

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE : 11 AUGUST 2000

00/0255/FL : ERECTION OF FOUR DWELLINGHOUSES WITH TWO GARAGES AND TWO CAR PORTS, LAND TO THE REAR OF FIR PARK, SORN

APPLICATION BY MRS. K. MCFADZEAN

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 Full planning permission is sought for the erection of four dwellinghouses on the application site. The proposed dwellinghouses are identical in design consisting of four apartments and of 1½ storeys in construction. The layout will provide two detached units and two semi detached units. However, the dwellings will be connected by proposed garages for units 1 and 2 and by proposed car ports for units 3 and 4 thereby giving the effect of a terraced layout and aspect onto Fir Park. Accesses to the proposed dwellinghouses will be twinned and taken off Fir Park.

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 In terms of the East Ayrshire Local Plan, Finalised Version, it is considered that the proposed development does not conflict with the provisions of policies contained therein.

3.2 The proposed development, in terms of its layout, size, scale, design and use of finishing materials is acceptable for this site which lies partly within and adjacent to Sorn No. 1 Conservation Area. Although the outline consent granted under application 97/0144/OL was for the erection of three houses within the application site, the layout of the proposed development is acceptable with four dwellings and meets current design guidance in respect of amenity space provision.

3.3 In terms of representations received, it is considered that the principle of residential development on this site has been established through the approval of a previous outline planning consent (Ref. No. 97.0144/OL). The proposed development should not adversely affect the character or visual

amenity of the Conservation Area nor have an adverse impact on the amenity of existing residential properties in Fir Park.

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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00/0255/FL : ERECTION OF FOUR DWELLINGHOUSES WITH TWO GARAGES AND TWO CAR PORTS, LAND TO THE REAR OF FIR PARK, SORN

APPLICATION BY MRS. K. MCFADZEAN

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 Local Planning Committee under the scheme of delegation as the proposed development has been the subject of letters of objection.

2. APPLICATION DETAILS

2.1 **Site Description** : The application site lies on the east side of Fir Park in Sorn, some 50 metres north of the junction of Fir Park with Main Street and lies immediately north of the Sorn Inn. The site comprises the enclosed private garden associated with the private residence within the Sorn Hotel premises. The application site is level and extends to approximately 988 m² in area. The development site falls within Sorn No. 1 Conservation Area and is bound by an area of public open space to the north and east, and by local authority / private dwellings to the west.

2.2 **Proposed Development** : Full planning permission is sought for the erection of four dwellinghouses on the application site. The proposed dwellinghouses are identical in design consisting of four apartments and of 1½ storeys in construction. The layout will provide two detached units and two semi detached units. However, the dwellings will be connected by proposed garages for units 1 and 2 and by proposed car ports for units 3 and 4 thereby giving the effect of a terraced layout and aspect onto Fir Park. Accesses to the proposed dwellinghouses will be twinned and taken off Fir Park.

3. CONSULTATIONS AND ISSUES RAISED

3.1 East Ayrshire Council Roads Division has indicated that it has no objections to the proposed development subject to a number of conditions.

Noted.

The Roads Division states that the developer is required to provide a 1.5 metres wide footway across the frontage of the plots and this will require Construction Consent. The footway construction must be completed prior to the occupancy of any dwelling. Visibility splay areas of 2 metres by 20 metres will be required at all access crossings with no object greater than 1 metre in height allowed within these areas. No surface water must be allowed to discharge onto the public road. Two off-road parking spaces will be required to be provided for each dwelling. Any garages must be set back a minimum distance of 6 metres from the rear of the footway. The private driveway will require to be paved for a minimum distance of 2 metres from the rear of the footway to avoid overcarry of loose material onto the public road. Any access gates will require to open inwards away from the public road.

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

3.2 The Scottish Environment Protection Agency has no objections to the proposed development provided the drainage arrangements are to SEPA's satisfaction. Foul drainage from the development must be connected to the public sewer to the satisfaction of West of Scotland Water.

The proposed development is to be connected to the public sewerage system.

3.3 The Coal Authority, Scottish Power, British Gas Transco and East Ayrshire Council's Property Unit have no adverse comments to make on the proposed development.

Noted.

3.4 East Ayrshire Council's Environmental Health Division notes that noise from the adjacent public house, particularly if music is to be part of the entertainment, may affect these dwellinghouses due to their proximity. As the public house is undergoing refurbishment, no indication of noise levels can be given at this time.

Noted.

3.5 West of Scotland Water indicates that the application may involve building over an existing public sewer. The developer must contact West of Scotland Water prior to starting any work on site in order to discuss whether diversions or protection is required.

The applicant is aware of the presence of a main sewer within the development site and also of the comments of West of Scotland Water. The layout of the proposed development has been designed to ensure that the main sewer remains unaffected by the development. A note can be attached to any consent granted for the proposed development to advise the applicant of the need to

contact West of Scotland Water prior to the commencement of works on site.

3.6 Sorn Community Council has not responded to the consultation letter.

Noted.

4. REPRESENTATIONS : Three letters of representations have been received, all objecting to the proposed development.

4.1 We understood when we bought our house that there was to be no more houses to be built in Fir Park. Several years ago a planning application for one house was turned down. The last application for three 1½ storey houses was passed but no action was taken on this.

The present planning application requires to be determined on its own merits and in terms of policy the principle of residential development on this site does not conflict with the provisions of the finalised East Ayrshire Local Plan. There is a current valid outline consent for the erection of three dwellinghouses on this site as detailed in section 6 of this report.

4.2 The plan for four, two storey houses on this site will completely block any view we have.

The proposed dwellinghouses are of traditional 1½ storey design and not fully of 2 storey construction. The majority of the existing dwellings in Fir Park are of two storey construction. The loss of a view is not a material consideration in the determination of this application.

4.3 Parked cars on Main Street are a hazard at the moment. Coming out of Fir Park, you cannot see what is coming down Main Street.

The development of the application site for residential purpose will not impact on the existing sightline situation at the junction of Fir Park with Main Street as the site lies some 50 metres north of this junction.

4.4 There are not going to be many parking spaces at Sorn Inn and with the main entrance in Fir Park cars will park there. Added to this, visitors to the four houses will park there and with no through road, traffic will be a problem in what was once a quiet street.

The proposed dwellinghouses will each have two dedicated car parking spaces in line with the Roads Division's current car parking standards for residential developments. The car parking provision associated with the Sorn Inn is not relevant to the consideration of this application. No road safety issues or

concerns have been raised by the Roads Division with respect to Fir Park itself.

4.5 The village is a conservation area and this site is in this area. I feel that this is an inappropriate site. The Conservation Area is already overdeveloped.

Part of the application site lies within Sorn No. 1 Conservation Area but this does not, in policy terms, prevent development from taking place within such areas. The principle of residential development on this site has already been established through the approval of an outline planning application for three dwellinghouses under application 97/0144/OL.

4.6 The street is very busy with traffic and with the fact that possibly another eight cars could be entering and parking in the street, this will cause more congestion.

Comments as per 4.4 above.

4.7 I am concerned with the safety of my grandchildren and other children in the street as the house is situated on the bend which is a blind spot in the street. I therefore have to cross the children at this point on the street for them to go to the play park. Entry to this site will be on the curve of the street making it of poor and dangerous visibility

It is considered that the proposed development will not result in any adverse impact on either road or pedestrian safety at this locus. No pedestrian or road safety issues have been raised by the Roads Division. A condition required by the Roads Division to ensure appropriate visibility splay areas at the plot accesses can be attached to any consent granted for the proposed development.

4.8 The idea of a large two storey building being such a short distance away will block the only reasonable amount of light I receive and will also impose on my privacy.

It is considered that the proposed development will not result in any significant adverse impact on the amenity of existing residential properties in Fir Park either in terms of daylighting or privacy.

4.9 The proposed development area is landscaped with mature trees and shrubs which add to the pleasant outlook of my home.

The application site is an existing private garden associated with the private residence at Sorn Inn which at present is enclosed and screened from general public view. The site therefore does not, in the wider sense, contribute to the amenity or character of the conservation

area. As a private garden, there would be no guarantee that the pleasant outlook presently afforded to the objector could be retained. Two mature trees within the site will be retained as part of the development.

5. DEVELOPMENT PLAN STATUS

5.1 The relevant policy document is the East Ayrshire Local Plan, Finalised Version. The application site is affected by residential and environment policies. Policy RES4 states that the Council will positively encourage the sympathetic residential development of gap, infill and other redevelopment sites, not specifically safeguarded or identified for particular development purposes within settlement boundaries. Policy RES5 also supports the subdivision of existing house curtilages for the development of dwellinghouses subject certain stated criteria

It is considered that the proposed development of the site for four dwellinghouses will not have any adverse impact on existing residential properties with no adverse infrastructure implications. It is further considered that the proposal adequately meets design requirements for this site. Consequently it is considered that the proposed development does not conflict with the provisions of Policies RES4 or RES5.

5.2 Policy ENV4 states that the Council will seek to ensure that all development within or affecting the setting of a conservation area is sympathetic to the area concerned in terms of its layout, size, scale design, siting, materials used and colour of finish. Wherever possible, all proposals should seek to preserve, enhance or incorporate features which contribute positively to the character or appearance of the area and have due regard to the architectural or historic qualities of the area.

Part of the development site lies within Sorn No.1 Conservation Area, but the greater part of the site lies outwith this area. The residential properties in Fir Park consist of existing or former public sector terraced housing which are of little architectural merit. It is considered that the proposed development, in terms of its layout, size, scale and design is of an acceptable standard given its location both in and adjacent to the conservation area. In this respect it is considered that the proposed development does not conflict with the provisions of Policy ENV4.

6. OTHER PLANNING CONSIDERATIONS

6.1 **Planning History** : An outline planning application (Ref. No. CD/87/86) for the erection of a single dwellinghouse on part of the current application site was refused by the former Cumnock and Doon Valley District Council on 25 June 1987.

6.2 A more recent outline planning application (Ref. No. 97/0144/OL) for the erection of three dwellinghouses on the application site was approved on 23 September 1997. This is a valid consent and is not due to expire until 23 September 2000.

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 In terms of the East Ayrshire Local Plan, Finalised Version, it is considered that the proposed development does not conflict with the provisions of policies contained therein.

8.2 The proposed development, in terms of its layout, size, scale, design and use of finishing materials is acceptable for this site which lies partly within and adjacent to Sorn No. 1 Conservation Area. Although the outline consent granted under application 97/0144/OL was for the erection of three houses within the application site, the layout of the proposed development is acceptable with four dwellings and meets current design guidance in respect of amenity space provision.

8.3 In terms of representations received, it is considered that the principle of residential development on this site has been established through the approval of a previous outline planning consent (Ref. No. 97.0144/OL). The proposed development should not adversely affect the character or visual amenity of the Conservation Area nor have an adverse impact on the amenity of existing residential properties in Fir Park.

9. CONCLUSIONS

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

Alan Neish
Head of Planning and Building Control
26 July 2000
HM/HM
FV/AN

LIST OF BACKGROUND PAPERS

1. Application form and plans.
2. Statutory notices and certificates.
3. Consultation responses.
4. Letters of representation
5. East Ayrshire Local Plan (Finalised Version).
6. Previous application CD/87/86
7. Previous application 97/0144/OL

Any person wishing to inspect the background papers listed above should contact Miss Pamela Clifford on 01563 555483.

Implementation Officer : Pamela Clifford

Form TP24A

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application no: 00/0255/FL

Location	Fir Park SORN KA5 6HY
Nature of Proposal:	Proposed erection of 4 no. dwellinghouses with 2 garages and 2 car ports.
Name and Address of Applicant:	Mrs K McFadzean, 35 Main Street, SORN KA5 6HU
Name and Address of Agent	Maxwell Design Consultants 8 Park Quadrant GLASGOW G3 6HS

DPO's Ref: [HUGH MELVIN]
PPO's Ref; []

The above FULL application should be granted subject to the following conditions.

- (1) Prior to any works commencing on site, the developer shall submit to, and have approved by the Planning Authority, samples of the reconstituted stone and render to be used in the external wall finishes of the proposed dwellinghouses. The material to be used shall be compatible with the local architecture and sympathetic to the character of Sorn Conservation Areas.

REASON – In the interests of visual amenity.

- (2) Prior to any works commencing on site, the developer shall submit to, and have approved by the Planning Authority, a sample of the material to be used in the roof finish of the proposed dwellinghouses and garages. The roofs shall be finished in natural slate or slate size, flat grey tiles which shall be compatible with the local architecture and sympathetic to the character of Sorn Conservation Areas.

REASON – In the interests of visual amenity.

- (3) Prior to works commencing on site, the developer shall submit to, and have approved by the Planning Authority, details of the design and construction of all walls and fences to be erected on the site.

REASON – In the interests of visual amenity.

- (4) The windows of the proposed dwellinghouses shall be of timber construction, traditionally proportioned sash and case windows, or windows with an appearance similar to this arrangement.

REASON – In the interests of visual amenity.

- (5) The two trees within the site, as shown on the approved plans (Drawing No. MDC/00/15-RevA), shall be retained and no operations shall be carried out on site until chestnut pale fencing of a height not less than 1.2 metres has been erected around the trees. The fencing shall enclose either:-

- a) the area described by the limit of the spread of the branches of the tree; or
- b) a radius of 5 metres from the trunk of the tree, whichever is the greater.

Such fencing shall be maintained during the course of the development, and no storage, site structure, parking or any other operation shall be permitted within the area enclosed.

REASON – In the interests of visual amenity.

- (6) A 1.5 metres wide footway, constructed to East Ayrshire Council's Roads Division standards and to the satisfaction of the Planning Authority, shall be provided along the frontage of the development site. The footway shall be fully completed prior to the occupation of any of the proposed dwellinghouses which the footway will serve.

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

- (7) Visibility splay areas of 2 metres by 20 metres shall be provided at all access crossings, with no object greater than 1 metre in height being allowed within these areas.

REASON – In the interests of public road safety.

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

REASON – In the interests of public road safety.

- (9) Prior to the occupation of each house, the private access driveways shall be paved for a minimum distance of 2 metres from the rear of the public footway.

REASON – To prevent any overcarry of loose material onto the public road in the interests of public road safety.

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

REASON – In the interests of public road safety.

- (11) Access to the plots shall be taken via a footway crossing to East Ayrshire Council's Roads Division standards, and to the satisfaction of the Planning Authority.

REASON – In the interests of public road safety.

- (12) The proposed mullions on the front elevation shall be of brick construction and rendered to match the surrounding wall of the dwellinghouse.

REASON – In the interests of visual amenity.

NOTE

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. Prior to any works commencing on site, the applicant must contact West of Scotland Water Authority with respect to the protection or diversion of the main sewer which lies within the application site and may be affected by the proposed development.

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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