

APPENDIX 8

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Our Ref: MSE/EA

26 July 2011

For the attention of Ms Jennifer Morrison
Head of Democratic Services
East Ayrshire Council
Council Headquarters
London Road
KILMARNOCK
KA3 7BU

Dear Ms Morrison

Town and Country Planning (Scotland) Act 1997
The Town and Country Planning (Schemes of Delegation and Local
Review Procedure) (Scotland) Regulations 2008
Application Ref: LRB 10/0922/PP: Proposed Development of Two
Houses at land adjacent to Barrmill Cottage, Maxwood Road/Castleview
Avenue, Galston

Thank you for your letter of 14 July 2011 and the various enclosures. My comments on the contents of these are as follows:

- a) **Letter from the Head of Planning and Economic Development dated 30 June 2011**
- (i) Planning History

It is important to note that in the case of both applications, reference numbers 06/1023/OL and 06/0123/OL, the Northern Area Planning Committee "agreed to approve the application on the grounds that the application would improve the environmental and visual amenity of the

area". The Committee therefore was not simply agreeing to the principle of development but that it would also bring distinct visual amenity benefits.

(ii) View as to the impact of the development on the houses to the west of the application site

- "When approaching the site on Maxwood Road from the south-western direction, the house types are generally a mixture of modern single-storey detached bungalows and two-storey post-war semi-detached dwellinghouses".

As indicated and illustrated in the statement submitted in support of the request for a review, the mixture of house types when approaching from the south-west is much more varied than that being suggested by the officer. Indeed, it includes a number of pre-war as well as post-war properties.

There is no clear definition by the officer of the area taken into account for assessment purposes and, as a consequence, the actual properties used to arrive at the particular conclusion. Which two-storey dwellings, etc. are being referred to for example?

- "The ridge height of the existing two-storey post-war dwellinghouses is approximately 7.6 metres". The officer's comments do not confirm which two-storey dwellings are being specifically referred to.
- "The existing dwellinghouses at the end of Castlevue Avenue are 60s semi-detached properties and it is noteworthy that these properties have lower ridge heights and shallower pitched roof designs and sit approximately 2 metres lower than the properties on Maxwood Road".

While the properties at the end of Castlevue Avenue are not too difficult to identify, which properties in Maxwood Road are otherwise being referred to? The fact that the Castlevue Avenue properties sit approximately 2 metres below those on Maxwood Road is a topographical fact but there is still a significant distance between them so as to ensure that the proposals do not have a negative impact on the residential amenity of those houses in Castlevue Avenue.

- "... the proposed ground level of the building plots has a spot height of approximately 67 metres AOD. The height of the proposed building is 9 metres high to the ridge, with a steep roof pitch and would dominate this section of Maxwood Road which has a level of approximately 62.8 metres AOD".

The ground level of the building plots is, in fact, 65 metres and the consequence of this is that the ridge line will be 2 metres lower than implied.

Otherwise, the officer's statement does not confirm where the 62.8 metres AOD is located, in what section of Maxwood Road? Part of Maxwood Road immediately in front of the site is, in fact, at approximately 67 metres. The picture produced is therefore confusing.

The proposed roof pitch conforms to the Council's guidelines and the proposals as a whole will contribute to, but not "dominate", as suggested. Indeed, the officer provides no illustration material to substantiate his case.

- The proposed development would result in the closure of the open aspect of the end of Maxwood Road with the dominant building two-storey dwellinghouses of incompatible design.

The Council have accepted the principle of residential development at this location and have concluded that development would bring environmental and amenity benefit. The proposals are entirely compatible with the Council's design guidelines. The proposed houses are not adjacent to the properties referred to in Castlevue Avenue and will not implicate their residential amenity, nor will they dominate the landscape in the way suggested. At the end of the day, we are in fact relying on a suggestion by the officer, no evidence is provided to illustrate what "dominance" might mean.

- It is considered that the size and design of the proposed dwellinghouses would dwarf the adjacent properties in Castlevue Avenue and Maxwood Road to the west.

Similar to the matter of "dominating", the officer provides no detailed comments on how the proposals would, in his view, "dwarf" neighbouring developments. In relation to "incompatible design" as confirmed in the statement submitted in support of the request for review, there are wide differences in the style, massing and design of houses in the immediate locality and beyond. An eclectic mix within the context of which the proposals sit comfortably.

b) Letter from the Head of Roads and Transportation dated 8 July 2011

The letter states that "The Roads Division supplied a sketch plan prepared on 17/11/2006 with their response to allow the developers to amend their proposal to meet Roads' requirements. Unfortunately, these sketch plans have not previously been seen by the applicant and so there was no real opportunity to respond.

The sketch prepared by Roads is, in fact, very similar to the one that forms part of the current application with some minor differences, e.g. a narrowing of the road at two points which was believed would enhance road safety.

On the basis of the information now made available by Roads, it is very likely that the applicant will be able to arrive at a mutually acceptable resolution of matters here, as previously confirmed on page 15 of the statement submitted in support of the request for review.

c) **Letter from the Cleansing Services Manager dated 11 July 2011**

As for b) above, it is likely that the applicant will be able to arrive at a satisfactory conclusion in respect of this matter which might be dealt with by means of a planning condition in the first instance.

I trust that the foregoing will allow the Local Review Board to move towards determining this application and that this will conclude that the development should be allowed to proceed.

I look forward to hearing from you.

Yours faithfully

Michael S Evans
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cc
Doreen Lindsay
Ross Mckay

