

EAST AYRSHIRE COUNCIL

NORTHERN AREA LOCAL PLANNING COMMITTEE: 16 FEBRUARY 2007 06/0994/ FL: PROPOSED ERECTION OF SINGLE STOREY DWELLINGHOUSE AT PLOT B GLENDOUNE HOUSE, CROOKEDHOLM BY MR MACDONALD

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 The planning application proposes a single storey house orientated along a north/south axis within the plot thus presenting its principle elevation towards Glendoune House and its private carpark. The proposal would be finished in white wet dash render with smooth cement render banding around, upvc windows and a Marley grey concrete tile roof, set within approximately 400 sq metres of private garden ground.

2. RECOMMENDATION

2.1 It is recommended that the application be refused for the reasons detailed on the attached sheet.

3. CONCLUSIONS

3.1 As is indicated in Section 5 of the report the application is considered not 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 refused 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 approval of the application.

CONTRARY DECISION NOTE

Should the Committee agree that the application be approved 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 1348m² in area and is accessed via a private driveway from Main Road, Crookedholm. The site currently contains limited vegetation and is bounded by trees which are covered by a tree preservation order. The ground level of the application site is approximately 2 metres above the adjacent ground level.

2.2 The application site is located within the former grounds of the 3-storey sandstone Glendoune House which is approximately 5 metres to the east of the application site. Glendoune House has been sub-divided into smaller residential units. The grounds also contain Glendoune Cottage, and a newly built house owned by the applicant. The site is bounded to the south and west by farmland and to the north by the B7073 (Main Road Crookedholm).

2.3 **Proposed Development:** The planning application proposes a single storey house orientated along a north/south axis within the plot thus presenting its principle elevation towards Glendoune House and its private carpark. The proposal would be finished in white wet dash render with smooth cement render banding around, upvc windows and a Marley grey concrete tile roof, set within approximately 400 sq metres of private garden ground.

3. CONSULTATIONS AND ISSUES RAISED

3.1 East Ayrshire Council's Roads and Transportation Division have objected to the proposal as the proposed access to the dwellinghouse is taken from a private driveway which currently serves eight residential units. The Roads Guidelines indicate that private accesses are acceptable where

servicing up to five residential units, thereafter properties should be served by an adoptable road in this case based either upon a full loop road or a reconstructed road with the site terminating in a turning head off which two separate private accesses could be formed.

The applicant has been made aware of the requirements of the Roads Division and has asked that the application be determined on the scheme submitted. It should be noted that the recently erected house 05/0078/FL was deemed accepted by the Roads Division, although it became the eighth residential unit served by the private driveway, as it replaced an existing commercial premises on the site. Said application required to provide a footpath linked to the existing footpath network.

3.2 East Ayrshire Council's Outdoor Services have not replied at the time of writing this report.

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

Six objectors have made representations in relation to this application. They express the following concerns:

4.1 The proposal does not comply with the roads guidelines and should be refused.

As indicated above the proposed development does not comply with the requirements of the Roads Guidelines.

4.2 The proposed development will have a significant negative impact on the character and appeal of the area and does not comply with Policies RES 4 and RES 5.

It is considered that the design and location of the proposed residential development is acceptable.

4.3 The applicant only has right of access over the driveway.

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

4.4 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.

4.5 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.

4.6 The new house will overload the sewer.

Scottish Water have not objected to the proposal.

4.7 Due to the increased traffic 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 not comply with the requirements of Policy RES4 of the Adopted East Ayrshire Local Plan. There are objections from the Roads Division although the location and design of the house is considered to be acceptable.

4.8 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 .

4.9 The proposal will overshadow and reduce privacy at my property.

It is considered that the proposal will reduce the privacy of, and will overshadow, the adjacent property, however it is considered that this will not be to the significant detriment of the adjacent property.

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 Ayrshire Joint 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 have objected to the proposal due to the inadequate access provision.

- (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.

5.5 Policy ENV15 indicates that the Council will actively seek to preserve and supplement existing broadleaf and native tree species throughout East Ayrshire..

As indicated above the Council's Outdoor Services Division have not replied at the time of writing this report.

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 the impact on amenity of the immediate area.

Consultations Responses

6.2 The Consultation response from the Council's Roads Division indicates that the application should be refused due to the inadequate access provision.

Representations Received

6.3 It is considered that roads issues raised by objectors are of significant enough weight as to merit the refusal of the planning application.

Planning History

6.4 Planning Consent 05/0078/FL for the erection of a dwellinghouse at Plot A Glendoune was approved by the planning committee on 15 April 2005.

6.5 Planning Consent 03/1069/FL was approved on 19 March 2004 by the Planning Committee for the remodelling of contours of Plot B Glenndoune.

Impact on Amenity

6.6 It is considered that the proposed development is compatible with the immediate locality, however the access to the proposed development fails to accord with East Ayrshire Council Roads Guidelines.

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 not 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 refused 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 approval of the application.

9. RECOMMENDATION

9.1 It is recommended that the application be refused for the reasons detailed on the attached sheet.

CONTRARY DECISION NOTE

Should the Committee agree that the application be approved 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 February 2007
(CSI/RH)

FV/DVM

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

Application No: 06/0994/FL

Site of Proposal: PLOT B GLENDOUNE ESTATE
MAIN ROAD
CROOKEDHOLM
KILMARNOCK
KA3 6JZ

Nature of Proposal: PROPOSED ERECTION OF SINGLE
STOREY DWELLINGHOUSE

Name & Address of Applicant: MR AND MRS K MACDONALD
GLENDOUNE VIEW
MAIN ROAD
CROOKEDHOLM
KILMARNOCK
KA3 6JZ

Name & Address of Agent: JAMES W MAIR
25 WOODSIDE AVENUE
KILMARNOCK
KA1 1TU

DPOs Reference: <<CSI/RH>>>

The above FULL application should be refused for the following reason:

1. The proposal fails to accord with the requirements of Policy RES4 of the Adopted East Ayrshire Local Plan due to the inadequate access arrangements to the proposed dwellinghouse being contrary to the Council's Roads guidelines and detrimental to traffic 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.**