

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE : 10 AUGUST 2001

01/0327/FL : PROPOSED ERECTION OF 2 SEMI-DETACHED BUNGALOWS, 2 SEMI-DETACHED VILLAS AND 1 DETACHED VILLA AT PLOTS 4, 4A, 17, 19 AND 21 PRIMPTON AVENUE, DALRYMPLE

BY ECOSSE HOMES

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 Full planning permission is sought for the erection of two semi-detached villas on Plots 4 and 4a, two semi-detached bungalows on Plots 17 and 19 and a detached villa on Plot 21. The applicant proposes to externally finish the two semi-detached villas with a white render on the front elevation, buff facing brick to the rear and sides and grey concrete roofing tiles to reflect the finishes of the existing, adjacent dwellinghouses. It is proposed that the two semi-detached bungalows and the detached villa will be externally finished with buff facing brick and stone quoins, again reflecting the external appearance of adjacent dwellings. On Plots 17, 19 and 21, the applicant proposes the use of grey concrete tiles.

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 paragraph 5.1 in the report, the proposed development is considered to be in accordance with the development plan. Therefore, given the terms of Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997, the application should be approved unless material considerations indicate otherwise. As indicated at paragraphs 6.3 and 6.4 in the report, there are material considerations relevant to this application, but in this regard the EALP is also supportive of the proposed development.

3.2 The external construction materials which the applicant proposes to use, are consistent with those used on other dwellings within the larger site, with the exception of the roofing materials proposed to be used on plots 17, 19 and 21. This can be addressed through the inclusion of conditions on the planning permission should the application be approved.

3.3 No adverse consultation responses have been received in respect of the application.

3.4 The point of objection relating to loss of light has been considered and is not considered to be of an extent that would justify a refusal of the application.

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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01/0327/FL : PROPOSED ERECTION OF 2 SEMI-DETACHED BUNGALOWS, 2 SEMI-DETACHED VILLAS AND 1 DETACHED VILLA AT PLOTS 4, 4A, 17, 19 AND 21 PRIMPTON AVENUE, DALRYMPLE

BY ECOSSE HOMES

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 application is of local area significance and is subject to an objection.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site consists of two separate parcels of land in Primpton Avenue, Dalrymple. The section of Primpton Avenue, within which the plots lie, is a relatively well established, although incomplete, residential development, construction having begun approximately 10 years ago.

2.2 The application site forms part of a larger site granted full planning permission (CD/90/34) for the erection of 51 dwellinghouses on 10 June 1990. Under that consent, one 2-storey detached villa was approved on Plots 4 and 4A and two 2-storey detached villas were approved on Plots 17, 19 and 21.

2.3 Plots 4 and 4A lie in close proximity to the entrance to Primpton Avenue from Burnton Road, between existing two-storey dwellinghouses and a site which has been recently granted planning permission (01/0183/FL) for the erection of a single storey dwellinghouse. The plots are relatively flat and lie below the level of the road surface. They are presently in an overgrown state and the foundations of an unfinished dwellinghouse straddle both plots.

2.4 Plots 17, 19 and 21 lie at the western end of Primpton Avenue, adjacent to the Primpton Burn. Immediately to the east of Plot 17 lies an existing two-storey dwellinghouse. To the east of the site, beyond the Primpton Burn lies a site which is the subject of another application for planning permission (00/0836/FL) for the erection of 61 dwellinghouses. Again, the plots are relatively flat, lie below the level of the road surface and are in an overgrown state. The foundations of an unfinished dwellinghouse straddle two of the three plots.

2.5 **Proposed Development:** Full planning permission is sought for the erection of two semi-detached villas on Plots 4 and 4a, two semi-detached bungalows on Plots 17 and 19 and a detached villa on Plot 21. The applicant proposes to externally finish the two semi-detached villas with a white render on the front elevation, buff facing brick to the rear and sides and grey concrete roofing tiles to reflect the finishes of the existing, adjacent dwellinghouses. It is proposed that the two semi-detached bungalows and the detached villa will be externally finished with buff facing brick and stone quoins, again reflecting the external appearance of adjacent dwellings. On Plots 17, 19 and 21, the applicant proposes the use of grey concrete tiles.

3. CONSULTATIONS AND ISSUES RAISED

3.1 East Ayrshire Council Roads and Transportation Division has no objection to the proposed development, subject to conditions in respect of the standard and construction of each driveway, the provision of in-curtilage car parking, the location of any garages and access gates.

Should the application be approved, appropriate conditions in respect of the above could be included in the planning consent.

3.2 The West of Scotland Water Authority has no objection to the proposal, subject to operational requirements being met.

Should the application be approved, a note, advising the applicant to make early contact with the West of Scotland Water Authority, can be attached to the planning permission.

3.3 The Scottish Environment Protection Agency has no objection to the proposal, provided drainage arrangements are to its satisfaction.

Should the application be approved, a note advising the applicant to make early contact with Scottish Environment Protection Agency, can be attached to the planning permission.

3.4 The Coal Authority has no objection to the proposal.

Noted.

3.5 Dalrymple Community Council has not responded to the consultation letter at the time of writing.

Noted.

4. REPRESENTATIONS

4.1 One letter of objection has been received from the occupier of the dwellinghouses adjacent to Plot 17. The grounds of objection can be summarised as follows:-

4.2 In periods of heavy rain, the Primpton Burn overflows and the part of the site comprising plots 17 through 21 often fills with water. The objector is concerned that this water would be displaced onto her property should the houses be built.

It is not considered appropriate to require the applicant to undertake a flood risk assessment and to submit details of a flood alleviation measures, prior to the determination of the application, given that each of the plots have been granted planning permission for the erection of dwellinghouses in the past and that they form part of a larger residential development. In this instance, it is ultimately the responsibility of the applicant to ensure that the development is carried out safely, without increasing any risk of flooding to adjacent properties. It is therefore considered that should the application be approved, a note, in that respect, can be attached to the planning permission.

4.3 The erection of three properties on a plot which had permission for two is excessive.

This point relates to the erection of 3 dwellinghouses on Plots 17, 19 and 21, a site which, under the previous planning permission, was divided into only two plots. Nevertheless, it is considered that, should three dwellinghouses be erected on part of the site, there would be ample room for the minimum private open space standards within each of the three plots. It is therefore considered that the erection of three dwellinghouses on Plots 17, 19 and 21 would not bring about a reduction in visual amenity and would not constitute overdevelopment of the site.

4.4 The close proximity of the semi-detached bungalow to the objector's property would reduce the amount of light entering the objector's kitchen and family room.

The gable wall of the proposed semi-detached bungalow is shown to lie 8 metres from the objector's kitchen window and 6 metres from the family room window. The height of the gable to the apex is 5.5 metres. Whilst the dwelling, approved under the previous consent on the plot would have been located approximately 10 metres from the objector's property, it nevertheless, would have been 8 metres high. It is therefore considered that, given the height of the proposed bungalow and its distance from the adjacent dwelling, any reduction in light would not occur to an extent that would justify a refusal of the planning permission. It is

further considered that any reduction in light would not occur to a greater extent than had the dwelling approved under the previous consent been constructed.

4.5 Concern that a further reduction in light to the objector's property could be brought about should, at a later date, a garage or other structure be built adjacent to the objector's boundary.

The Town and Country Planning (General Permitted Development) Order 1992 provides that a domestic garage or other structure up to 24 square metres in floor area could be built adjacent to the objector's property without the requirement of planning permission. Given that the objector's kitchen and family room windows lie only 4 metres and two metres respectively from the boundary of the site, any further structure subsequently erected within the application site, adjacent to the objector's windows would bring about a significant reduction in light. It is therefore considered that, should the application be approved, a condition could be included on the planning permission removing the permitted development rights of plot 17.

4.6 The concern that the close proximity of the semi-detached bungalow to the objector's property would prevent the dispersion of emission's from the objector's gas flue.

This is not a planning consideration, but advice from the Building Control Division confirms that there would be no problem in this respect.

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 is the Adopted Dalrymple/Patna/Dalmellington Local Plan.

5.2 Notwithstanding the age of the Adopted Local Plan, the proposal would fall to be determined with regard to Policy 4 which states that private housing will be encouraged within identified housing sites.

It is considered that the proposal is in accordance with the site's designation for residential development and with Policy 4 of the Adopted Dalrymple/Patna/Dalmellington Local Plan.

6. ASSESSMENT AGAINST OTHER MATERIAL CONSIDERATIONS

6.1 The other principal material considerations relevant to the determination of this application are the East Ayrshire Local Plan (Finalised Version with Modifications) 2001 and the letter of objection assessed in Section 4 above.

6.2 The Adopted Local Plan is considerably out of date and therefore it is considered appropriate that greater weight should be attached to more recent expressions of policy. The Council has agreed that the East Ayrshire Local Plan (Finalised Version with Modifications), (EALP) should be considered as a prime material consideration.

6.3 The application site lies within the settlement boundary of Dalrymple as defined in the EALP. Policy RES4 of the EALP (Finalised Version with Modifications) states that:-

Within settlement boundaries, the Council will positively encourage the sympathetic residential development of gap, infill or other redevelopment sites not specifically safeguarded or identified for particular development purposes on the Local Plan maps. Developments will be assessed against the following criteria:-

- (i) *impact on the surrounding natural and built environment and adjacent uses;*

As noted above, it is not considered that the proposed development would have any negative impact on the surrounding environment to an extent which would justify a refusal of the application.

- (ii) *transportation and infrastructure implications;*

The proposal has no adverse transportation or infrastructure implications.

- (iii) *compatibility with surrounding densities and housing types; and*

It is considered that the proposal is compatible with surrounding housing densities. Given the proposed external finishes, it is considered that the dwellings proposed for plots 4 and 4a are compatible with surrounding house types. Nevertheless, it is considered that, the use of grey concrete roofing tiles on plots 17, 19 and 21 is inappropriate given that, the adjacent, existing dwellings in that part of the site have natural slate roofs and that the Planning Authority has insisted on the use of natural slate in dwellings built later on that part of the site. It is therefore considered that, should the application be approved, conditions should be included on the planning permission which do not approve the use of grey concrete tiles on plots 17, 19 and 20 and which require the submission and approval of a more suitable roofing material prior to any work commencing on site.

- (iv) *compliance with the Council's Development Promotion and Design Guidance.*

It is considered that the proposed development is compatible with the Design Guidance.

6.4 Policy RES21 of the EALP states that the garden ground of detached dwellings should consist of an area of private open space at least 1.5 times the ground floor area of the dwellinghouse (minimum 100 square metres).

The proposal is considered to be consistent with the above requirements and with policy RES21.

6.5 **Planning History:** The site formed part of a larger site granted full planning permission (CD/90/34) on 10 May 1990 for the erection of 51 dwellinghouses.

7. FINANCIAL OR LEGAL IMPLICATIONS

7.1 There are no financial or legal implications for the Council in determining this application.

8. CONCLUSIONS

8.1 As indicated in paragraph 5.1 above, the proposed development is considered to be in accordance with the development plan. Therefore, given the terms of Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997, the application should be approved unless material considerations indicate otherwise. As indicated at paragraphs 6.3 and 6.4 above, there are material considerations relevant to this application, but in this regard the EALP is also supportive of the proposed development.

8.2 The external construction materials which the applicant proposes to use, are consistent with those used on other dwellings within the larger site, with the exception of the roofing materials proposed to be used on plots 17, 19 and 21. This can be addressed through the inclusion of conditions on the planning permission should the application be approved.

8.3 No adverse consultation responses have been received in respect of the application.

8.4 The point of objection relating to loss of light has been considered and is not considered to be of an extent that would justify a refusal of the application.

9. RECOMMENDATION

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

30 July 2001
DS/SMB
FV/DVM

LIST OF BACKGROUND PAPERS

1. Application form and Plans
2. Statutory notices and certificates
3. Consultation responses
4. Letter of representation
5. Adopted Dalmellington/ Patna/ Dalrymple Local Plan
6. East Ayrshire local Plan (Finalised Version with Modifications)
7. Previous application CD/90/34.
8. Approved Ayrshire Joint Structure Plan.

Anyone wishing to inspect the background papers listed above should contact Mr Derek Scott on 01563 555483.

Implementation Officer : Dave Morris

Location	4, 4A, 17, 19 and 21 Primpton Avenue, DALRYMPLE
Nature of Proposal:	Proposed erection of 2 semi-detached bungalows, 2 semi-detached villas and one detached villa
Name and Address of Applicant:	Ecosse Homes, Unit 5, Mill Road Industrial Estate LINLITHGOW EH49 7SY
Name and Address of Agent	Mr William C Tait 20 Corserine Road AYR KA7 4HN

DPO's Ref: Derek Scott]
PPO's Ref; [

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

1. The access to each of the plots shall be by means of standard footway crossing constructed in accordance with the East Ayrshire Council Roads Development Guide 1996.

REASON – In the interests of public road safety.

2. There shall be no obstruction to visibility above 1 metre in height along the frontage of each plot.

REASON – In the interests of public road safety.

3. Each driveway shall be paved for a minimum distance of 2 metres from the rear of the footway to ensure that no surface water discharges or loose material is carried out onto the public road.

REASON – In the interests of public road safety.

4. Notwithstanding any specification on the approved plans or application form, each driveway shall not be less than 4.8 metres in length by 2.5 metres wide.

REASON – In the interests of public road safety.

5. The gradient of each driveway shall not exceed 1:10.

REASON – In the interests of public road safety.

6. Any access gates shall open inwards only, away from the public road.

REASON – In the interests of public road safety.

7. Prior to the occupation of each of the dwellinghouses, 2 in-curtilage car parking spaces shall be provided and thereafter maintained within the site.

REASON – In the interests of public road safety.

8. Notwithstanding the provisions of Condition 7 above, or of the Town and Country Planning (General Permitted Development) Order 1992, no garage, extension or other structure shall be erected within plot 17 without the prior approval of the Planning Authority.

REASON – In the interests of residential amenity.

9. Notwithstanding any specification on the approved plans or application form, the external roofing materials proposed for plots 17, 19 and 21 are not hereby approved. The external roofing materials for plots 17, 19 and 21 shall be natural slate or another alternative, similar in appearance and shall be agreed by the Planning Authority in writing before any work commences on site

REASON – In the interests of visual amenity.

10. Before any work commences on site, samples of all external construction materials shall be submitted to and approved by the Planning Authority.

REASON – In the interests of visual amenity.

11. Notwithstanding any specification on the approved plans or application form, 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 work commences on site.

REASON – in the interests of visual amenity.

NOTES TO APPLICANT:-

1. The approval of this planning application does not indicate the absence of any flood risk. The applicant should note that NPPG7: Planning and Flooding, provides that the approval by the Planning Authority of any planning application does not affect the liability position of developers or owners.
2. The applicant is advised to make early contact with the West of Scotland Water Authority, 3 Glenburn Road, Prestwick KA9 2NS, with regard to water supply and drainage.
3. The applicant is advised to make early contact with the Scottish Environment Protection Agency, 2 Alloway Place, Ayr KA7 2AA with regard to drainage.
4. All drainage requirements shall comply with the requirements of the Scottish Environment Protection Agency.

AGENDA