

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE – 01 DECEMBER 2000

00/0592/OL: PROPOSED OUTLINE PLANNING PERMISSION FOR A ONE AND A HALF STOREY DWELLINGHOUSE WITH SINGLE GARAGE AND SHARED DRIVEWAY AT PLOT 1, SITE OF FORMER CATRINE HOUSE, NEAR MAUCHLINE

APPLICATION BY MR. R. W. TEMPLETON

EXECUTIVE SUMMARY

1. DEVELOPMENT DESCRIPTION

1.1 Outline planning permission is sought for the erection of a one and a half storey dwellinghouse on the site dwellinghouse on the site. No details of the design of the proposal have been submitted at this outline stage. The applicant has submitted a layout plan, outlining the proposed position of the house and the proposed access which is to be shared and will serve as access for a further dwellinghouse proposed under application 00/0591/OL (Plot 2) which is also being presented to this Committee for determination. It is proposed to fell one dead tree within the site to accommodate the proposed dwellinghouse. Part of the development site is to be regraded to infill the area of cut to road level.

2. RECOMMENDATION

2.1 It is recommended that the application be refused on the grounds listed on the attached sheet.

3. SUMMARY OF ANALYSIS

3.1 In terms of the East Ayrshire Local Plan, Finalised Version, the proposed development is located in the rural protection area, where residential development shall only be permitted where this meets a demonstrated specific locational need, can be justified in terms of social and economic benefit, contributes to rural diversification or provides for the operational needs of agriculture or forestry. In this case, the proposed development cannot be justified in those terms and consequently, it is contrary to the policy provisions of the East Ayrshire Local Plan, Finalised Version (Policies SD3 and RES13) and the approved Ayrshire Joint Structure Plan (Policy G5).

3.2 Although there are no consultee or other objections to the proposed development of a dwellinghouse, the proposed development if approved would set an unacceptable precedent for new housing within the Rural Protection Area where there is no demonstrated specific locational need.

3.3 The applicant seeks to justify the proposed development on the basis that it is an enabling development to allow for development of the existing caravan park at the former Catrine House site. However, this is not considered on its own to be justification for a departure from policy. No financial information has been submitted by the applicant in this respect. Although the development proposals are in outline only, there is no indication of the extent or cost of caravan park works or of the contribution this proposal would make towards such works.

Alan Neish
Head of Planning & 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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APPLICATION BY MR. R. W. TEMPLETON

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 the proposed development is contrary to policy and is recommended for refusal.

2. APPLICATION DETAILS

2.1 The site lies on the north side of the Uc 35 Road (Old Howford Road), approximately 2 miles south east of Mauchline and 1 mile south west of Catrine. The site lie some 530 metres west of the junction of the Uc35 Road with the A76(T) Auchinleck – Mauchline Road. The site forms part of the lands associated with the former Catrine House and lies immediately west of the Lodge House and south of the walled garden associated with Catrine House.

2.2 The site is relatively level, with a gentle slope falling from the walled garden to the Uc35 Road. There is a small area of cut within the development site and there is an existing sandstone wall fronting the plot, part of which is in a state of disrepair. There are a number of trees and bushes located within the development site. Although located in close proximity to the A76 trunk road, the site is relatively secluded in nature, due to the surrounding topography and tree cover. The proposed plot extends to approximately 0.2 hectare.

2.3 **Proposed Development:** Outline planning permission is sought for the erection of a one and a half storey dwellinghouse on the site dwellinghouse on the site. No details of the design of the proposal have been submitted at this outline stage. The applicant has submitted a layout plan, outlining the proposed position of the house and the proposed access which is to be shared and will serve as access for a further dwellinghouse proposed under application 00/0591/OL (Plot 2) which is also being presented to this Committee for determination. It is proposed to fell one dead tree within the

site to accommodate the proposed dwellinghouse. Part of the development site is to be regraded to infill the area of cut to road level.

3. CONSULTATIONS AND ISSUES RAISED

3.1 Catrine Community Council has not responded to the consultation letter.

Noted.

3.2 British Gas Transco, Scottish Power and the Coal Authority have no adverse comments to make on the proposed development.

Noted.

3.3 West of Scotland Water advise that there are no known sewers to which a connection may be made. If a septic tank is utilised it must be sited in such a manner as to allow easy access for emptying by tanker. A development of this type and size proposed can be serviced from an existing public water main located in the road adjacent to the site location. Separate application will have to be made for the provision of site water mains if required and service connections. Consultation should be made with WOSW regarding compliance with current byelaws and use of water for building purposes.

A note can be attached to any planning consent granted for the proposed development with regard to the above.

3.4 East Ayrshire Roads Division has no objections to the proposed development subject to conditions as follows:

- (i) Access to the site must be taken via an access crossing to East Ayrshire Roads Standards.
- (ii) A visibility splay of 2.5 metres by 90 metres will require to be formed and maintained at the left hand side of the access with no obstruction to visibility greater than 1 metre in height allowed within this area
- (iii) Parking spaces in accordance with the Roads Development Guide will require to be provided for the dwelling
- (iv) The private driveway will require to be paved for a minimum distance of 6 metres from the edge of the public road carriageway to prevent any overcarry of loose material onto the public road
- (v) Any gates should be set back a minimum of 6 metres from the edge of the carriageway and will require to open inwards away from the public road
- (vi) Access to and egress from the site will require to be taken in forward gear

3.5 The Scottish Environment Protection Agency advises that they have no objections in principle to the proposed development provided the drainage arrangements are to their satisfaction. In this regard the proposed septic tank and soakaway must be designed and constructed to meet with the relevant code of practice. This will require the applicant to carry out percolation tests to assess the suitability of the soil for effluent disposal. However, should the soil prove unsuitable for effluent disposal SEPA may allow a discharge of effluent to the nearest watercourse and consent will be required for this. Surface water should be excluded from the septic tank and soakaway system.

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

4. REPRESENTATIONS

4.1 No representations have been received with regard to the proposed development.

5. DEVELOPMENT PLAN STATUS

5.1 The relevant policy document is the East Ayrshire Local Plan, Finalised Version. The application site lies within the Rural Protection Area, and is affected by strategic development and residential policies.

5.2 Strategic Development Policy SD3 states that within the Rural Protection Area, development proposals relating to land outwith settlement boundaries will be acceptable to the Council where the development:-

- (i) comprises an acceptable form of residential use as detailed in Policy RES13 of the Local Plan; or
- (ii) can be fully justified in terms of site specific locational need; or
- (iii) can be fully justified in terms of social and economic benefit to the community; or
- (iv) contributes to rural land diversification; or
- (v) provides for the operational needs of agriculture or forestry.

The proposed development cannot be justified in terms of site specific locational need, nor has it been justified in terms of social and economic benefit to the community. The proposed dwellinghouse would not provide for the needs of agriculture or forestry. The provisions of Policy RES 13 are stated below.

5.3 Policy RES13 states that the Council will be supportive of residential development of houses in the Rural Protection Area only where it can be demonstrated that the houses are required on a permanent basis:

- (i) for an agricultural or forestry worker employed directly on the land to which the proposed house relates;

The proposed dwellinghouse is not required for such purposes.

- (ii) for a worker employed by a rural enterprise or a tourism related activity and where the requirement for that worker to live on the site is essential to the economic operation of the activity concerned;

The proposed dwellinghouse lies adjacent to an existing caravan site and an application has been received for the formation of a caravan park within the walled garden of the former Catrine House together with the conversion of a stable block to form a holiday cottage and ancillary facilities (Ref. No. 00/0589/OL). The proposed dwellinghouse would not however be for any worker associated with the operation of the caravan park. The applicant seeks to secure finance for the development of the caravan park through the sale of two housing plots. The present application is being promoted as an enabling development.

- (iii) as an essential and integral part of an authorised proposal which necessitates the provision of on-site staff accommodation;

The proposed dwellinghouse would not meet this policy criterion.

- (iv) as an enabling development for the conversion of a large rural residential or institutional Listed Building as detailed in Policy RES 8.

The proposed dwellinghouse is being promoted by the applicant as an enabling development but it does not relate to the conversion of a large rural residential or institutional Listed Building.

5.4 In terms of the adopted Catrine and Sorn Local Plan, the application lies within the Remoter Rural Area where there is a presumption in favour of small scale residential development in the countryside except where there would be a detrimental effect on the landscape character of the area of Local Landscape Significance.

It is considered that the development of an appropriately designed dwellinghouse at this location would not have a significant detrimental effect on the Area of Local Landscape Significance. However, for the purposes of assessing development, the Council has determined that the East Ayrshire Local Plan, Finalised Version has precedence over the adopted local plan in terms of planning policy and is the main local plan policy base.

5.5 In terms of the Ayrshire Joint Structure Plan, Policy G5 states that development proposals in the Rural Protection Area shall normally be limited to the use of land within settlements. Outside settlements development proposals shall conform to the structure plan only where the development:

- (a) has a demonstrated site specific locational need
- (b) can be justified in terms of social and economic benefit to the community
- (c) contributes to rural land diversification or
- (d) provides for the operational needs of agriculture or forestry.

See response to 5.2 above.

6. OTHER PLANNING CONSIDERATIONS

6.1 The applicant has provided a statement of support for the application indicating that the financial viability of the proposed caravan park and associated developments (Ref. No. 00/0589/OL) is dependent on consent being granted for the proposed house plots. Justification for this request is given on the basis that if planning permission is granted for caravan park facilities then the combination of the existing lodge, cottage, upgraded courtyard/stable block plus proposed dwellings and enhanced caravan park facilities could all be considered as a small hamlet in the countryside.

The proposed dwellinghouses are essentially promoted as an enabling development to finance the formation of the new caravan park with upgraded facilities. However, the current business is established and the applicant has ownership of the existing Lodge House. Other than the financing of the caravan park proposals, there is no justification for the two dwellings proposed.

6.2 If the Committee are minded to approve this application, then it would require to be submitted for determination by the Development Services Committee under the scheme of delegation, as it constitutes a significant departure from the development plan.

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, the proposed development is located in the rural protection area, where residential development shall only be permitted where this meets a demonstrated specific locational need, can be justified in terms of social and economic benefit, contributes to rural diversification or provides for the operational needs of agriculture or forestry. In this case, the proposed development cannot be justified in those terms and consequently, it is contrary to the policy provisions of the East Ayrshire Local Plan, Finalised Version (Policies SD3 and RES13) and the approved Ayrshire Joint Structure Plan (Policy G5).

8.2 Although there are no consultee or other objections to the proposed development of a dwellinghouse, the proposed development if approved would set an unacceptable precedent for new housing within the Rural Protection Area where there is no demonstrated specific locational need.

8.3 The applicant seeks to justify the proposed development on the basis that it is an enabling development to allow for development of the existing caravan park at the former Catrine House site. However, this is not considered on its own to be justification for a departure from policy. No financial information has been submitted by the applicant in this respect. Although the development proposals are in outline only, there is no indication of the extent or cost of caravan park works or of the contribution this proposal would make towards such works.

9. RECOMMENDATION

9.1 It is recommended that the application be refused on the grounds listed on the attached sheet.

Alan Neish
Head of Planning and Building Control

20 November 2000
HM/HM
FV/DVM

LIST OF BACKGROUND PAPERS

1. Application form and plans.
2. Statutory Notices and Certificates.
3. Consultation Responses.
4. East Ayrshire Local Plan Finalised Version.
5. Catrine and Sorn Local Plan.
6. Ayrshire Joint Structure Plan.
7. Applications 00/0589/OL and 00/0591/OL.

Any person wishing to inspect the background papers listed above should contact Mr. Hugh Melvin on 01563 555481.

Implementation Officer : Dave Morris

Location	Plot 1, Site of former Catrine House, Near Mauchline
Nature of Proposal:	Outline planning permission for the erection of a one and a half storey dwellinghouse with single garage and shared driveway
Name and Address of Applicant:	Mr. R. W. Templeton Syke Farm Mauchline KA5 5JT
Name and Address of Agent	Robert Potter and Partners 7 Miller Road, AYR KA7 2AX

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

The above **OUTLINE** application should be refused on the following grounds:

- (1) The proposed development would constitute the erection of a new dwellinghouse in the countryside which:-
- a) does not have a demonstrated site specific locational need;
 - b) cannot be justified in terms of social and economic benefit to the community;
 - c) does not contribute to the rural land diversification;
 - d) does not provide for the operational needs of agriculture and forestry.

The proposed development would therefore not be in accordance with Policies SD3 and RES13 of the East Ayrshire Local Plan Finalised Version and Policy G5 of the approved Ayrshire Joint Structure Plan.

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VIEWING PLEASE CONTACT (01563) 555320.**

AGENDA

