

EAST AYRSHIRE COUNCIL

CENTRAL LOCAL PLANNING COMMITTEE: 6 APRIL 2001

**00/0281/FL: PROPOSED DEVELOPMENT OF 9 DWELLINGHOUSES
IRVINE ROAD CROSSHOUSE BY DRYCREST LTD**

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 Full planning consent is sought for the erection of 9 dwellinghouses. Eight semi detached houses providing 4 bedroom accommodation are proposed and one detached houses of 3 bedroom accommodation. The proposed houses are 2 and 1 / 2 storey in height and will be sited towards the southern boundary of the site adjacent to a new shared surface road. A new access will be formed off the Irvine Road with a 5.5 metre shared surface road accessing the nine houses. A garage is proposed for each house either attached to the house or freestanding. Materials proposed for the houses are wet dash render and concrete roof tiles.

2. RECOMMENDATION

2.1 The application should be approved subject to the conditions indicated on the enclosed sheet.

3. SUMMARY OF ANALYSIS

3.1 As is indicated at paragraph 5.2 of the report it is considered that the application is 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.

3.2 There are other material considerations relevant to this application as indicated in Section 6 of the report. The proposed development is consistent with the policies of the East Ayrshire Local Plan Finalised Version with modifications. The proposed development will add to the amenity of the area by removing the derelict former nursery site. The erection of two and half storey houses is acceptable in this location due to the sloping nature of the site and the height of adjacent residential properties.

Alan Neish
Head of Planning and Building Control

Note: This document combines key sections of the associated report for quick reference and should not in itself be considered as having been on the basis for recommendation preparation or decision making by the Planning Authority.

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IRVINE ROAD CROSSHOUSE BY DRYCREST LTD**

Report by Head of Planning and Building Control

1. PURPOSE OF REPORT

1.1 The purpose of the report is to present for determination a full planning application which is to be considered by the Local Planning Committee because it concerns a large scale residential development which accords with the East Ayrshire Local Plan Finalised Version with Modifications, is of area significance and is subject to objections.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site is 0.18 hectares in area and it is the site of the former Brown Nursery. The site is presently derelict with two large greenhouses located along the western boundary. The site is surrounded by 2 storey houses to the north, single and one and half storey houses to the west, and open land to the south and east.

2.2 **Proposed Development:** Full planning consent is sought for the erection of 9 dwellinghouses. Eight semi detached houses providing 4 bedroom accommodation are proposed and one detached house of 3 bedroom accommodation. The proposed houses are 2 and 1 / 2 storey in height and will be sited towards the southern boundary of the site adjacent to a new shared surface road. A new access will be formed off the Irvine Road with a 5.5 metre shared surface road accessing the nine houses. A garage is proposed for each house either attached to the house or freestanding. Materials proposed for the houses are wet dash render and concrete roof tiles.

3. CONSULTATIONS AND ISSUES RAISED

3.1 **East Ayrshire Council Roads Division** have no objections to the amended plans subject to alterations regarding deleting two visitor car parking spaces, relocating the garage for Plot 7 and increasing the width of the shared access. Traffic calming measures are required on Irvine Road, to overcome the junction spacing inadequacy.

The requirements of the Roads Division can be met by attaching conditions to any grant of planning consent.

3.2 **West of Scotland Water** have commented that the developer should be satisfied that relative levels are such as will allow the development to be connected at a reasonable gradient. Their permission should be sought to connect to the public sewerage system. A totally separate drainage system will be required. Existing connections from existing or demolished buildings must be located and capped if necessary before site work commences. The development can be served from an existing public water main.

A note can be attached to any planning consent if granted advising the applicant to make early contact with West of Scotland Water regarding their requirements.

3.3 **Scottish Environment Protection Agency** have no objection provided all foul drainage connects to the sewer and does not cause premature operation of any downstream storm water overflow. West of Scotland Water should be consulted in this regard.

Noted.

3.4 **The Coal Authority, Crosshouse Community Council and East Ayrshire Council Environmental Health and Waste Management** have no adverse comments to make regarding the proposed development.

Noted.

4. REPRESENTATIONS

There are four objectors to the proposed development.

4.1 The greenhouses which are adjacent to the western boundary when removed will cause the adjacent gardens to subside and they require that a supporting wall be situated on the boundary to support the land height differential. When these greenhouses are demolished the existing boundary wall will not only be unsightly but will cause subsidence of both adjacent gardens and the boundary hedge. The erection of one metre high positioning fence would be totally inadequate and will not prevent soil movement down slope. This will cause additional expense to maintain their garden and privacy. There will be pedestrian traffic and children playing along this area and this reinforces the request for some form of retention along the boundary.

It is unlikely that the greenhouse structures are supporting the embankment. The applicant has indicated that in the event of any

disturbance to the existing embankment along the western boundary during downtakings or subsequent site works, these areas shall be made good by the replacement of infill material to the slope face to form a 1:1 battered face. They have indicated that works have been deliberately kept away from that area to reduce the need to disturb the banking. They propose that the existing boundary treatments remain in place and a 1 metre high post and wire fence at or near the top of the banking is erected.

4.2 The water supply to the development could affect neighbouring current supply and pressure.

West of Scotland Water have not raised any objection to the proposed development.

4.3 The tapping into the sewerage pipe from Craufurdhill Place across the field will compromise drainage and sewerage evacuation. Assurances of separate waste facilities are of a nature to ensure that there is no compromising of the pipe's capacity.

West of Scotland Water have not raised any objection to the proposed development.

4.4 They are concerned about the number of road accesses onto Irvine Road. If traffic-calming measures are introduced at Irvine Road to try to combat this problem, this could have servicing implications as this road represents a main ambulance route to Crosshouse Hospital Accident and Emergency Department. They trust ambulance drivers heading to Crosshouse Hospital will not be hindered by traffic calming and if that is the case what is the point of traffic calming.

The Roads Division have requested the developer to provide traffic calming measures on Irvine Road in order to slow down traffic entering Crosshouse and to meet junction spacing inadequacy. The traffic calming measures will not hinder ambulances accessing Crosshouse Hospital.

4.5 There would be major loss of amenity with what would be a significant intrusion of privacy especially from Plots 6 and 7. If they could be moved further away from their property, they may view this development more favourably.

The proposed houses in Plots 6 and 7 are some 32 metres away from 89 Irvine Road. There is also a substantial existing screen fence. It is considered that the proposed development would not have an adverse impact on neighbouring property in terms of loss of privacy.

4.6 The distance shown between the proposed garages on some of the houses and the road is nonsense as no car will be able to park in front of the garage without intrusion to the road and service area.

The Roads Division have requested that the garage proposed for Plot 7 be positioned further back from the road so it is accessed from the roadside separately from the shared access to Plots 8 and 9. A condition could be attached to any grant of planning consent to meet their requirements.

4.7 The proposal is nowhere approaching a “traditional village design” especially with a two and a half storey proposal which is completely out of keeping with a traditional village design and the surrounding area and developments.

The applicant has submitted site sections which indicate that the siting of the proposed 2 and a half storey houses will not be any higher than the existing houses on Irvine Road and Craufurdhill Place. It is considered that the proposed development will not have an adverse impact on the amenity of the adjacent properties or area.

5. DEVELOPMENT PLAN STATUS

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 Adopted Ayrshire Joint Structure Plan and the Adopted Kilmarnock Local Plan (1985). The Adopted Local Plan was prepared within the context of the then emerging Strathclyde Structure Plan.

5.2 Notwithstanding the age of the Adopted Kilmarnock Local Plan the proposal would fall to be considered against Policy 4.1.5 which allows housing development within the urban envelope of Crosshouse provided the development is for a maximum of 10 dwellings and it is on a site of not more than 0.5 hectares and is not likely to be detrimental to or be adversely affected by adjacent uses.

The proposed development is consistent with the above policy. The proposed houses have been designed to minimise their impact on the adjacent residential properties.

5.3 There is no conflict between the proposed development and the terms of the Adopted Ayrshire Joint Structure Plan.

6. ASSESSMENT AGAINST OTHER MATERIAL CONSIDERATIONS

6.1 The other principle material considerations relevant to the determination of this application are the East Ayrshire Local Plan Finalised Version with Modifications, representations and consultations received and impact of the development on adjacent properties.

6.2 The Adopted Local Plan is considerably out of date and therefore it is considered appropriate that greater weight should be attached to a more recent policy expression. Policy RES 1 of the East Ayrshire Local Plan Finalised Version with Modifications encourages and supports residential development on those Development Opportunity Sites identified for housing purposes on the individual local plan maps. The sites identified will be reserved for residential and associated recreational and amenity open space development.

The application site is identified as being suitable for residential development of 9 houses within the above plan. The proposed development is consistent with the above policy.

6.3 Policy RES 22 request all developers to observe the minimum private open space criteria to standards detailed in Schedule 4 of the local plan.

Two properties fail to meet the private open space standard as required by Schedule 4. The applicant has been approached to move those two housing units forward to meet the above standards. The applicant is reluctant to move these two houses as he believes it would be detrimental to the housing layout. It is considered that an exception to these standards may be justified in this instance due to the housing layout. Furthermore, the proposed development will improve a derelict vacant site and improve the amenity of the area.

6.4 The concerns of the objectors regarding sewerage and water provision and the introduction of traffic calming measures, have not resulted in any negative comments from either the Roads Division or West of Scotland Water. The design and siting of the proposed houses, will not have a detrimental impact on the amenity of the adjacent residential properties. The applicant has submitted site sections of the embankment which indicated that the siting of the proposed 2 and a half storey houses will not result in them being any higher than the existing houses on Irvine Road and Craufurdhill Place. It is considered that the proposed development will not have an adverse impact on the amenity of these adjacent properties. The design of the proposed houses are in keeping with the surrounding properties. The applicant intends to retain the existing boundary treatment on the western, southern and northern boundaries. The applicant has indicated that if any disturbance to the embankment along the western boundary occurs during the demolition of the glasshouses it would be made good with infill material to the slope face.

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 at paragraph 5.2 it is considered that the application is 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.

8.2 There are other material considerations relevant to this application as indicated in Section 6 of the report and they are supportive of the proposal. The proposed development is consistent with the policies of the East Ayrshire Local Plan Finalised Version with Modifications. The proposed development will add to the amenity of the area by removing the derelict former nursery site. The erection of two and half storey houses is acceptable in this location due to the sloping nature of the site and the height of adjacent residential properties.

9. RECOMMENDATIONS

9.1 The application should be approved subject to the conditions indicated on the enclosed sheet.

Alan Neish
Head of Planning and Building Control

28 March 2001 (PC/SA)
FV/DVM

BACKGROUND PAPERS

1. Application form and plans.
2. Statutory Notices/Certificates.
3. Letters of objection.
4. Adopted Kilmarnock Local Plan.
5. East Ayrshire Local Plan Finalised Version with Modifications.
6. Ayrshire Joint Structure Plan.

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

00/0281/FL

Site of Proposal	Irvine Road CROSSHOUSE, Kilmarnock KA2 0HE
Nature of Proposal	Proposed Development of 9 Dwellinghouses
Name & Address of Applicant	Drycrest Ltd c/o Agent
Name & Address of Agent	ARP Lorimer & Associates 19 Wellington Square AYR KA7 1EZ

DPO's Reference PC/SA

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 and plan received on 16 February 2001 and the amended plans and letter dated 16 February 2001 and 25 April 2000.

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

2. Notwithstanding the plans hereby approved details/samples of the external materials to be used in the construction of the houses, garages, roads and parking areas shall be submitted to and approved by the Planning Authority prior to the commencement of development on site.

REASON In the interests of visual amenity.

3. Notwithstanding the submitted plans, the flat roofs of the proposed garages are not hereby approved and further details of an alternative pitched roof design for the roofs of the proposed garages shall be submitted to and approved by the Planning Authority before development commences on site.

REASON In the interests of visual amenity.

4. 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.

5. Notwithstanding the approved plans a 1.8 metre high screen fence shall be erected along the northern boundary of the site where no such height of fence presently is erected. Details of which shall be submitted to and approved by the Planning Authority prior to the commencement of development on site and implemented prior to the occupation of any houses.

REASON In the interests of residential amenity.

6. Notwithstanding the approved plans, the treatment of the western boundary of the site following the demolition of the greenhouses shall be in accordance with the details submitted in the letter dated 15 February 2001 and the embankment remedial works plan submitted on 19 March 2001. If these measures prove inadequate to prevent the embankment subsiding, further details of structural measures to be taken shall be submitted to and approved by the Planning Authority and thereafter implemented on site.

REASON In the interests of residential amenity and public safety.

7. The development hereby approved shall be undertaken without detriment to neighbouring residential property by virtue of noise, dust or general disturbance.

REASON In the interests of residential amenity and to prevent such established amenity being adversely affected.

8. No demolition or construction work, site clearance or preparation works shall take place before 07.00 hours and after 17.00 hours on Mondays to Saturdays nor at any time on Sundays.

REASON In the interests of residential amenity.

9. Notwithstanding the submitted plans, the two visitor car parking spaces indicated on the approved plans are not hereby approved and details of the treatment of this area shall be submitted to and approved by the Planning Authority before development commences on site. The remaining 4 visitor car parking spaces shall be implemented prior to the occupation of any houses.

REASON In the interests of road safety.

10. Notwithstanding the submitted plans, the garage attached to Plot 7 is not hereby approved and further details of the relocation of this garage such as to allow for a car to be parked forward of the garage and off the public road, shall be submitted to and approved by the Planning Authority before development commences on site.

REASON In the interests of road safety.

11. Notwithstanding the submitted plans, the shared access to House Plots 8 and 9 shall be 3 metres wide and shall be separated from the access driveway for House Plot 7.

REASON In the interests of road safety.

12. Prior to the commencement of development on site and in order to compensate for inadequate junction spacing, traffic calming measures shall be implemented on the Irvine Road. Details of these measures and their location shall be submitted to and approved by the Planning Authority, in consultation with the Roads Division, and shall be implemented prior to the occupation of any houses.

REASON To overcome a junction spacing inadequacy in the interests of road safety.

13. Details of the treatment and maintenance arrangements of the areas of the land adjacent to the shared surface road shall be submitted to and approved by the Planning Authority and thereafter implemented prior to the occupation of any houses.

REASON In the interests of visual amenity.

NOTES

1. Prior to the commencement of development on site, the applicant should satisfy himself/herself as to the suitability of the site for construction purposes.

2. The applicant shall make early contact with West of Scotland Water, 35 Glenburn Road, Prestwick, KA9 2NS to seek permission to connect to the public sewerage system. Existing connections from existing or demolished buildings shall be located and capped.

**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.**

AGENDA