

EAST AYRSHIRE COUNCIL

CENTRAL LOCAL PLANNING COMMITTEE: 13 SEPTEMBER 2001

**01/0331/OL: PROPOSED DEMOLITION OF EXISTING COTTAGE AND ERECTION
OF 2 NEW BLOCKS COMPRISING 11 FLATS AT DOUGLAS COTTAGE 28
KILMARNOCK ROAD CROSSHOUSE BY
MR NEIL McDONALD**

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 This is an outline planning application for the erection of 11 flats. Details regarding the site layout and access arrangements have been submitted. The site layout indicates the erection of two buildings, one to the front and the other to the rear of the site. The building at the front will accommodate five one bedroom flats. The building at the rear will accommodate six one bedroom flats. Amenity open space will be provided to the front and rear of the flats. Access to the site will be through a pending access below flat number 3, from Kilmarnock Road, Crosshouse. Fourteen car parking spaces are proposed in the centre of the site.

2. RECOMMENDATION

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

3. SUMMARY OF ANALYSIS

3.1 As is indicated in paragraph 5.2 of the report the application is largely 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, and they are supportive of the proposal. The proposal is consistent with Policy RES 4 of the East Ayrshire Local Plan as it involves the redevelopment of an infill site which will be consistent with the adjacent uses. The proposal will improve a derelict site. The proposed front building line is in keeping with the existing building line on Kilmarnock Road. The site layout is considered acceptable in this location. The construction of a new central access from Kilmarnock Road is acceptable to the Roads Division.

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 the basis for recommendation preparation or decision making by the Planning Authority.

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Report by Head of Planning and Building Control

1. PURPOSE OF REPORT

1.1 The purpose of this report is to present for determination an outline planning application which is to be considered by the Local Planning Committee under the scheme of delegation as it is a larger application which accords with the East Ayrshire Local Plan and is of area significance.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site is 0.1 hectares in area and it is the site of a derelict cottage and its curtilage. The site is surrounded to the north by Kilmarnock Road and residential properties, to the west by a public house, to the east by residential properties and to the south by Crosshouse Primary School.

2.2 **Proposed Development:** This is an outline planning application for the erection of 11 flats. Details regarding the site layout and access arrangements have been submitted. The site layout indicates the erection of two buildings, one to the front and the other to the rear of the site. The building at the front will accommodate five one bedroom flats. The building at the rear will accommodate six one bedroom flats. Amenity open space will be provided to the front and rear of the flats. Access to the site will be through a pended access below flat number 3, from Kilmarnock Road, Crosshouse. Fourteen car parking spaces are proposed in the centre of the site.

3. CONSULTATIONS AND ISSUES RAISED

3.1 East Ayrshire Council Roads Division have no objections subject to conditions regarding the new access incorporating road narrowing footway extensions to improve the sightline of 2.5m by 90 metres. Marker bollards should be provided at the footway extensions as a vertical indication of the access and projections and the road should not be narrowed to less than 7.3 metres at the access with edge white line continuing either side. Construction Consent will be required for the formation of the new access and the footway extensions before commencing work on site.

The applicant is aware of the requirements of the Roads Division and they have confirmed that they are acceptable. The Roads Division requirements can be attached as a condition to any grant of planning consent.

3.2 West of Scotland Water have commented that their permission should be sought to connect to the public sewerage system and the developer should satisfy himself by site investigation that relative levels are such as will allow the development to be connected at a reasonable gradient. Sustainable Urban Drainage systems should be employed on the surface water drainage system.

Noted. The applicant can be advised by means of a note to make early contact with West of Scotland Water regarding employing SUDS on the surface water drainage system.

3.3 SEPA have no objections provided the foul drainage is connected to the public sewerage system.

Noted.

3.4 The Coal Authority, Scottish Power, Crosshouse Community Council have no adverse comments to make regarding the proposed development.

Noted.

3.5 Transco require no mechanical excavation to be carried out with 500mm of Transco Plant.

A note can be attached to any grant of planning consent advising the applicant of the requirements of Transco.

3.6 Environmental Health have not yet responded to the consultation letter.

Noted.

4. REPRESENTATIONS

4.1 No letters of representation have been received to the proposed development.

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 Approved 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, is on a site of not more than 0.5 hectares and is an infill site which constitutes vacant or degraded land and is not likely to be detrimental to or be adversely affected by adjacent uses. The reason for this policy is to allow flexibility towards new housing development on small or vacant sites.

The proposed development is largely consistent with the above policy, although the number of flats proposed does marginally exceed the development limit of 10 houses within the above policy. The proposal is in keeping with the spirit of the above policy as it involves the use of an infill site which consists of a derelict cottage and land. It is considered that the proposed development will not adversely affect adjacent uses.

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 (EALP), 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 4 of EALP encourages sympathetic residential development of gap, infill or other redevelopment sites not specifically safeguarded or identified for particular development purposes on the local plan maps. Proposals will be assessed against their impact upon the surrounding natural and built environment and adjacent uses, transportation and infrastructure implications and compatibility with surrounding densities and housing types.

The proposed development is consistent with the above policy as it involves the redevelopment of an infill site. It is considered that it will not have an adverse impact on adjacent uses and the proposal is compatible with surrounding residential properties. The Roads Division and other statutory consultees have not raised any adverse comments on the proposed development.

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 paragraph 5.2, the application is largely 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 proposal is consistent with Policy RES 4 of the EALP as it involves the redevelopment of an infill site which will be consistent with the adjacent uses. The proposal will improve a derelict site. The proposed front building line is in keeping with the existing building line on Kilmarnock Road. The site layout is considered acceptable in this location. The construction of a new central access from Kilmarnock Road is acceptable to the Roads Division.

9. RECOMMENDATION

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

Alan Neish
Head of Planning and Building Control

5 September 2001 (PC/SA)
FV-DM

LIST OF BACKGROUND PAPERS

1. Application form and plans.
2. Statutory Notices and Certificates.
3. Consultation Replies.
4. Adopted Kilmarnock Local Plan.
5. East Ayrshire Local Plan Finalised Version with Modifications.
6. Approved Strathclyde Structure Plan.
7. Approved Ayrshire Joint Structure Plan.

Anyone wishing to inspect the above papers please contact Pamela Clifford on (01563) 576772.

Implementation Officer: Dave Morris

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

01/0331/OL

Site of Proposal:	Douglas Cottage 28 Kilmarnock Road CROSSHOUSE
Nature of Proposal:	Proposed Demolition of Existing Cottage and Erection of Two New Blocks Comprising Eleven Flats
Name & Address of Applicant:	Mr Neil McDonald Portland Arms Hotel Kilmarnock Road CROSSHOUSE KA2 0HA
Name & Address of Agent:	McLean Gibson Partnership Cathcart House 20 Cathcart Street AYR KA7 1BJ

DPOs Reference: PC/SA

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

1. The proposed development shall be carried out in accordance with the application form and plans submitted on 3rd May 2001 as revised by the site layout plan received by the Planning Authority on 16th August 2001.

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

2. Before any development commences on the site, the further approval of the Planning Authority shall be obtained in respect of the undermentioned matters hereby reserved:-

- (a) The layout of the site;
- (b) The size, height, design and external appearance of the proposed buildings;
- (c) The means of drainage and sewage disposal;

- (d) Details of the access arrangements;
- (e) The provision for open space;
- (f) The provision for car parking;
- (g) The boundary walls/fences to be erected;
- (h) The landscaping of the site;
- (i) Finished site levels/floor levels.

REASON The approval is in outline only.

3. Details to be submitted under Condition 2 (d) shall include the following

- (a) The new access to incorporate road narrowing footway extensions to improve the sightlines to 2.5 metres by 90 metres.
- (b) The Kilmarnock Road shall not be narrowed to less than 7.3 metres at the new access with edge white lines continuing either side.
- (c) Marker bollards shall be provided at the footway extensions as a vertical indicator of the access and projections.

REASON To ensure the new access is acceptable in road safety terms.

4. Details to be submitted under Condition 2 (b) shall allow for the proposed buildings to be no higher than 2 storeys in height.

REASON In the interests of residential and visual amenity.

5. The proposed buildings shall be designed in accordance with the principles contained in the document, East Ayrshire Council Design Guidance, April 2001.

REASON In the interests of visual amenity.

NOTE:

1. The applicant shall make early contact with East Ayrshire Council Roads Division, Greenholm Street, Kilmarnock regarding Construction Consent for the formation of the new access and footway extensions before commencing work on site.

2. Prior to the commencement of development on site, the applicant should satisfy themselves as to the suitability of the site for construction purposes.

3. The Developer shall make early contact with the Scottish Environment Protection Agency and West of Scotland Water to confirm their request to utilise a Sustainable Urban Drainage System (SUDS) with regard to surface water. These Authorities require this development to be drained in accordance with the recommendations contained in the CIRIA manual on SUDS.

4. The Council does not currently have a general agreement with WOSWA in relation to the maintenance of public SUDS. Proposals for site specific agreements which may require to involve the developer or other third parties will be considered within the overall framework recommended in the design manual for SUDS published by CIRIA.
5. No mechanical excavation shall take place within 500mm of Transco plant

**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