

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE : 11 AUGUST 2000 00/0375/FL : HOUSING DEVELOPMENT TO FORM 12 HOUSES AT BARONY ROAD, AUCHINLECK

APPLICATION BY NORTHKIRK LTD

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 This is a full planning application for the erection of 12 houses. The proposal involves the erection of 4 detached houses and 8 semi-detached houses. The proposed houses are all single-storey in height. There are four 3-bedroom houses and eight 2-bedroom houses proposed. An access for the development is proposed off the Barony Road and the twelve houses are located adjacent to this access road. A turning head is proposed at the end of the access road. An indicative layout has been submitted for the development of the remaining area of the site, however this is not the subject of this planning application.

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 In terms of policy, the proposed development is consistent with the provisions of the East Ayrshire Local Plan Finalised Version. The revised design of the houses is acceptable and is consistent with adjacent residential properties. The proposed development meets the open space standards for dwellinghouses. The concerns of the adjacent residential property can be addressed by the erection of a 1.8m high closely boarded fence along the boundary with No. 2 Barony Road. The proposed development will result in the felling of four mature trees, however six new trees can be planted in the immediate area to replace these. This will allow the proposed development to be located adjacent to the existing houses. The development will provide additional new housing units for Auchinleck which will be suitable for a mixed housing market.

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 a full planning application which is to be considered by the Southern Local Planning Committee under the scheme of delegation as it is a larger application which accords with the Development Plan and is of area significance and is subject to objection.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site is located to the west of Auchinleck and adjacent to Barony Road. The site is surrounded to the north by a railway line, to the south by the Barony Industrial Estate, to the west, in part, by existing single-storey houses and to the east by the remaining area of the development site. The site is unmaintained land with mature trees along the frontage of the site. The application site refers to the western area of the site designated for housing in the East Ayrshire Local Plan Finalised Version.

2.2 **Proposed Development:** This is a full planning application for the erection of 12 houses. The proposal involves the erection of 4 detached houses and 8 semi-detached houses. The proposed houses are all single-storey in height. There are four 3-bedroom houses and eight 2-bedroom houses proposed. An access for the development is proposed off the Barony Road and the twelve houses are located adjacent to this access road. A turning head is proposed at the end of the access road. An indicative layout has been submitted for the development of the remaining area of the site, however this is not the subject of this planning application.

3. CONSULTATIONS AND ISSUES RAISED

3.1 East Ayrshire Council Roads and Transportation Division have no objections subject to traffic calming measures being provided on the Barony Road and within the development site and conditions regarding visibility sightline splay areas, a 2-metre footway along the frontage of the site, and surfacing of the driveways.

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

3.2 West of Scotland Water have commented that their permission should be sought to connect to the public sewerage system. Contact should be made prior to starting work on site to discuss whether diversions or protection of the existing public sewer is required. The developer should satisfy himself by site investigation if necessary that relative levels are such as will allow the development to be connected at a reasonable gradient.

A note can be attached to any planning consent, if granted, to advise the applicant to make early contact with West of Scotland Water.

3.3 Scottish Environment Protection Agency have no objections provided drainage arrangements are to their satisfaction. They wish to ensure that appropriate surface water drainage systems are selected and installed for this development so as to exfiltrate as much drainage on site wherever possible. The use of dry well design or soakaways to accept roof drainage from the houses and garages should be considered. The provision of porous asphalt paving for car parking and road drainage in particular would be welcomed. Scottish Environment Protection Agency wishes to discuss the details of the proposed surface water drainage with the applicant.

A note can be attached to any planning consent, if granted, to advise the applicant to make early contact with Scottish Environment Protection Agency regarding their requirements.

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

Noted.

3.5 British Gas Transco have commented that a site visit is likely to be required prior to the commencement of works. Mechanical excavation should not be carried out within 500mm of Transco Plant.

A note can be attached to any planning consent, if granted, to advise the applicant to make early contact with British Gas Transco regarding a site visit.

3.6 Railtrack have no objection provided the following requirements are met regarding the provision of a 1.8m high concrete post and 'weldmesh' fence along the mutual boundary, all surface and foul water collected and diverted away from Railtrack property, tree/shrubs planted adjacent to the railway boundary should be positioned a minimum distance greater than their predicted mature height from the boundary.

An appropriate condition can accommodate these requirements.

3.7 Auchinleck Community Council have commented about the removal of four trees. They would like these trees to be replaced with new ones further along the Barony Road (beyond flyover) to replace the ones that have been removed.

The four mature trees are required to be removed to allow access to the site. Replacement trees can be required by attaching a condition to the planning consent. It would not be possible to require these trees to be planted beyond the flyover as this involves land not within the control of the applicant.

3.8 East Ayrshire Council Environmental Health and Waste Management have no accurate historical information as yet concerning any previous use of the land in question, although these are no specific grounds to indicate that it might be in any way contaminated or unsuitable for development.

Noted.

4. REPRESENTATION

Two letters of objection have been received.

4.1 The neighbouring residents are elderly and have lived here and enjoyed complete privacy for the past 18 years. On inspection of the plans, they have found that the proposed boundary fence is only 0.9 metres high. This is completely inadequate to maintain their privacy. They would suggest that the developer erects at least a 1.8m high close fitting wooden fence between their property and the proposed development.

The applicant has amended the development proposals to include the erection of a 1.8m high close boarded fence along the boundary between No. 2 Barony Road and the proposed development.

4.2 The first bungalow has 3 bedroom windows facing their adjacent house. A higher boundary fence would give the occupants some privacy.

The applicant has amended the development proposals to include the erection of a 1.8m high close boarded fence along the boundary between No. 2 Barony Road and the proposed development.

4.3 Objection based on the removal of three mature trees at the proposed entrance and the position of the site entrance itself.

The applicant has been approached to move the entrance to the southern end of the site. The applicant wants to retain the

entrance point to the north of the site as the new houses will be located adjacent to existing houses. These trees are not protected by a Tree Preservation Order.

4.4 The excessive speed of motor vehicles and lorries when approaching this corner and feel it would be a safer option to move the entrance further along. In doing so the trees would not need to be removed.

The Roads Division have no objections to the proposed entrance, as the required visibility splay areas can be achieved.

4.5 They would like to be assured that the existing line of trees between the development and No. 2 Barony Road will remain.

A condition can be attached to the planning consent if granted to ensure that the existing line of trees between the development site and No. 2 Barony Road remains.

4.6 There exists a pathway which is a right-of-way at the edge of the outlined site.

This pathway is outwith the present application site.

4.7 On many occasions, traffic calming was to be carried out on the Barony Road, nothing has happened. Given the proposed additional site the need is greater than ever.

The Roads Division require traffic calming measures to be provided on Barony Road before any houses are occupied; this will be requirement of the Road Construction Consent.

5. DEVELOPMENT PLAN STATUS

5.1 The relevant policy document is the East Ayrshire Local Plan Finalised Version. The application site is designated for housing and is affected by Policy RES1 which encourages and supports residential development within this site.

The proposed development would be consistent with the provisions of this policy.

5.2 Although the East Ayrshire Local Plan Finalised Version is the document agreed by Council for determination purposes, it can be noted, under the earlier Finalised Cumnock and Doon Valley District Wide Local Plan and the Adopted Cumnock and Auchinleck Local Plan, that the site was also identified for housing.

6. OTHER PLANNING CONSIDERATIONS

6.1 Planning Application No: 96/0477/OL : Outline planning consent was granted for residential development on the larger development site.

Noted.

7. FINANCIAL AND LEGAL IMPLICATIONS

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

8. CONCLUSIONS

8.1 In terms of policy, the proposed development is consistent with the provisions of the East Ayrshire Local Plan Finalised Version. The revised design of the houses is acceptable and is consistent with adjacent residential properties. The proposed development meets the open space standards for dwellinghouses. The concerns of the adjacent residential property can be addressed by the erection of a 1.8m high closely boarded fence along the boundary with No. 2 Barony Road. The proposed development will result in the felling of four mature trees, however six new trees can be planted in the immediate area to replace these. This will allow the proposed development to be located adjacent to the existing houses. The development will provide additional new housing units for Auchinleck which will be suitable for a mixed housing market.

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
24 July 2000
PC/SMB
FV/DVM

LIST OF BACKGROUND PAPERS

1. Application form and plans.

2. Statutory notices/certificates.
3. Consultation reponses.
4. Letter of objection.
5. East Ayrshire Local Plan Finalised Version.
6. Finalised Cumnock and Doon Valley District Wide Local Plan.
7. Adopted Cumnock and Auchinleck Local Plan.

Form TP24A

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Implementation Officer : Pamela Clifford

Application No. 00/0375/FL

Location	Barony Road AUCHINLECK KA18 2LP
Nature of Proposal:	Proposed housing development to form 12 houses
Name and Address of Applicant:	Northkirk Limited 14 Walnut Road, KILMARNOCK KA1 2HF
Name and Address of Agent	Thomson McCrea 9 Old Bridge Street, AYR KA7 1QA

DPO's Ref: [PAMELA CLIFFORD]
PPO's Ref; []

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 plans submitted on 15 May 2000 and the amended plans submitted on 20 July and 24 July 2000.

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

- (2) Notwithstanding the plans hereby approved, the render, facing brick, roof tiles and window frames are not hereby approved.
Details/samples of the render, facing brick, roof tiles and window frames shall be submitted to and approved by the Planning Authority before any development commences on the site.

REASON – In the interests of visual amenity.

- (3) 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 – In the interests of visual amenity.

- (4) Prior to any construction on site, a 1.8 metre high closely boarded fence shall be erected along the boundary with No. 2 Barony Road and along the northern boundary of the site.

REASON – In the interests of residential amenity and public safety.

- (5) An entrance feature shall be constructed adjacent to Barony Road. Details of its design and location shall be submitted to and approved by the Planning Authority prior to the commencement of development and implemented prior to the occupation of any houses on site.

REASON – In the interests of visual amenity.

- (6) The four trees to be felled shall be replaced by 6 trees. Details of the replacement tree species and their location shall be agreed with the Planning Authority prior to the commencement of development on site. The replacement trees shall be planted not later than the next appropriate planting season after the twelve houses have been completed.

REASON – In the interests of visual amenity.

- (7) Prior to the occupation of any houses, traffic calming measures shall be provided within the development site and on Barony Road in compliance with the East Ayrshire Council Roads Development Guide 1996 and shall be agreed by East Ayrshire Council Roads Division prior to their implementation.

REASON – In the interests of road safety.

- (8) Junction visibilities of 4.5 metres by 90 metres shall be provided and maintained at the junction with Barony Road and no fencing or buildings over 1 metre in height shall be allowed within these areas.

REASON – In the interests of road safety.

- (9) Notwithstanding the plans hereby approved, and the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, any garages associated with the development shall be of permanent construction and finished in the same materials

as the dwellinghouses to which they relates and set back at least 6 metres from the rear of the footway.

REASON – In the interests of visual amenity and road safety.

- (10) No trees shall be felled, lopped, have roots cut, or be the subject of any other works apart from the four trees identified for removal on the site plan as proposed, Drawing No. A00/552/2B, without the written consent of the Planning Authority.

REASON – In the interests of residential and visual amenity.

- (11) A 2-metre wide footway shall be provided along the frontage of the site adjacent to Barony Road prior to the occupation of any houses.

REASON – In the interests of road safety.

- (12) Any existing public utility apparatus located in the verge shall be protected beneath the proposed access.

REASON – In the interests of road safety.

- (13) No surface water shall be allowed to discharge onto the public road.

REASON – In the interests of road safety.

- (14) Any gates shall open inwards away from the public road.

REASON – In the interests of road safety.

- (15) Each private driveway shall be paved for a minimum distance of 2 metres from the rear of the footway to avoid the overcarry of loose material onto the public road, prior to the occupation of each house.

REASON – In the interests of road safety.

Notes

- (1) Prior to the commencement of development on site, the applicant should satisfy him/herself as to the suitability of the site for construction purposes.
- (2) The applicant shall make early contact with the following utilities regarding their requirements:-
- West of Scotland Water, 35 Glenburn Road, Prestwick, KA9 2NS
 - Scottish Environment Protection Agency, 2 Alloway Place, Ayr, KA7 2AA

- British Gas Transco, 95 Kilbirnie Street, Glasgow, G5 8JD

(3) The applicant shall make early contact with East Ayrshire Council Roads and Transportation Division regarding Construction Consent for the internal roads, a Road Bond and a Road Opening Permit.

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THE MAP IS AVAILABLE FOR VIEWING AT THE COUNCIL'S
PLANNING OFFICE IN LUGAR. FOR INFORMATION ON
VIEWING PLEASE CONTACT (01563) 555320.**

AGENDA