

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE: 27 JANUARY 2006

**05/1190/FL: PROPOSED ERECTION OF 2 NO. PRIVATE DWELLINGHOUSES
AT KNOWE VIEW, OCHILTREE**

APPLICATION BY HOPE HOMES SCOTLAND LTD

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 Full planning permission is sought for the erection of two semi-detached 3 bedroom two storey dwellings on the site.

1.2 It is proposed to finish the dwellings to match that of the existing dwellings incorporating stone effect base courses and feature panels, with a buff, dry dash render finish proposed on the remaining wall areas. The roofs of the dwellings are to be clad with a black concrete tile. Vertically boarded timber fencing is proposed to define the plot boundary to the sides and rear. The proposal will require an approximate 20 metre road extension to the existing road at Knowe View.

2. RECOMMENDATION

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

3. SUMMARY OF ANALYSIS

3.1 As indicated in section 5 of the report, the application is considered to be in accordance with the development plan. Therefore, given the terms of Section 25 and Section 37(2) of the Town and Country Planning (Scotland) Act 1997, the application should be approved unless material considerations indicate otherwise. As is indicated at Section 6 of the report, there are material considerations relevant to this application. However, it is considered that these material considerations are not of sufficient weight to justify refusal of the application.

3.2 As indicated in the report the development of the site for housing would be largely consistent with the development plan and therefore the approval of this application would be appropriate.

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, and should such refusal be based on the principle of residential development, then the application would require to be referred to the Development Services Committee as it would be a significant departure from the East Ayrshire Local Plan.

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 application which is to be considered by the Local Planning Committee under the scheme of delegation as the proposal is subject to objection.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site is positioned on the edge of an existing new residential development by Hope Homes Scotland, on the western periphery of Ochiltree, forming part of a larger Development Opportunity Site 237H as noted within the adopted East Ayrshire Local Plan 2003. The application site is surrounded to the north and west by agricultural land, to the south by the existing housing on Knowe View and to the east by existing housing on Broom Crescent, Poole Avenue, and Douglas Brown Avenue. The site area extends to approximately 782m² of open, generally level ground.

2.2 **Proposed Development:** Full planning permission is sought for the erection of two semi-detached 3 bedroom two storey dwellings on the site.

2.3 It is proposed to finish the dwellings to match that of the existing dwellings incorporating stone effect base courses and feature panels, with a buff, dry dash render finish proposed on the remaining wall areas. The roofs of the dwellings are to be clad with a black concrete tile. Vertically boarded timber fencing is proposed to define the plot boundary to the sides and rear. The proposal will require an approximate 20 metre road extension to the existing road at Knowe View.

3. CONSULTATIONS AND ISSUES RAISED

3.1 Ochiltree Community Council have objected to the application on the grounds listed below:

(i) The proposed development is outwith the area designated for development for Ochiltree in the East Ayrshire Local Plan.

The site has been included within the adopted East Ayrshire Local Plan as a site identified for housing development. The principle of the development of the site for housing purposes has therefore been established. However, a section of the northern proposed dwelling is outwith the defined settlement boundary. As the majority of the proposal lies within the settlement boundary the principal of housing remains acceptable.

(ii) The further development of the village will put increased pressure on the local sewage system (we have already had problems with sewage overflows this year).

It is not considered that the addition of a further two semi detached dwellings will have an adverse impact on the local sewage system. Scottish Water have indicated in the consultation responses that they have no objections to the proposed development subject to conditions and that their response does not guarantee, connection to the public waste water system.

(iii) The proposed development will put increased pressure on the local services such as the primary school.

As the proposal is for two semi detached dwellings it is not considered that an additional two households would detrimentally affect the local services of Ochiltree such as the primary school. However, it should be noted that there would be no guarantee that children of primary school age will be able to be accommodated at Ochiltree Primary School in the future. In the event of accommodation being unavailable for pupils at Ochiltree Primary School, the education authority would require to maintain its statutory duties by re-directing pupils to alternative provision in the area.

(iv) The proposed development will put increased pressure on the local road infrastructure (which is highlighted in the local plan)

East Ayrshire Council Roads and Transportation Division have indicated that they have no objections to the proposed development subject to a number of conditions being imposed, should planning

permission be granted. No road safety or traffic volume concerns have been raised by the Roads and Transportation Division with regard to the proposed development.

3.2 East Ayrshire Council Roads and Transportation Division has no objections to the proposed development subject to the following road safety requirements being met:

- (i) Prior to the occupation of the first dwellinghouse the road and footway across the frontage of both properties shall be constructed to an adoptable standard and will require Road Construction Consent from East Ayrshire Council Roads Department.
- (ii) Two off road car parking spaces shall be provided for each dwelling and thereafter maintained within the site area
- (iii) No surface water shall be allowed to issue from the driveways onto the public road
- (iv) The first two metres of the driveway shall be surfaced in order to prevent deleterious materials being deposited onto the public road.
- (v) Driveway manoeuvrability shall be provided for off road parking.

Noted. Conditions can be attached to any consent granted for the development to meet the requirements of the Roads Division.

3.3 Power Systems has no adverse comments to make on this application.

Noted.

3.4 Scottish Water has no objections in principle to the proposed development provided that a separate application is made to Scottish Water Planning and Development Services team for permission to connect to the public wastewater system and/or water network. In addition, a separate drainage system may be required with respects to the surface water discharge from the site.

Notes can be attached to any consent granted for the development to meet the requirements of Scottish Water.

3.5 The Scottish Environment Protection Agency has not responded at the time of writing this report.

Noted.

4. REPRESENTATIONS

4.1 There are no third party objections.

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 (1999) and the Adopted East Ayrshire Local Plan (2003).

Ayrshire Joint Structure plan

5.2 There are no policies relevant to this application contained within the Ayrshire Joint Structure Plan.

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.

Most of the proposed development site falls within housing development opportunity site 237H. The principle of housing at this location is therefore acceptable.

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 development meets with the Council's private open space standards.

5.5 Policy ENV7 states that all developers will be expected to comply fully with the Council's existing and emerging Design Guidance and Policy documents relating to and advising on the particular type of development proposed.

The design of the scheme is considered acceptable and is in keeping with the surrounding recently built houses.

The proposal is considered to be acceptable in terms of planning policy.

6. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

6.1 The principal material considerations relevant to the determination of the application are the consultation responses received.

Consultations Responses

6.2 The consultation responses received would indicate that approval of the application would be appropriate. It is considered that although valid points have been raised by the Ochiltree Community Council it is considered that each has been adequately addressed and would not warrant refusal of the application.

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 indicated in section 5 of the report, the application is considered to be in accordance with the development plan. Therefore, given the terms of Section 25 and Section 37(2) of the Town and Country Planning (Scotland) Act 1997, the application should be approved unless material considerations indicate otherwise. As is indicated at Section 6 of the report, there are material considerations relevant to this application. However, it is considered that these material considerations are not of sufficient weight to justify refusal of the application.

8.2 As indicated in the report the development of the site for housing would be largely consistent with the development plan and therefore the approval of this application would be appropriate.

9. RECOMMENDATION

9.1 It is recommended that the application be approved subject to the conditions listed 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, and should such refusal be based on the principle of residential development, then the application would require to be referred to the Development Services Committee as it would be a significant departure from the East Ayrshire Local Plan.

Alan Neish
Head of Planning, Development and Building Standards

11 January 2006
RG/SMB
FV/DVM

LIST OF BACKGROUND PAPERS

1. Application Form and Plans.
2. Statutory Notices and Certificates.
3. Consultation responses.
4. Adopted East Ayrshire Local Plan (2003).
5. Approved Ayrshire Joint Structure Plan (1999).

Anyone wishing to inspect the above background papers should contact Mr. Robin Ghosh on 01563 555483.

Implementation Officer: Dave Morris

Form TP24A

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application No: 05/1192/FL

Location	KNOWE VIEW, OCHILTREE
Nature of Proposal:	ERECTION OF 2NO. PRIVATE DWELLINGHOUSES
Name and Address of Applicant:	HOPE HOMES SCOTLAND LTD WATSON TERRACE, DRONGAN KA6 7AB
Name and Address of Agent	N/A

DPO's Ref: Robin Ghosh
PPO's Ref: Hugh Melvin

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

- 1) Notwithstanding the plans hereby approved and the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, any domestic garage(s) associated with the development shall be set back at least 6 metres from the nearer edge of the footpath, shall be of a permanent construction and finished in the same materials as the dwellinghouse(s) to which it/they relate.

REASON: To ensure that any future garages within the site are an appropriate match with the approved dwellinghouses in the interests of visual amenity.

- 2) No surface water shall be allowed to issue from the driveways onto the public road. The first two metres of the driveway shall be surfaced in order to prevent deleterious materials being deposited onto the public road.

REASON: To ensure the provision and maintenance of a secure road surface in the interest of road and public safety.

- 3) Notwithstanding the submitted plans, two off road car parking spaces shall be provided for each dwelling and thereafter maintained within the site area.

REASON: In the interest of road safety.

- 4) Driveway manoeuvrability shall be provided for off road parking.

REASON: In the interest of road safety.

5) Prior to the occupation of the first dwellinghouse the road and footway across the frontage of both properties shall be constructed to an adoptable standard and will require Road Construction Consent from East Ayrshire Council Roads Department.

REASON: In the interest of road safety.

NOTES

- 1) Scottish Water has advised that contact should be made with their Developer Services section to discuss how the proposed development would be best served by a public water supply. Scottish Water Developer Services can be contacted on Tel 0845 601 8855.
- 2) East Ayrshire Council Roads and Transportation Division has advised that Construction Consent will be required for the construction of the residential road and footpaths, street lighting etc. The Division can be contacted on Tel 01563 555 330. The new road must comply with the Roads Development Guide 1996. This consent would cover details such as road widths, footways, road construction, street lighting, drainage, traffic calming, internal junction visibilities etc.