

**EAST AYRSHIRE COUNCIL
NORTHERN LOCAL PLANNING COMMITTEE: 02 APRIL 2009**

**07/0862/OL AND 07/0863/TP: ERECTION OF TWO DWELLINGHOUSES IN
OUTLINE AND THE FELLING OF 13 TREES AND THE REMOVAL OF A
HEDGE**

**BY: MR ROBERT B WOODHOUSE
AT: LAND ADJACENT TO MURCHLAND AVENUE AND BRAEHEAD
ROAD, FENWICK**

Report by Head of Planning and Economic Development

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 The current outline planning application proposes the formation of two residential plots and the tree preservation order application proposes removal of 13 trees and the removal of a mature Cypress Lyandii hedge to facilitate the housing development on the site.

1.2 The proposed plot B measures approximately 770 square metres and is situated in the northern area of the site. Plot A measures approximately 860 square metres and is situated in the southern part of the site.

1.3 The planning proposal includes the formation of an access from Murchland Avenue over a strip of grass verge which is not in the ownership of the applicant. According to the Council's Finance and Asset Management Section the grass verge is in the ownership of East Ayrshire Council and is held in the Housing Service account. However, the applicant maintains that the grass verge is in his ownership.

1.4 The applicant has submitted indicative elevational and floor plan details of the two proposed dwellinghouses which indicate that Plot A comprises a 2 1/2 storey dwellinghouse of Georgian and Queen Anne design and Plot B comprises proposes a 2 1/2 storey dwellinghouse of an "Arts and Craft" style of design.

1.5 Whilst the applicant has submitted details of the proposed house types, the planning application is in outline which in this instance only seeks to establish the use of the land for residential purposes and not the specific siting or design details of the house types.

1.6 The applicant has provided a tree survey to comply with the requirements of British Standard 5837 (2005). The tree survey categorises the trees depending on their condition, for retention or for removal.

2. RECOMMENDATION

2.1 It is recommended that the outline planning application be refused for the reasons indicated on the attached sheet.

2.2 It is further recommended that the Tree Preservation Order application be refused for the reasons indicated on the attached sheet.

3. CONCLUSIONS

3.1 As is indicated in Section 5 of the report the planning application is not considered to be in accordance with the development plan. Therefore given the terms of Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 that application should be refused unless material considerations indicate otherwise.

3.2 As indicated in Section 6 of the report there are material considerations relevant to the planning application which are considered to be significant enough to support refusal of the outline planning proposal. The applicant's supporting information has been assessed within this report but does not indicate that the outline application should be approved contrary to the Development Plan.

CONTRARY DECISION NOTE

Should the Committee agree that the applications be approved contrary to the recommendation of the Head of Planning and Economic Development then the applications will not require to be referred to the Principal Planning Committee as there would be no significant departure from the Adopted Local Plan

Alan Neish
Head of Planning and Economic Development

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 Economic Development

1. PURPOSE OF REPORT

1.1 The purpose of this report is to present for determination an outline planning application and a tree preservation order application which are to be considered by the Local Planning Committee under the scheme of delegation as they subject to in excess of 10 objections.

2. APPLICATION DETAILS

2.1 **Site Description:** The outline planning application and the tree preservation order application site comprise approximately 0.18 hectares of open ground located at the corner of Murchland Avenue and Braehead Road in Fenwick.

2.2 The application site is bounded to the north by Braehead Road, to the west by Murchland Avenue, to the south by open space and to the east by the residential property at 17 Maunsheugh Road.

2.3 The application site is subject to the Braehead and Maunsheugh Road Tree Preservation Order (ref: TPO/31/1985) which was confirmed on 18/09/1985.

2.4 **Proposed Development:** The current outline planning application proposes the formation of two residential plots and the tree preservation order application proposes removal of 13 trees and the removal of a mature Cypress Lyandii hedge to facilitate the housing development on the site.

2.5 The proposed plot B measures approximately 770 square metres and is situated in the northern area of the site. Plot A measures approximately 860 square metres and is situated in the southern part of the site.

2.6 The planning proposal includes the formation of an access from Murchland Avenue over a strip of grass verge which is not in the ownership of

the applicant. According to the Council's Finance and Asset Management Section the grass verge is in the ownership of East Ayrshire Council and is held in the Housing Service account. However, the applicant maintains that the grass verge is in his ownership.

2.7 The applicant has submitted indicative elevational and floor plan details of the two proposed dwellinghouses which indicate that Plot A comprises a 2 1/2 storey dwellinghouse of Georgian and Queen Anne design and Plot B comprises proposes a 2 1/2 storey dwellinghouse of an "Arts and Craft" style of design.

2.8 Whilst the applicant has submitted details of the proposed house types, the planning application is in outline which in this instance only seeks to establish the use of the land for residential purposes and not the specific siting or design details of the house types.

2.9 The applicant has provided a tree survey to comply with the requirements of British Standard 5837 (2005). The tree survey categorises the trees depending on their condition, for retention or for removal.

3. CONSULTATIONS AND ISSUES RAISED

3.1 Fenwick Community Council has strongly objected to the application. The points of objection include:

- that trees would be required to be cut down to build houses and that these protected trees add to the local amenity and their removal would cause a visual impact to the area.
- The proposal would result in backyard development i.e. the proposed houses are to be built in what was the rear garden area of the house at 17 Maunsheugh Road.
- The most serious problem is the lack of access to the site. Where the developer has suggested accessing the site is the narrowest part of the road which is not big enough to serve existing houses when they park.

It is acknowledged that the proposal includes the removal of 13 trees and a mature Cypres Lyandii hedge from the application site, which is covered by a Tree Preservation Order, to facilitate housing on the site. It is considered that the removal of this significant number of trees and a mature hedge would result in an adverse effect on the visual and residential amenity of the area.

At the time of the submission of the outline planning application, the applicant indicated that the property at 17 Maunsheugh Road was under his control. However it would appear that subsequently the property at 17 Maunsheugh Road is no longer in the control of the applicant and that dwelling house has been sold separately from the application site.

The taking of the proposed site access to Murchland Avenue appears to be over an area of grass verge outwith the ownership of the applicant.

3.2 Scotland Gas Networks have no objection to the proposal.

Noted.

3.3 East Ayrshire Council's Roads and Transportation Division has offered no objection to the proposal but has recommended that the proposed junction of Braehead Road and Murchland Avenue should be provided with the appropriate corner radius. In addition the Roads Division has commented that the roadside verge fronting the application site on both Braehead Road and Murchland Avenue shall be constructed as adoptable roadside verge or footway. The formation of either a verge or a footway over the frontage of the proposed dwellings will require the collection of road surface water and its discharge into a Scottish Water sewer.

Should the application be approved and since the proposal is in outline any details relating to roads issues could be dealt with by the future submission of a reserved matters planning application.

3.4 Scottish Water have no objection to the proposal

Noted.

3.5 East Ayrshire Council Department of Neighbourhood Services has reservations regarding the removal of several TPO'd trees within the site and also disagrees with some of the categories allocated to some of the trees. Some are categorised "R" for removal when they are quite clearly of higher quality.

The removal of two conifers (912 and 918) would allow enough space to allow an access road into the site. However there only appears to be room for one house within the site and any such house would require to be positioned in such a way as to prevent root /canopy damage to existing trees and also to prevent the house being in shade for long parts of the day.

The Council's Arboricultural Officer has reservations about the necessity to remove some of the trees within the application site and also disagrees with the applicant's tree survey categorisation of some of the trees. The proposal will have an adverse affect both on existing, protected trees, but also on the character of the area.

3.6 East Ayrshire Council Finance and Asset Management Section comments that the Council's Housing Department owns a grass strip of land located on Murchland Avenue which the developer would require to cross over in order to access the application site. This matter will require to be raised with the applicant and further detailed investigations will require to be

undertaken which will involve reviewing the applicants and the Councils titles in order to plot the boundaries to confirm the accuracy of the land ownership.

The Council's senior land surveyor has confirmed that the area of grass verge located in Murchland Avenue, which is required to access the application site, is in Council ownership and is held within the Housing Service account.

The applicant was advised of this situation and in response has stated that his solicitor has confirmed that the aforementioned grass verge strip is in the ownership of the applicant.

A detailed investigation will require to be undertaken to resolve the land ownership issue.

In order to resolve the land ownership issue and the issue of the removal of the trees from the site the applicant was advised by the Planning Division to withdraw the current application. The applicant declined to withdraw the application.

4. REPRESENTATIONS

4.1 The planning application was advertised in the local press and 15 letters of objection from 25 objectors have been received in relation to the proposal. The points of objection are grouped by topic:

4.2 Neighbour Notification

The neighbour notification indicated the development was at Murchland Road, this was then changed by hand on the plans by the applicant to read Murchland Avenue, can the Council confirm if such changes can be done by hand? The map indicated some unexplained markings added to it. Is the Council in a position to provide details of the unexplained markings?

In terms of the Town and Country Planning General Development Procedure (Scotland) Order 1992 the applicant is responsible for serving the neighbour notification. As part of the application process the neighbours are advised by the applicant that a full set of plans is available to view at the Council offices. Having assessed the submitted forms it is considered that the neighbour notification procedure has been carried out appropriately.

4.3 Ownership of Grass verge

Disruption to boundary verge and fence on Murchland Avenue/Braehead Road Fenwick. The verge is owned by the Council and the applicant would require to consult with the Council for any interruption to the verge and fence for purposes of access and would have to consider purchasing this land to allow for access.

The applicant was advised to contact the relevant Council Department to discuss the issue of the ownership of the verge of land required to access the site. The applicant states that the verge of land is within his ownership and disputes that the land is in the Council's ownership. The applicant has not contacted the Finance and Asset Management Section with a view to either obtaining a right of access over the verge of land or to purchase the verge of land.

4.4 On Street Parking/Building Works and Turning Area

Disruption and restriction to already limited street parking both during construction and after completion of works. The volume of already parked vehicles at all hours of the day currently makes access to Murchland Avenue and Braehead Road difficult. Further demands on a road which is effectively reduced to single track due to parked cars would cause road congestion. Will the proposed access affect the cul de sac turning area in Murchland Avenue which is currently used for parking purposes?

The Council's Roads Division has not offered objections to the proposal subject to the imposition of conditions on any planning permission.

4.5 Heavy Plant and Machinery

The use of heavy plant and machinery during building works will have an adverse effect on the existing road network and builders and trades people would take over a quiet residential area. Restricted access for refuse collections during proposed building works.

As the application is an outline planning application it seeks to establish the use of the land and is not concerned with the details of the house construction. It is acknowledged that during construction works at any development site there may be periods of increased traffic activity. However, this is likely to be for a temporary time period and would not result in any long term adverse effect on the residential amenity of the area.

4.6 Privacy and Overshadowing

Privacy and overshadowing are a major concern. Has this proposed development taken into account Sections 7a and 7b of the Design Guidance.

As the application is an outline planning application it seeks to establish the use of the land and is not concerned with the details of the house construction. Should planning permission be granted, a reserved matters planning application would require to be submitted to establish the detailed design and location of the

proposed two dwellinghouses and this application would then be assessed against the Council Design Guidance.

4.7 Removal of Trees

Destruction and possible removal of protected trees adjacent to the boundary verge. There are a number of protected trees that may be potentially affected. Can the Council confirm why protected trees subject to preservation orders need to be removed to facilitate this proposed development?

It is acknowledged that the application site forms part of a designated Tree Preservation Order area and proposes the removal of 13 trees and a mature Cypress Lyandii hedge. The Council's Arboricultural Officer has reservations about the necessity to remove some of the trees within the application site and also disagrees with the applicant's categorisation of some of the trees.

4.8 Loss of Outlook

Loss of a quiet country outlook ruining the aesthetics of the general location – our houses were bought with this in mind.

The proposed development site is not located in a rural area with a quiet country outlook but well within an established residential area in the settlement boundary of Fenwick. The right to a view is not a material planning consideration.

4.9 Distress to wildlife.

The area in question is home to various species of wildlife; has any consideration been given to the harm and distress that this proposed development could potentially cause to local wildlife?

The Council is not aware of any protected species inhabiting the application site nor is the application site afforded any protective wildlife designation. It is acknowledged that should planning permission be granted any construction development is likely to result in some adverse effect on wildlife. However this adverse effect is considered to be of a temporary nature during any construction works and is not likely to result in any long term effects on the wildlife of the area.

4.10 Backland Development

This “backyard development” will seriously affect an existing, well established area causing untold disruption and upset to local residents who are not willing to give up their privacy and outlook in favour of this development.

It is not considered that the proposal constitutes backland development as the site potentially has a proper road frontage directly on to Murchland Avenue.

4.11 Over Development of Site

The erection of any house let alone two dwellings on the site is over development of the site.

It should be noted that the planning application is in outline and as such only seeks to establish the use of the land for residential purposes and should planning permission be granted a reserved matters planning application would require to be submitted to determine the details of the development.

4.12 Loss of light and overshadowing, design, density and materials

Building two large two storey houses will undoubtedly cause loss of natural light and overshadowing to the property at 17 Maunsheugh Road. The houses are not of traditional design

It should be noted that the application is in outline only and as such no details of the siting, size or scale of the proposed dwellinghouses will be established or decided. Should planning permission be granted a reserved matters application would require to be submitted to address the issues of size, scale, siting and design of the dwellinghouses.

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 East Ayrshire Local Plan (EALP).

Approved Ayrshire Joint Structure Plan (AJSP)

5.2 There are no relevant Ayrshire Structure Plan policies.

East Ayrshire Local Plan (2003)

5.3 As stated in RES5, within settlement boundaries the Council will be supportive of the sub-division of existing house curtilages for the development of dwelling houses subject to the following criteria being met:

- (i) the proposal is fully in keeping with the existing residential character and appearance of the area within which it is located;

The planning application is in outline and only seeks to establish the use of the land for residential purposes and not the details of the siting or design of the houses. Given that the application site is located within the settlement boundary of Fenwick and is bounded on three sides by residential properties it could be considered that the principle of residential use on the site is acceptable; subject to assessment against other material considerations.

- (ii) the proposal meets all the design requirements of the Council and does not create unacceptable damage to the amenity of surrounding properties;

It is not possible to comment on the design of the dwellings as the application is in outline only. However, it is considered that the removal of 13 trees and a mature hedge from the application site would result in unacceptable levels of damage to the residential amenity of the surrounding area.

- (iii) acceptable levels of privacy are maintained to neighbouring properties and to the new housing proposed

It is not possible to comment on the siting or design of the dwellings as the application is in outline only.

Backland Development (i.e. the erection of any dwelling house situated to the rear of an existing building and/or without proper road frontage) will not be permitted where, in the opinion of the Council, this would adversely affect the amenity of the area, the setting of either the proposed or original building on the site or the amenity of neighbouring properties.

Given that the proposed development potentially has a proper road frontage onto Murchland Avenue it is not considered that the proposal constitutes backland development.

5.4 Under Policy ENV15 the Council will actively seek to preserve and supplement existing broadleaf and native tree species throughout East Ayrshire. In particular the Council will support:

- (i) the retention and positive management of existing hedgerows and any proposals for new hedgerow planting will be supported
- (ii) protect those individual groups and areas of trees which contribute significantly to the landscape quality of both the built and rural environment, through the serving of Tree Preservation Orders
- (v) encourage individual landowners to increase the amount of amenity, particularly broadleaf and native tree species on their land.

It is noted that a further application (ref. 07/ 0863/ TP) has been made for the felling of 13 trees on the site, currently protected by TPO 31/1985. This group of trees is of high amenity value with a fine canopy, providing a distinctive feature in the townscape of Fenwick. The removal of 13 of these trees and a mature Cypress Lyandii hedge would appear to be necessary in order to accommodate the two proposed dwellings on this site. Because this proposal would involve destruction of protected trees in large numbers and proposes the removal of a mature hedgerow, it is considered unacceptable in planning policy terms under the provisions of Policy ENV 15.

A tree survey has been carried out by the applicant, which indicates that a number of the trees are in poor condition and should be removed. A visual inspection by Neighbourhood Services of the trees indicated that, with two exceptions, the trees would appear to be in good condition and not in a dangerous state. In accordance with Policy ENV 15 any trees subject to that survey which are not revealed to be diseased and/ or dangerous as referred to above, should not be removed. Also, were any of the relevant trees verified as being healthy and/ or identified as potentially having a reasonable prospect of life in the medium or longer term, and whose root plates would in the view of Neighbourhood Services be adversely affected by the development as proposed, the proposal would still be unacceptable under Policy ENV 15.

6. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

6.1 The principal material considerations relevant to the determination of the applications are the consultation responses received, the planning history, impact on amenity and the Alteration to the East Ayrshire Local Plan, Finalised Version with Modifications.

6.2 For clarity, whilst development proposals will continue to be assessed first and primarily against the Adopted Local Plan, the Council has now given Authority for an appropriate and proportionate degree of weight to be given to the Alteration to the East Ayrshire Local Plan in the determination of planning applications. In this case, significant weight can be given to Policy RES4 and ENV18 of the Alterations.

Alteration to the East Ayrshire Local Plan, Finalised Version with Modifications

6.3 Policy RES4

Within settlement boundaries, the Council will be supportive of the sub-division of existing house curtilages for the development of additional dwelling houses where:

- (i) the proposal is fully in keeping with the existing residential character and appearance of the area within which it is located;

The planning application is in outline and only seeks to establish the use of the land for residential purposes and not the details of the siting or design of the houses. Given that the application site is located within the settlement boundary of Fenwick and is bounded on three sides by residential properties it could be considered that the principle of residential use on the site is acceptable.

- (ii) the proposal meets all the design requirements of the Council and does not create unacceptable damage to the amenity of surrounding properties;

It is not possible to comment on the siting or design of the dwellings as the planning application is in outline only.

- (iii) acceptable levels of privacy are maintained to neighbouring properties, to the existing house on the site to be subdivided and to the new housing proposed; and

It is not possible to comment on the siting or design of the dwellings as the planning application is in outline only.

- (iv) the proposal is not deemed to constitute an unacceptable backland development in terms of Policy RES 5 below.

The proposal does not constitute backland development as the houses will have their own road frontage.

6.4 Policy RES 26

All developers for new housing developments will be required to observe the minimum private open space criteria and standards detailed in Schedule 5 of the Local Plan. The standards quoted may however, be relaxed at the discretion of the Council in respect of the conversion of existing properties where the case for such a relaxation can be fully justified by the developer and where considered appropriate by the Planning Authority.

The application is in outline and only seeks to establish the use of the land for residential purposes and not the details of the siting or design of the houses.

6.5 Policy ENV18

The Council will actively seek to preserve and supplement existing broadleaf and native tree species throughout East Ayrshire. In particular, the Council will:

- (ii) protect those individual, groups and areas of trees which contribute significantly to the landscape quality of both the built and rural environment, through the serving of Tree Preservation Orders;
- (v) encourage individual landowners to increase the amount of amenity, particularly broadleaf and native tree species on their land.

A further application (ref. 07/ 0863/ TP) has been made for the felling of 13 trees on the site, currently protected by TPO 31/1985. This group of trees is of high amenity value with a fine canopy, providing a distinctive feature in the townscape of Fenwick. The removal of these trees and a mature Cypress Lyandii hedge would appear to be necessary in order to accommodate the two proposed dwellings on this site. Because this proposal would involve destruction of protected trees, in large numbers and the removal of a mature hedgerow, it is considered unacceptable in planning policy terms under the provisions of Policy ENV 15.

A tree survey has been carried out by the applicant, which indicates that a number of the trees are in poor condition and should be removed. A visual inspection by Neighbourhood Services of the trees indicated that, with two exceptions, the trees would appear to be in good condition and not in a dangerous state. In accordance with Policy ENV 15 any trees subject to that survey which are not revealed to be diseased and/ or dangerous as referred to above, should not be removed. Also, were any of the relevant trees verified as being healthy and/ or identified as potentially having a reasonable prospect of life in the medium or longer term, and whose root plates would in the view of Neighbourhood Services be adversely affected by the development as proposed, the proposal would still be unacceptable under Policy ENV 15.

Consultations responses

6.6 The consultation response received from the Council's Neighbourhood Services Section indicates concerns in relation to the proposal and in particular the significant number of trees required to be removed from the site to facilitate the two dwellinghouses. Given the views of the Council's Neighbourhood Services Section the proposal is not considered to be acceptable which consequently supports the view that the application should be refused.

6.7 The consultation response received from the Council's Finance and Asset Management Section indicates that the grass verge area over which the applicant would require to access the development site is owned by the Council. The applicant disputes the land ownership claim made by the Council and has not contacted the Council to resolve this issue. Consequently the proposed development does not include access to the adjacent public road.

Representations received

6.8 Fifteen letters of objection from 25 objectors have been received in connection with the application. The points of objection are listed in section 4 of this report and relate to parking, the removal of trees, land ownership for site access, the affect of the proposal on the residential amenity of the area and the size scale and design of the proposal. It is considered that the issues raised by the objectors are of sufficient weight to merit the refusal of the application.

Planning History

6.9 96/0645/TP – felling of 4 trees and lopping of 4 trees – approved with conditions 28/02/1997

6.10 99/0028/FL – demolition of outbuildings and erection of two storey extension – approved with conditions 03/03/1999.

Impact on Amenity

6.11 Taking into account that the planning application includes the removal of a significant number of mature trees it is considered that the proposals would result in an adverse affect on the residential amenity of the surrounding area.

7. FINANCIAL AND LEGAL IMPLICATIONS

7.1 Should the planning application be approved, there could be legal implications for the Council in terms of the land ownership issue of the grass verge on Murchland Avenue which is required to access the proposed development site.

8. CONCLUSIONS

8.1 As is indicated in Section 5 of the report the planning application is not considered to be in accordance with the development plan. Therefore given the terms of Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 that application should be refused unless material considerations indicate otherwise.

8.2 As indicated in Section 6 of the report there are material considerations relevant to the planning application which are considered to be significant enough to support refusal of the outline planning proposal. The applicant's supporting information has been assessed within this report but does not indicate that the outline application should be approved contrary to the Development Plan.

9. RECOMMENDATION

- 9.1 It is recommended that the outline planning application be refused for the reasons indicated on the attached sheet.**
- 9.2 It is further recommended that the Tree Preservation Order application be refused for the reasons indicated on the attached sheet.**

CONTRARY DECISION NOTE

Should the Committee agree that the applications be approved contrary to the recommendation of the Head of Planning and Economic Development then the applications will not require to be referred to the Principal Planning Committee as there would be no significant departure from the Adopted Local Plan.

Alan Neish
Head of Planning and Economic Development.

DVM/RH
25 March 2008

LIST OF BACKGROUND PAPERS

1. Application Form and Plans.
2. Consultation responses
3. Letters of objection
4. Adopted East Ayrshire Local Plan (2003)
5. Approved Ayrshire Joint Structure Plan (2007)
6. East Ayrshire Local Plan, Finalised Version with Modifications
7. Statutory Notices and Certificates
8. Planning application 96/0645/TP
9. Planning application 99/0028/FL

Anyone wishing to inspect the above papers please contact Jane Little, Senior Planning Officer, on 01563 576768.

Implementation Officer: Dave Morris

TP24

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application No. 07/0862/OL

Site of Proposal:	Land at Murchland Avenue and Braehead Road
Nature of Proposal:	Erection of two dwellinghouses in outline and the removal of 13 trees and hedge
Name & Address of Applicant:	Mr Woodhouse The Grange The Grove Houghton Conquest Bedfordshire MK45 3JU

DPOs Reference: JL/RH

The above OUTLINE planning application should be refused for the following reasons:-

1. The proposed development would be contrary to Policy ENV15 of the East Ayrshire Local Plan in that the removal of a significant number of trees and the mature hedging from the site would result in an adverse effect on the landscape quality of the built environment.
2. The proposed development would be contrary to Policy RES5 of the East Ayrshire Local Plan in that the removal of a significant number of trees and mature hedging from the site would result in a detrimental effect on the residential amenity of the surrounding area.

TP24

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application No. 07/0863/TP

Site of Proposal: Land at Murchland Avenue and Braehead Road

Nature of Proposal: The removal of 13 trees and hedge

Name & Address of Applicant: Mr Woodhouse
The Grange
The Grove
Houghton Conquest
Bedfordshire
MK45 3JU

DPOs Reference: JL/RH

The above tree preservation order application should be refused for the following reason:-

1. The proposed development would be contrary to Policy ENV15 of the East Ayrshire Local Plan in that the removal of a significant number of trees and the mature hedging from the site would result in an adverse effect on the landscape quality of the built environment.