

## **EAST AYRSHIRE COUNCIL**

**SOUTHERN LOCAL PLANNING COMMITTEE : 02 FEBRUARY 2001**

**00/0807/FL : PLOT 1A - ERECTION OF EAGLESHAM (HANDED); PLOT 1B ERECTION OF FISHERTON; PLOT 1C - ERECTION OF EAGLESHAM HOUSE TYPE AT PLOTS 1A, 1B AND 1C, BENSTON PARK, DALRYMPLE BY HOPE HOMES (SCOTLAND)**

### **EXECUTIVE SUMMARY SHEET**

#### **1. DEVELOPMENT DESCRIPTION**

1.1 Planning permission is sought, as an amendment to planning permission 00/0264/FL, for the erection of 2, two-storey four-bedroom detached dwellinghouses and 1 two-storey three-bedroom detached dwellinghouse. Each of the dwellings have integral garages. The applicant proposes to externally finish the walls of each of the dwellings with a combination of white painted render and stone. The use of grey concrete roof tiles is also proposed. The three dwellinghouses continue a line of existing dwellings (approved under 000/0264/FL) which lie adjacent to the site. It is proposed that the three dwellings will replace a single larger dwelling which was previously approved under 00/0264/FL and which has not been constructed.

#### **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 at paragraph 5.1 above, the proposed development is considered to be 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. As indicated at paragraphs 6.3 and 6.4 above, there are material considerations relevant to this application, but in this regard the East Ayrshire Local Plan (Finalised Version) 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.

3.3 No adverse consultation responses or objections have been received in respect 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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### 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 at the request of an Elected Member.

#### 2. APPLICATION DETAILS

2.1 **Site Description:** The site forms part of a larger site which lies adjacent to the B742 at the entrance to Dalrymple. The larger site was granted planning permission 00/0264/FL on 16 June 2001 for the erection of 43 dwellinghouses and is presently being developed by the applicant. The application site relates to one of the plots within the larger site and measures some 0.103 hectares in area. It has been split into three separate plots for the purposes of this application. The site is generally level.

2.2 **Proposed Development:** Planning permission is sought, as an amendment to planning permission 00/0264/FL, for the erection of 2, two-storey four-bedroom detached dwellinghouses and 1 two-storey three-bedroom detached dwellinghouse. Each of the dwellings have integral garages. The applicant proposes to externally finish the walls of each of the dwellings with a combination of white painted render and stone. The use of grey concrete roof tiles is also proposed. The three dwellinghouses continue a line of existing dwellings (approved under 000/0264/FL) which lie adjacent to the site. It is proposed that the three dwellings will replace a single larger dwelling which was previously approved under 00/0264/FL and which has not been constructed.

#### 3. CONSULTATIONS AND ISSUES RAISED

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

***Noted.***

3.2 East Ayrshire Council's Roads and Transportation Division has no objection to the proposal subject to the conditions of the previous planning permission, 00/0264/FL being reiterated on any consent, insofar as they relate to this development.

***Conditions relating to the standard and construction of the driveways and visibility could be included on the planning permission in the event permission is granted.***

3.3 The West of Scotland Water Authority, the Coal Authority and Scottish Power have no objection to the proposal.

***Noted.***

3.4 British Gas Transco has no objection to the proposal provided its plant is safeguarded during construction.

***An appropriate note, advising the applicant to make early contact with British Gas Transco, could be attached to the planning permission in the event permission is granted.***

#### **4. REPRESENTATIONS**

4.1 No representations have been received in respect of this application.

#### **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 (1989).

5.2 Notwithstanding the early date of the Adopted local Plan, the proposal would fall to be considered against 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 consideration relevant to the determination of the application is the East Ayrshire Local Plan (Finalised Version) 1999.

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) should be considered as a prime material consideration.

6.3 The application site forms part of a larger site identified for residential development within the East Ayrshire Local Plan. Policy RES1 of the East Ayrshire Local Plan encourages and supports residential development within identified housing sites.

***The proposal is considered to be consistent with the site's designation for residential development and with Policy RES1 of the East Ayrshire Local Plan.***

6.4 Policy RES21 of the East Ayrshire Local Plan (Finalised Version) is also of relevance. Policy RES21 states that the garden ground of detached dwellings should comprise an area of private open space of 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 of the East Ayrshire Local Plan (Finalised Version).***

6.5 Full planning permission (CD/90/34) was granted on 10 May 1990 for the erection of 51 dwellinghouses.

***The 51 dwellings were never completed by the developer. Part of this larger site has been developed by individuals on a plot by plot basis whilst the remainder forms the Benston Park site.***

6.6 Full planning permission (98/0499/FL) was granted on 18 February 2000 for the erection of 43 dwellings on the Benston Park site of which the application site forms a part.

***Noted.***

6.7 Planning permission 98/0499/FL was amended in respect of the house types under planning permission 00/0264/FL, which was granted on 16 June 2000.

***Noted***

## **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 at paragraph 5.1 above, the proposed development is considered to be 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. As indicated at paragraphs 6.3 and 6.4 above, there are material considerations relevant to this application, but in this regard the East Ayrshire Local Plan (Finalised Version) 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.

8.3 No adverse consultation responses or objections have been received in respect 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

19 January 2001  
(DS/SMB)  
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. Adopted Dalrymple/Patna/Dalmellington Local Plan
6. Adopted Ayrshire Joint Structure Plan

Anyone wishing to inspect the above papers please contact Derek Scott on 01563 555485.

**Implementation Officer : Dave Morris**

Application no: 00/0807/FL

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Location	Plots 1A, 1B, 1C Benston Park DALRYMPLE
Nature of Proposal:	Plot 1A - erection of Eaglesham (handed); Plot 1B - erection of Fisherton; Plot 1C - erection of Eaglesham house type.
Name and Address of Applicant:	Hope Homes Scotland Watson Terrace, DRONGAN
Name and Address of Agent	

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

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

1. No construction or preparation works shall take place on site before 0800 hours and after 1800 hours on Mondays to Fridays, before 0800 hours and after 1200 hours on Saturdays and at anytime on Sundays.

REASON - In the interests of residential amenity.

2. Prior to the occupation of any of the dwellinghouses, the driveways shall be paved for a minimum distance of 2 metres from the rear of the footway to avoid overcarry of loose materials onto the public road.

REASON - In the interests of road safety.

3. Prior to the occupation of either of the dwellinghouses, a 1.5 metre wide kerbed pedestrian footway shall be formed along the frontage of the site adjacent to the B742.

REASON - In the interests of road safety.

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

REASON - In the interests of road safety.

5. Prior to the commencement of any work on site, samples of all external materials to be used in the construction of the dwellinghouses shall be submitted to and approved by the Planning Authority.

REASON - In the interests of visual amenity.

6. The existing hawthorn hedge along the southern boundary of the site shall be retained intact and maintained thereafter to the satisfaction of the Planning Authority. Any reduction in the height of the hedge shall be agreed in writing with the Planning Authority prior to any such works commencing.

REASON - In the interests of visual amenity.

7. Prior to the commencement of any work on site, details of the design and construction of all fences and walls to be erected within the site shall be submitted to and approved by the Planning Authority.

REASON - In the interests of visual amenity.

8. No mechanical excavation shall take place within 500mm of British Gas Transco plant.

REASON - In the interests of public safety.

9. Prior to the occupation of any of the dwellinghouses, a 1metre high mesh fence shall be erected along the southern boundary of the site adjacent to the existing hawthorn hedge.

REASON - To prevent access to Burnton Road by pets and children.

NOTES:-

1. Prior to the commencement of development of the site, the applicant shall satisfy him/herself as to the suitability of the site for construction purposes.
2. The developer shall make early contact with British Gas Transco (0141 418 4084) to discuss the protection or diversion of plant within the site, prior to commencement of works on site.
3. The developer shall make early contact with the West of Scotland Water, 35 Glenburn Road, Prestwick KA9 2NS, regarding water supply and connection to the public sewer.

**DUE TO ORDNANCE SURVEY REGULATIONS AND COPYRIGHT  
THE MAP IS AVAILABLE FOR VIEWING AT THE COUNCIL'S  
PLANNING OFFICE IN LUGAR. FOR INFORMATION ON  
VIEWING PLEASE CONTACT (01563) 555320.**

**AGENDA**