

APPENDIX 9

MICHAEL S EVANS, BA (Econ), Dip TP, MRTPI, MCM

Planning Consultant

Our Ref: MSE/EA

11 July 2011

For the attention of Ms Jennifer Morrison
East Ayrshire Council
Department of Finance and Corporate Support
Council Headquarters
London Road
KILMARNOCK
KA3 7BU

Dear Madam

Town and Country Planning (Scotland) Act 1997
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 Barmill Cottage, Maxwood Road/Castleview,
Galston

I refer to and thank you for your letter of 28 June regarding the above and, in particular, the third paragraph on page 2 that states:-

“It is further agreed to receive a written submission from the applicant outlining why they had moved from the position whereby planning consent was in place for a development wholly within the settlement hereby, to this current application where a portion of the application site lay outwith the settlement boundary

In response to the request, I would make the following points:-

- **Development Issues related to the conditions imposed at the outline application stage**

- (i) Sustainable Drainage System. The provision of SUDS would mean that the development could be undertaken without adding to the load in the public sewer or in the surface water drainage system. Without detailed checks which would be usually carried out at building warrant stage, it is not possible to be certain of the exact amount of ground such a system might require and the boundary change is therefore erring on the side of caution to take this into account.
- (ii) Geothermal Source Heating. As for (i) above, detailed calculations are required which cannot be accurately undertaken until there is an approved house of a specific size, external finish, floor area, area of glazing, etc. The current boundary therefore allows for a degree of flexibility re siting of equipment. The agricultural land to the east is also owned by the applicant and some consideration was given to the possibility of a location outwith the red line boundary but was discounted for practical reasons.

- **The Characteristics of the Site**

The site is vacant and unused and has been for a considerable period and was part of the course of a former railway line. It does not, however, appear in the Council's Vacant and Derelict Land Information base, although it would probably qualify for inclusion. It has been liable to fly tipping.

Development of the site would therefore have no direct implication for any other use, for example, agriculture.

The current red line boundary relates to the whole of the land that is vacant and disused within the applicant's ownership and is therefore more coherent in respect to both. The previous red line boundary would exclude a portion of land which would have simply remained vacant and unused.

- **The Settlement Boundary**

Careful consideration was given to the possible implications of an approval of the development for settlement policy, both in the immediate vicinity and for the robustness and effectiveness of the relevant policies of the adopted East Ayrshire Local Plan generally. I would make the following points:-

- (i) Part of the site is within the settlement boundary.

- (ii) The site is otherwise adjacent to the settlement boundary on the west and the south.
- (iii) On the southern boundary of the site, the settlement boundary itself extends north-eastwards beyond the site in order to include the whole of the curtilage of The Cottage within the boundary.
- (iv) Because of the details of the location therefore, while development of part of the site would technically constitute a departure from the Local Plan, its scale would be such as to present no significant threat to relevant policies and would not, if consented, make adjacent countryside areas more vulnerable to development. The land immediately to the north would be difficult to develop, eventually leading to the flood risk area on the south bank of the River Irvine.

I look forward to hearing from you.

Yours faithfully

Michael S Evans
Planning Consultant

cc Doreen Lindsay
Ross McKay