

EAST AYRSHIRE COUNCIL

NORTHERN AREA LOCAL PLANNING COMMITTEE: 15 APRIL 2005

**05/0078/ FL: PROPOSED ERECTION OF ONE AND A HALF STOREY
DWELLINGHOUSE
AT GLENDOUNE HOUSE, CROOKEDHOLM
BY MR R JARVIE**

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 The planning application proposes to erect a 1½ storey house approximately 21 metres from the frontage of the plot. The proposal would be finished in Marshall's sandstone effect blockwork with a dry dash render and a Marley grey concrete tile and would provide 195 sq metres of private garden ground. The proposal includes the provision of a 2 metre wide footpath on Main Road, Crookedholm from the access of Glendoune House to the existing footpath network within Crookedholm.

2. RECOMMENDATION

2.1 It is recommended that the application be approved subject to the conditions indicated on the attached sheet.

3. CONCLUSIONS

3.1 As is indicated in Section 5 of the report the application is 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 the application should be approved unless material considerations indicate otherwise.

3.2 As indicated in Section 6 there are material considerations relevant to this application however none are of significant enough weight as would merit the refusal of the application.

CONTRARY DECISION NOTE

Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning, Development and Building Standards it will not require to be referred to the Development Services Committee, as there would be no significant breach of Council Policy.

Alan Neish
Head of Planning, Development and Building Standards

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, Development and Building Standards

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 it is subject to objections.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site is 0.0776 hectares in area and is accessed via a private driveway from Main Road, Crookedholm. The site currently contains a timber constructed commercial storage/workshop shed. The northern front section of the site is relatively flat while the southern rear section of the site slopes by approximately 2.5 metres. The site is approximately 48.8 metres long and is 17.6 metres wide on its southern boundary and 14.5 metres wide on its northern boundary.

The application site is located within the former grounds of the 3-storey sandstone Glendoune House which is located approximately 5 metres to the northwest of the application site. Glendoune House has been sub-divided into smaller residential units.

The site is bounded to the east by Glendoune Cottage, to the south by agricultural land and the west by the communal gardens of Glendoune House. The application site has right of access only over the private driveway of Glendoune House.

2.2 **Proposed Development:** The planning application proposes to erect a 1½ storey house approximately 21 metres from the frontage of the plot. The proposal would be finished in Marshall's sandstone effect blockwork with a dry dash render and a Marley grey concrete tile and would provide 195 sq metres of private garden ground. The proposal includes the provision of a 2 metre wide footpath on Main Road, Crookedholm from the access of Glendoune House to the existing footpath network within Crookedholm.

3. CONSULTATIONS AND ISSUES RAISED

3.1 East Ayrshire Council's Roads and Transportation Division have no objection to the proposal subject to the attachment of appropriate conditions in relation to the provision of a public footpath and the provision of adequate sightlines.

Conditions can be attached to any grant of planning permission to address these matters.

3.2 Scottish Environment Protection Agency have no objection to the proposal on the understanding that the foul drainage is connected to the public sewerage system.

Noted.

3.3 Scottish Water have indicated that they have no objection to the proposal.

Noted.

3.4 Hurlford Community Council have made no comment on the proposal.

Noted.

4. REPRESENTATIONS

Eight letters of objection have been received in relation this application they indicate the following:

4.1 The applicant only has right of access over driveway.

No works are proposed to the access driveway as part of this development.

4.2 Construction work will be disruptive to neighbours.

Whilst it is acknowledged that there will be some disturbance to neighbouring properties during the period of construction, the relatively small scale of the development should be borne in mind. With regard to construction work and the proximity of the site to an established residential area, it would be appropriate to impose a condition on any planning permission granted to limit construction works on the site from taking place at inappropriate times of the day, in the interests of residential amenity.

4.3 Bringing in services through the driveway will require the consent of the owners of Glendoune house which will not be granted.

This is not a material planning consideration and would be required to be addressed by the applicant separate from the planning process.

4.4 Inadequate parking for visitors.

No objection to the proposal has been received from the Council's Roads Division.

4.5 The new house will overload sewer.

Scottish Water have not objected to the proposal.

4.6 Boundary fences will be required.

A condition can be attached to any grant of planning permission relating to the boundary treatment of the site and bringing its design under control of the Planning, Development and Building Standards Division.

4.7 No permission should be granted for this site until the developer has completed the works at Plot B Glendoune House.

This matter is not relevant to the determination of this planning application which must be considered on its own merits.

4.8 Due to the traffic issues and the impact on amenity the proposal does not comply with RES 4 of the East Ayrshire Local Plan.

It is considered that the proposal does comply with the requirements of Policy RES4 of the East Ayrshire Local Plan. There are no objections from the Roads Division and the location and design of the house is considered to be acceptable.

4.9 The proposed road works will narrow the road and be a hazard to road users.

The proposed road works are a requirement of the Council's Roads Division who consider that the road works will result in the junction with Main Road and the pedestrian access to Crookedholm being significantly safer than the current arrangement .

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 As the proposed development is within the settlement boundary of Crookedholm the proposal accords with the requirements of policy ADS3 of the Joint Ayrshire Structure Plan.

Adopted East Ayrshire Local Plan (EALP)

5.3 Policy RES4 of the East Ayrshire Local Plan 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 housing, 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 the proposed development will not have an adverse impact on the surrounding natural and built environment and adjacent uses which are residential in nature.

- (ii) transportation and infrastructure implications;

The Council's Roads Division and other service provider consultees have not raised any objection to the proposal subject to attachment of appropriate conditions to any grant of planning permission.

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

The development would be compatible with surrounding densities and housing types.

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

The development complies with the Council's Development Promotion and Design Guidance.

5.4 Policy RES22 requires all developers to observe the minimum standards for the provision of private open space detailed in Schedule 4 of the Local Plan. The policy also allows those standards quoted to be relaxed in respect of the conversion of existing properties to flats where this can be fully

justified by the developer and where considered appropriate by the Planning Authority.

The proposal meets the private open space standards as detailed in Schedule 4 of the local plan.

6. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

6.1 The principal material considerations relevant to the determination of the application are the consultation responses received, the letters of objection, the planning history and impact on amenity.

Consultations Responses

6.1 It is not considered that any aspects of the consultations received indicate that the application should be refused.

Representations Received

6.2 It is not considered that any aspects of the letters of objection are of significant enough weight as to merit the refusal of the planning application.

Planning History

6.3 Planning Application 04/0998/FL for the erection of a dwellinghouse was withdrawn on the 26 January 2005 in lieu of the current planning application.

Planning Application 03/1033/FL for the erection of one dwellinghouse was withdrawn on 14 April 2004.

Planning Application 02/0954/FL for the erection of three houses was withdrawn on 24 July 2003.

Planning Application 01/0701/FL for the erection of four houses was withdrawn on 26 September 2001.

Planning Application 01/0361/OL for the erection of a dwellinghouse was withdrawn on 07 June 2001.

Impact on Amenity

6.4 It is considered that the proposed development is compatible with the immediate locality. In addition the proposed road works provide a formal footpath linkage to the village as well as improving the existing road access from the Glendoune House estate onto Main Road, Crookedholm.

7. FINANCIAL AND LEGAL IMPLICATIONS

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

8. CONCLUSIONS

8.1 As is indicated in Section 5 of the report the application is 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 the application should be approved unless material considerations indicate otherwise.

8.2 As indicated in Section 6 there are material considerations relevant to this application however none are of significant enough weight as would merit the refusal of the application.

9. RECOMMENDATION

9.1 It is recommended that the application be approved subject to the conditions indicated 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, Development and Building Standards it will not require to be referred to the Development Services Committee, as there would be no significant breach of Council Policy.

Alan Neish
Head of Planning, Development and Building Standards

06 April 2005
FV-DVM
(CSI/MMM/SA)

LIST OF BACKGROUND PAPERS

1. Application Form and Plans.
2. Statutory Notices/Certificates.
3. Previous Planning Applications.
4. Letters of Objection.

5. Adopted East Ayrshire Local Plan.
6. Approved Ayrshire Joint Structure Plan.

Anyone wishing to inspect the above papers please contact Craig Iles on 01563 576772.

Implementation Officer: Dave Morris

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

05/0078/FL

Site of Proposal:	Glendoune Main Road Crookedholm KILMARNOCK	KA3 6JX
Nature of Proposal:	Proposed One and a Half Storey Detached Dwellinghouse	
Name & Address of Applicant:	Mr R Jarvie 16 Glebe Road KILMARNOCK	KA1 3BA
Name & Address of Agent:	James W Mair 25 Woodside Avenue KILMARNOCK	KA1 1TU

DPOs Reference: CSI/MMM

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 24 January 2005 and the amended plans received by the Planning Authority on 24 February 2005.

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

2. Notwithstanding the submitted plans details of the design and construction of all fences to be erected on the site shall be submitted to and approved by the Planning Authority before any development commences on the site.

REASON To allow the Planning Authority to control the design and construction of such features in the interests of visual amenity.

3. Notwithstanding the plans hereby approved, the external surface of the walls shall be rendered or roughcast in a colour to be agreed in writing with the Planning Authority prior to the commencement of development.

REASON In the interests of visual amenity.

4. Notwithstanding the approved plans details of the roof covering shall be submitted to and approved by the Planning Authority prior to the commencement of the development.

REASON In the interests of visual amenity.

5. Construction works on site shall not take place prior to 08:00 hours and after 18:00 hours on Monday to Friday, prior to 09:00 hours and after 13:00 hours on Saturday and not at any time on Sundays.

REASON In the interests of residential amenity.

6. Notwithstanding the submitted plans the visibility splay areas of 2.5 metres by 90 metres shall be provided at the junction of the access to the development with the public road with no obstruction to visibility greater than 1 metre in height being allowed within these areas.

REASON To enable drivers of vehicles leaving the site to have a clear view over a length of road sufficient to allow safe exit.

7. Prior to the commencement of construction works on the dwellinghouse hereby approved, a 2 metres wide footpath from the access to Glendoune House estate to the existing footpath network of Crookedholm and the required sightlines shall have been completed to the satisfaction of the Planning Authority.

REASON In the interests of road safety.

**DUE TO ORDNANCE SURVEY REGULATIONS AND COPYRIGHT
THE MAP IS AVAILABLE FOR VIEWING AT THE COUNCIL'S
PLANNING OFFICE IN KILMARNOCK. FOR INFORMATION ON
VIEWING PLEASE CONTACT (01563) 576790.**