

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE: 28 APRIL 2006

**05/1125/FL: CONTINUED USE OF A BUILDING AS OFFICE PREMISES AT 8
CORRIE PLACE, DRONGAN**

APPLICATION BY HOPE HOMES SCOTLAND LTD

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 Full planning permission is sought retrospectively for the change of use from a residential dwellinghouse to a drawing office for Hope Homes Scotland. There are no external alterations proposed with the internal layout providing four separate offices, a bathroom and a canteen/kitchen area. A large parking area has been provided along the north-west gable elevation and directly in front of the property utilising the majority of the front garden ground.

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, application should be approved unless material considerations indicate otherwise. As is indicated in Section 6 of the report there are material considerations relevant to this application.

3.2 The third party letter of representation outlines clear concerns with regards to the use of the neighbouring property. Albeit the majority of the concerns raised relate to road safety issues reference is made to the suitability of the such an office in this residential location. It is not considered that the visual presence of the office is of detriment to the visual amenity of the immediate area, as its appearance is the same as the adjacent dwellings.

3.3 Corrie Place forms a quiet residential street and although the use of number 8 is not residential, the use as a drawing office is not something that is

considered to adversely affect the neighbouring properties amenity. However the property is not being used for residential purposes and instead is used as a part of a large scale business operation and therefore it is recommended that the retrospective application for the change of use from that of a residential dwelling to form an office be approved for a temporary period only which will allow Hope Homes Scotland to find alternative more suitable office premises, after which the property should return to its intended residential use.

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 would not require to be referred to the Development Services Committee as it would not be classed as a significant departure from the East Ayrshire Local Plan.

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**05/1125/FL: CONTINUED USE OF A BUILDING AS OFFICE PREMISES AT 8
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APPLICATION BY HOPE HOMES SCOTLAND 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 application which is to be considered by the Local Planning Committee under the scheme of delegation, as the proposed development is the subject of objection.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site is located in a residential area within the settlement of Drongan. The property forms a single storey detached bungalow positioned within the centre of Corrie Place. The red line site is bounded to both the north-west and south east with similar style single storey dwellinghouses. The land to the rear of the property extends to provide an area of garden ground enclosed by a timber fence.

2.2 The red line site area extends to an area of 424 m².

2.3 **Proposed Development:** Full planning permission is sought retrospectively for the change of use from a residential dwellinghouse to a drawing office for Hope Homes Scotland. There are no external alterations proposed with the internal layout providing four separate offices, a bathroom and a canteen/kitchen area. A large parking area has been provided along the north-west gable elevation and directly in front of the property utilising the majority of the front garden ground.

3. CONSULTATIONS AND ISSUES RAISED

3.1 Drongan, Rankinston and Stair Community Council has not responded to the consultation letter at the time of writing this report.

Noted.

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) All parking associated with this proposal shall be contained within the site and not encroach onto the public road.

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

4. REPRESENTATIONS

4.1 One letter of representation has been received with regard to the proposed development. The main points of objection are summarised below:

4.2 Our grounds for objection are that firstly it has never been a dwelling place and has always been used as the company's drawing office. Secondly and more importantly, both Corrie Place and Ailsa Craig View have been made a no through road which has cut the through traffic out. However at 8 Corrie Place there are sometimes in excess of three cars parked. The property has a driveway which would suitably park three cars. Recently there has been further car parking space made in the front garden to accommodate a further 3 or possibly four cars.

The Council's Roads and Transportation Division has been consulted on this proposal and recommends the imposition of a condition attached to any consent granted for the development, requiring all associated car parking be confined to the application site as noted in section 3 of this report.

4.3 The company have also contravened the title deeds by doing this as other residents have to maintain a grass pavement and are told that these pavements must remain grassed. Hope Homes have taken away a large proportion of the pavement.

The contravention of the title deeds is a legal matter and would not be a planning consideration. Furthermore the Roads and Transportation Division have raised no objections to this application in terms of road and public safety.

4.4 At this point we must add that prior to the traffic calming we made representations to Hope Homes directly with regard to the speed of their employees, asking them to advise their employees to reduce the speed they drove into the street. I have to say that this has improved but not to a satisfactory level. There are three families neighbouring no.8 with children and during school holidays the children are not given the freedom to play in the street without fear

of an accident waiting to happen, especially when there is additional traffic to and from no.8.

This point regarding speeding is important for the safety of children however the Roads and Transportation Division have raised no objections to the proposal in terms of road safety and it is not perceived that the extra traffic from employees using the drawing office would adversely affect the road safety of the street especially when traffic calming measures are in place at the start and middle of the street and it is not a through road.

4.5 Thirdly, we feel that it is extremely inappropriate to have a non domestic property being situated within a residential estate. It is not ideal to have increased traffic in the street especially after being traffic calmed. Whilst we appreciate that Hope Homes Scotland require drawing office space a residential area is not the place for it to be situated.

The issue relating to increased traffic flow although important is not something that can be controlled as there are no restrictions over the volume of cars entering and leaving the public road. Externally the property is no different to any other within Corrie Place however as the property is used as a place of work with four separate offices this could be considered to be of the detriment to the immediate residential amenity.

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 contained in the structure plan which are especially relevant to the development.

Noted.

East Ayrshire Local Plan

5.3 Policy IND6 of the EALP provides that all proposals for new industrial/business developments on land not specifically identified for such purposes will require to be justified against a series of criteria as follows:

- (i) locational need

There is no specific locational need identified other than the applicants business interests in Drongan.

- (ii) availability of alternative land/premises in established industrial areas.

No site specific locational need has been identified in respect of the proposal although it is accepted that the premises were originally constructed by the applicant as part of a larger residential development.

- (iii) economic benefit

It is considered that the use of this property as a drawing office in itself would be of limited economic benefit to the surrounding area.

- (iv) impact on surrounding environment and adjacent uses

The use of the property as a drawing office is not perceived to be of detriment to the adjacent residential properties. It is considered that although the use is not residential there will be no significant adverse impact on the amenity and enjoyment of the surrounding residential properties.

- (v) transportation and infrastructure implications

The Roads and Transportation Division has not objected to the proposal and there are no significant issues arising from statutory undertakers.

It is therefore considered that the proposal is in accordance with the terms of Policy IND 6 of the East Ayrshire Local Plan.

6. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

6.1 The principal material considerations relevant to the determination of the application are the consultation responses and the third party representations.

Consultations Responses

6.2 The consultation responses received would indicate that the application should be approved.

Representations

6.3 The primary issue raised throughout the objection letter is based on road safety with respect to increased volumes of traffic generated from the proposal and the speed of employees' vehicles entering the street. However as Corrie Place is not a through road and has traffic calming measures in place it is considered that the weight to be attributed to this would not merit refusal of the application. Representations were also made regarding the appropriateness of this use within a residential area which could be perceived as having an adverse effect on the immediate residential amenity.

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, application should be approved unless material considerations indicate otherwise. As is indicated in Section 6 of the report there are material considerations relevant to this application.

8.2 The third party letter of representation outlines clear concerns with regards to the use of the neighbouring property. Albeit the majority of the concerns raised relate to road safety issues reference is made to the suitability of the such an office in this residential location. It is not considered that the visual presence of the office is of detriment to the visual amenity of the immediate area, as its appearance is the same as the adjacent dwellings.

8.3 Corrie Place forms a quiet residential street and although the use of number 8 is not residential, the use as a drawing office is not something that is considered to adversely affect the neighbouring properties amenity. However the property is not being used for residential purposes and instead is used as a part of a large scale business operation and therefore it is recommended that the retrospective application for the change of use from that of a residential dwelling to form an office be approved for a temporary period only which will allow Hope Homes Scotland to find alternative more suitable office premises, after which the property should return to its intended residential use.

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, the application would not require to be referred to the Development Services Committee as it would not be classed as a significant departure from the East Ayrshire Local Plan.

Alan Neish
Head of Planning, Development and Building Standards

9 April 2006
RG/SMB
FV/DVM

LIST OF BACKGROUND PAPERS

1. Application Form and Plans.
2. Statutory Notices and Certificates.
3. Consultation responses.
4. Letters of representation.
5. Adopted East Ayrshire Local Plan (2003).
6. 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: 05/1125/FL

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| Location | 8 CORRIE PLACE, DRONGAN |
| Nature of Proposal: | CONTINUED USE OF BUILDING AS DRAWING OFFICE |
| Name and Address of Applicant: | HOPE HOMES SCOTLAND WATSON TERRACE DRONGAN |
| 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 condition:

1. The planning permission hereby granted shall ensure for a limited period of twelve months from the date of this decision. At the expiration of this period the drawing office shall be relocated and the property shall be restored to a residential dwellinghouse unless a further separate planning permission is granted.

REASON: The proposed use is not considered as a suitable permanent development in this residential location.

2. All parking associated with this proposal shall be contained within the site and shall not encroach onto the public road.

REASON: In the interests of road safety.

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