

EAST AYRSHIRE COUNCIL

**NORTHERN AREA LOCAL PLANNING COMMITTEE:
01 SEPTEMBER 2006**

**06/0377/FL:REVISED HOUSE TYPES TO PLOTS 17,18,19 AND 22 AT
BREWLAND STREET, GALSTON, KA4 8DX
BY K G BUILDING AND CIVIL ENGINEERING LTD**

Report by Head of Planning, Development and Building Standards

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 Planning permission 02/0983/FL, for the erection of 32 houses was considered and granted planning permission at the Local Planning Committee on 4 April 2003. The formal consent was issued on 29 June 2004 following the signing of the S.75 legal agreement associated with the application.

1.2 The current application seeks to amend the house types on plots 17, 18, 19 of the original planning consent and provide a suitable design for a house on Plot 22, the previous submitted details having been specifically not granted by the Local Planning Committee. The proposal aims to provide a single storey house on plot 22 adjacent to Andrew Lundie Place, rather than the two storey house originally proposed, as requested by the Planning Committee at the time of approval of the original consent.

1.3 The proposal also involves the replacement and realignment of house type D2 with house type D1 on plots 17, 18 and 19 fronting onto St Mary's Holm playing field. House type D1 would present a storey and a half frontage to the playing field rather than the full two storey of the previous house type

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 indicated in the report, the application is considered to be in accordance with the terms of the Development Plan. Therefore it should be approved unless material considerations indicate otherwise.

3.2 As per Section 6 of the report there are material considerations relevant to the application and these do not indicate that the application should be refused. The proposal introduces house types that are acceptable at the locations indicated.

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, the application will not require to be referred to the Development Services Committee as that would not be a significant departure from 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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06/0377/FL:REVISED HOUSE TYPES TO PLOTS 17,18,19 AND 22 AT BREWLAND STREET, GALSTON, KA4 8DX BY K G BUILDING AND CIVIL ENGINEERING LTD

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 the Local Planning Committee requested that it determine any subsequent planning application involving Plot 22.

2. APPLICATION DETAILS

2.1 **Site Description:** The site extends to approximately four acres and is located to the south of the Manse and Nursery School on the south side of Brewland Street, Galston, from which vehicular access is gained. The site is bounded to the west by housing, to the south by a burn and St Mary's Holm Park, to the east by properties on Andrew Lundie Place and to the north by the Manse, Nursery School and properties on Brewland Street.

2.2 **Proposed Development:** Planning permission 02/0983/FL, for the erection of 32 houses was considered and granted planning permission at the Local Planning Committee on 4 April 2003. The formal consent was issued on 29 June 2004 following the signing of the S.75 legal agreement associated with the application.

2.3 The current application seeks to amend the house types on plots 17, 18, 19 of the original planning consent and provide a suitable design for a house on Plot 22, the previous submitted details having been specifically not granted by the Local Planning Committee. The proposal aims to provide a single storey house on plot 22 adjacent to Andrew Lundie Place, rather than the two storey house originally proposed, as requested by the Planning Committee at the time of approval of the original consent.

2.4 The proposal also involves the replacement and realignment of house type D2 with house type D1 on plots 17, 18 and 19 fronting onto St Mary's Holm playing field. House type D1 would present a storey and a half frontage to the playing field rather than the full two storey of the previous house type.

3. CONSULTATIONS AND ISSUES RAISED

3.1 East Ayrshire Council Roads and Transportation Division have no objections to the proposal

Noted.

3.2 Galston Community Council have no objections in respect of the proposal.

Noted.

3.3 Scottish Power have no objection to the proposal.

Noted.

3.4 SEPA have no objections to the proposal provided the drainage is connected to the public sewer and the surface water is treated in accordance with SUDS.

Conditions can be attached to any grant of consent addressing these matters.

3.5 Scottish Water have no objections to the proposal.

Noted.

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

Noted.

4. REPRESENTATIONS

4.1 No letters of representation have been received in respect of the application.

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 (2003).

Ayrshire Joint Structure Plan

5.2 With regard to the Structure Plan there are no specific policies relevant to the assessment of the current application.

East Ayrshire Local Plan

5.3 Policy RES1 encourages and supports the residential development of those Development Opportunity sites identified for housing purposes on the individual Local Plan maps and reserves them for residential and associated recreational and amenity open space development.

As an identified residential development opportunity site the principle of residential development at this location is acceptable. The location on Plot 22 of a single storey house of a design precluding windows on its east elevation will have a significantly reduced impact on adjacent properties.

This proposal seeks to alter the house types on three other plots on the site and does not have a detrimental impact on the amenity of the area.

5.4 Policy RES 22 of the East Ayrshire Local Plan indicates that minimum private open space as set out in Schedule 4 of the Local Plan should be adhered to.

The proposed layout of the development would provide suitably designed private garden ground in excess of 100 sq metres for each of the plots as required by Schedule 4 of the East Ayrshire Local Plan.

In conclusion it is considered that the proposal is in accordance with the provisions of the Development Plan.

6. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

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

Consultation Responses

6.2 The consultation responses do not indicate that the application should be refused.

Impact on the amenity of the area

6.3 As this proposal forms part of a larger approved housing development site, it is considered that the proposal will have minimal impact on the amenity of the surrounding area. The single storey house proposed to Plot 22 greatly reduces any impact on the adjacent property.

Planning History

6.4 Planning application 98/0471/FL for the Proposed Construction of Roads and the Laying Out of House Plots was withdrawn on 17 May 1999.

6.5 Planning application 02/0329/FL for a Proposed New Housing Development of 32 New Houses was withdrawn on 18 February 2002.

6.6 Planning permission 02/0983/FL was granted on 29 June 2004 for the erection of 32 houses.

6.7 Planning permission 06/0333/FL for the alteration of the hours of operation was approved by the Planning Committee on the 16 June 2006.

7. FINANCIAL AND LEGAL IMPLICATIONS

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

8. CONCLUSIONS

8.1 As indicated in the report, the application is considered to be in accordance with the terms of the Development Plan. Therefore it should be approved unless material considerations indicate otherwise.

8.2 As per Section 6 of the report there are material considerations relevant to the application and these do not indicate that the application should be refused. The proposal introduces house types that are acceptable at the locations indicated.

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, the application will not require to be referred to the Development Services Committee as that would not be a significant departure from Council policy.

Alan Neish
Head of Planning, Development and Building Standards

24 August 2006
(CSI/RH)

FV/DVM

LIST OF BACKGROUND PAPERS

1. Application Form and Plans.
2. Statutory Notices and Certificates.
3. Letters of Representation.
4. Consultation responses.
5. Adopted East Ayrshire Local Plan (2003).
6. Planning Application 98/0471/FL
7. Planning Application 02/0329/FL
8. Planning Approval 02/0983/FL
9. Planning Application 06/0333/FL

Implementation Officer: Dave Morris

**Anyone wishing to inspect the above papers please contact Craig Iles
Senior Planning Officer 01563 576772**

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application No: 06/0377/FL

Site of Proposal: VACANT GROUND ADJACENT
BREWLAND STREET
GALSTON
KA4 8DX

Nature of Proposal: REVISED HOUSE TYPES ON PLOTS 17,
18, 19, AND 22

Name & Address of Applicant: K G Building And Civil Engineering Ltd
160 Glasgow Street
ARDROSSAN

Name & Address of Agent: Architectural Design Works
G13 The APL Centre
Stevenston Industrial Estate
STEVENSTON

DPOS REFERENCE: <<CSI/RH>>

The above FULL application should be granted subject to the following conditions:

1. Before any work commences on site, details of a Sustainable Urban Drainage System to serve these properties and its maintenance following installation, shall be submitted to and approved by the Planning Authority in writing. The Sustainable Urban Drainage System shall thereafter be installed on site prior to the use of the dwellings.

REASON To ensure that adequate drainage is provided.

2. Prior to the commencement of development on site, full details of the materials and colour of the proposed pedestrian footbridge to St Mary's Holm Park shall be submitted to and approved by the Planning Authority. The details shall also include confirmation of the maintenance arrangements to be put in place in respect of the bridge and shall ensure that the fall across the bridge is at a gradient acceptable to the Council as Planning Authority. The footbridge shall thereafter be provided prior to the commencement of development on plots 20-25.

REASON To ensure that the bridge is timeously provided in materials and to a construction acceptable to the planning authority in the interests of visual amenity and giving full benefit to the occupiers of the proposed houses.

3. The following details shall be submitted to and approved by the planning authority prior to the commencement of development on site. The details shall thereafter be implemented as approved.

a) Junction details at Brewland Street confirming the provision of sightlines being $x = 2.5$ metres by $y = 90$ metres.

b) Details of the provision of footpaths and road width over the length of access road extending south over 60 metres from Brewland Street.

c) The provision of two parking spaces, other than garage space, on each of plots 21 to 25.

d) Details of the construction and materials to be used in the emergency access and of bollards demarking the end of the emergency access road to Andrew Lundie Place. These details shall allow for the access extending to the end of the road surface of Andrew Lundie Place.

e) Any car parking spaces to be provided within the turning circle at the end of the cul-de-sac.

REASON In the interest of Road Safety.

4. A landscaping scheme including the treatment of the boundary of the site/areas for public open space shall be submitted to and approved by the Planning Authority prior to commencement of any development, and shall be implemented not later than the next appropriate planting season after the development has been carried out. Any trees removed without consent of the Planning Authority or seriously damaged at any time thereafter shall be replaced by trees of similar size or species as may be agreed in writing with the Planning Authority.

REASON To ensure that adequate provision of public open space is provided, to an adequate standard, and that it is subsequently maintained, in the interest of residential and visual amenity.

5. The details to be submitted further to condition 4 above shall allow for the felling of the existing tree in plot 17. That tree shall be replaced with two extra heavy standards root balled (16-18cm girth), details of which and the timing of their planting shall be submitted to and approved by the Planning Authority. With the exception of the above, no trees shall be felled, lopped, have roots cut, or be the subject of any other works without the written consent of the Planning Authority.

REASON In the interest of visual amenity and to maintain the existing visual contribution of the trees to the amenity of the area.

6. Notwithstanding the submitted plans, details of the design and construction of all fences and walls 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.

7. No demolition, site clearance or building operations shall be commenced until chestnut pale fencing of a height not less than 1.2 metres has been erected around the trees shown on the approved plans as being retained on the site. The fencing shall enclose either:

(a) the area described by the limit of the spread of the branches of the tree;

or

(b) a radius of 5 metres from the trunk of the tree, whichever is the greater.

Such fencing shall be maintained during the course of development, and no storage, site structure, parking or any other operation shall be permitted within the area thereby enclosed. The trees for retention are those shown in green on drawing no. A18/01/02 Rev M dated 11 March 2003 and associated with Planning Consent 02/0983/FL.

REASON To ensure the retention of the maximum number of trees on the site and their protection from damage in the interests of visual amenity. Such protection is also required in recognition of the presence of a TPO on the site.

8. Notwithstanding the plans hereby approved, a detailed schedule of finishing materials in respect of the proposed dwellings and any associated retaining walls shall be submitted to and approved by the Planning Authority prior to the commencement of development which shall thereafter be constructed in accordance with those details. In particular the schedule shall allow for materials adjacent to Andrew Lundie Place which are compatible with the existing dwellings located there, and for plots 10-16 and 26-30 to display materials which add variety to the appearance of the house types on those plots.

REASON In the interests of visual amenity.

9. The access road into the site shall be constructed to a standard acceptable to the Planning Authority prior to the occupation of any of the houses and thereafter shall be completed to an adoptable standard in accordance with the Roads Division's guidelines. Details of the surfacing of the access prior to occupation of any of the houses shall be submitted to and approved by the Planning Authority prior to any commencement of development.

REASON In the interests of road safety and residential amenity.

10. During construction, the developer of the site shall ensure that adequate and continuing measures are taken to ensure that roads and footpaths adjoining the site are maintained free from mud and other material carried from the site by construction and any other vehicles.

REASON In the interests of public and road safety or residential amenity.

11. The development of the site, and in particular the siting of site compounds, parking and delivery areas shall be undertaken such as to minimise impacts on adjacent residential and educational properties.

REASON In the interests of residential amenity and public safety.

12. A clear pedestrian access corridor of 2 metres in width shall be maintained free from obstruction to the side of the Gauchalland Burn.

REASON To allow for maintenance as required of the watercourse whilst also maintaining a wildlife corridor in the vicinity of the burn.

**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.**