial use and therefore Policy IND8 will apply. Policy IND8 states that other than those sites specifically safeguarded for industrial use under Policy IND4, proposals for alternative uses of land or premises currently or formerly used for industrial purposes should be considered subject to the following criteria:-

- (i) the proposed use not being detrimental to surrounding established uses, and;
- (ii) the proposal meeting with the requirements of all other relevant Local Plan policies.

***The proposed residential development is in keeping with Policy IND8 as it is located in an area predominantly surrounded by housing.***

5.2 Policy RES4 positively encourages the sympathetic residential development of gap, infill or other redevelopment sites not specifically safeguarded or identified for particular development purposes on the Local Plan maps. Developments will be assessed against the following criteria:-

- (i) impact on the surrounding natural and built environment and adjacent uses;
- (ii) transportation and infrastructure implications;
- (iii) compatibility with surrounding densities and housing types, and;
- (iv) compliance with the Council's Development Promotion and Design Guidance.

***The proposed development does not conflict with this policy. It will be compatible with the surrounding houses in terms of design and density. The Roads Division have no objections to the proposed development.***

5.3 In terms of the Mauchline-Drongan Ochiltree Local Plan, the proposed site is protected by Policy IND2 where there is a presumption that existing industrial buildings should be retained for industrial use.

***The proposed development is contrary to the above plan. However, the adopted local plan is out of date and the Council has agreed for Development Promotion purposes that most weight should be attached to the East Ayrshire Local Plan Finalised Version as a material planning consideration. This is the most up to date policy statement. Outline planning consent has already been granted for two houses on the part of the site which was the former haulage yard.***

## **6. OTHER PLANNING CONSIDERATIONS**

6.1 98/0178/OL : Outline planning consent was granted on 5 March 1999 for the erection of 2 bungalows at 'Appin', 69 Station Road, Mauchline.

***This outline planning consent related to the western area of the site parallel to Station Road which was previously occupied by a haulage yard.***

## **7. FINANCIAL AND LEGAL IMPLICATIONS**

7.1 There are no financial and legal implications for the Council in the determination of this application.

## **8. CONCLUSIONS**

8.1 The proposed development is contrary to the industrial policies of the Adopted Mauchline-Drongan Ochiltree Local Plan but it does not conflict with the industrial and residential policies of the East Ayrshire Local Plan Finalised Version which is the most up-to-date policy statement. Outline planning consent has already been granted for 2 houses on the area of the site which was the former haulage yard. The proposed housing is compatible in design and layout to the adjacent existing houses. Concerns have been expressed regarding the loss of privacy to neighbouring properties. The existing houses No. 36-42 Station Road and No. 9 Station Lane are most affected by the proposed siting of the houses. One and a half storey houses are proposed with the first floor rear dormer window either being a bathroom window with obscure glass or a bedroom window. It is considered that due to the type of

window proposed or the siting of the house, the proposed houses will not have an adverse impact on adjacent existing houses in terms of the loss of privacy and overlooking. A 1.8 metre close boarded timber fence is also proposed along the rear gardens of the houses. The 1.8 metre timber fence along the southern boundary will be erected adjacent to the existing wire mesh fence.

8.2 The open space provision for each house meets the requirements of East Ayrshire Local Plan Finalised Version. The Roads Division have no objections to the proposed development provided the bollards are relocated to the end of the extended road.

## **9. RECOMMENDATION**

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

Alan Neish  
Head of Planning and Building Control  
PC/SMB  
07 June 2000  
FV/DVM

### **LIST OF BACKGROUND PAPERS**

1. Application form and plans.
2. Statutory notices/certificates.
3. Consultation replies.
4. Letters of objection.
5. East Ayrshire Local Plan Finalised Version.
6. Mauchline-Drongan Ochiltree Local Plan.
7. Planning consent No. 98/0178/OL.

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

**Implementation Officer : Pamela Clifford**

**AGENDA**