

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE : 17 MARCH 2000

00/0032/FL : ERECTION OF 12 DWELLINGHOUSES, SHIELD MEADOW,
PHASE 2, DRONGAN
APPLICATION BY HOPE HOMES SCOTLAND

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 because it is a larger application which accords with the Development Plan and is of Area significance.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site is located on the western boundary of Drongan. It lies to the west of Ladies Walk and is adjacent to the existing housing on Pettoch Road, Drongan. The site is bounded by Phase 1 of the development to the west, existing single-storey houses on Ladies Walk to the east, two-storey housing to the north, and a future development site to the south. The site is a field which slopes from north to south.

2.2 **Proposed Development:** The proposal involves the erection of 12 dwellinghouses and consists of the erection of 5 single-storey detached houses of 2 and 3 bedroom accommodation and 1 one and a half storey detached houses of 3 bedroom accommodation and 6 two-storey detached houses of 3 and 4 bedroom accommodation. The majority of the single-storey houses will be sited along the eastern boundary of the site. The application has been amended whereby two proposed houses along the eastern boundary have been removed from the application details under consideration. These were originally submitted as two-storey units and as such were incompatible with the Section 75 Legal Agreement in place, (see Section 6 below). These two plots will be the subject of a separate planning application. Materials proposed are facing brick and dry dash render and concrete roof tiles. Access to this part of the site will be from Mill of Shield Road. This is the second phase of the development, with the houses to the west receiving planning consent on 16 April 1999 for 18 houses and a play area.

3. CONSULTATIONS AND ISSUES RAISED

3.1 Scottish Power, The Coal Authority, East Ayrshire Council Environmental Health Division, Transco have no adverse comments to make on the proposed development.

Noted.

3.2 Scottish Environment Protection Agency have no objections provided the drainage arrangements are to their satisfaction. All foul drainage from the development must be connected to the public sewer to the satisfaction of West of Scotland Water.

Noted.

3.3 West of Scotland Water have advised that their permission should be sought to connect to the public sewerage system and a totally separate drainage system will be required. A development of the type and size proposed can be served from an existing public water main located in the street adjacent to the site location.

Noted.

3.4 Drongan Community Council have not responded to the consultation letter at the time of writing.

Noted.

3.5 East Ayrshire Council Roads and Transportation Division have no objections subject to conditions being applied regarding junction visibility splay areas, car parking, surfacing of driveways, the functioning of gates and the positioning of garages. The road details should comply with East Ayrshire Council's Roads Development Guide 1996.

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

4. REPRESENTATION

One letter of representation has been received to the proposed development.

4.1 Concern is expressed about cars using the Ladies Walk as a shortcut to GlenCraig Street. As these new houses are going to be the start of a big estate and the entrance will be the bottom of the 'Walk' more people will now use the grass as a shortcut. Something will need to be done to stop the cars as they speed up it, and generally get stuck and waste the grass.

The proposed development will be serviced by a new access from Mill of Shield Road. The objector is concerned about an existing problem which is not relevant to the determination of this

planning application. A copy of the objector's letter has been passed to the Council's Roads Division for consideration.

5. DEVELOPMENT PLAN STATUS

5.1 The relevant policy document is the East Ayrshire Local Plan Finalised Version and the proposed site is identified for residential development.

The proposed development does not conflict with the policies of the above plan.

5.2 Within the Finalised Cumnock and Doon Valley District Wide Local Plan, the application site was also identified for residential development.

Noted.

5.3 The proposed application site is outwith the settlement boundary in terms of the Mauchline-Drongan Ochiltree Local Plan. In areas designated as Countryside Around Towns there is presumption against residential and other developments in the countryside except where there is a proven specific locational need.

The adopted local plan is out of date and the Council has agreed for development promotion purposes that more weight should be attached to the East Ayrshire Local Plan Finalised Version as a material planning consideration. This is the most up-to-date policy statement.

6. OTHER PLANNING CONSIDERATIONS

6.1 CD/96/0034/DPP: Planning consent was granted on 14 October 1996 for 45 dwellinghouses on the northern area of the site adjacent to Watson Terrace. A Section 50 Agreement (now Section 75 Agreement) covers the site which has planning consent for 45 houses and the present application site. It requires that the dwellinghouses erected within Phase 2 of the development site immediately adjacent to the western, southern and eastern perimeter boundaries of Phase 2 shall be single-storey and detached. The remainder of the dwellinghouses within Phase 2 of the development site shall be either single-storey or two storeys in height. No dwellinghouse within Phase 2 shall be greater than 2 storeys in height. The overall density of dwellinghouses within Phase 2 should reflect the overall density within Phase 1 and shall be no more than 8 dwellinghouses per acre gross.

The present application for 12 houses now complies with the terms of the Section 75 Agreement covering this site. The houses along the eastern boundary are single-storey in height. The remaining houses are single-storey, one and a half storey or 2-

storey in height. The overall density of the development is compatible with the terms of the Section 75 Agreement.

6.2 99/0053/FL : Erection of 18 dwellinghouses at Pettoch Road, Drongan approved by the Southern Local Planning Committee on 16 April 1999.

This development is presently being implemented on site. The site is adjacent to the present application site and access to the site is taken from Pettoch Road. A play area also formed part of the above proposals.

7. LEGAL AND FINANCIAL IMPLICATIONS

7.1 There are no financial implications for the Council in the determination of this application. Given that this application is consistent with the recorded Section 50 Agreement, no revision to the Agreement will be required if the application is approved.

8. CONCLUSIONS

8.1 The proposal is contrary to the policies of the Mauchline-Drongan Ochiltree Local Plan, but is within an identified housing site in terms of the East Ayrshire Local Plan Finalised Version which is the most up-to-date policy statement. The proposed housing will be compatible with the surrounding existing housing and will not have a detrimental impact in terms of overlooking. It is proposed that a 1.8 metre high screen fence is erected along the rear boundaries with all existing houses. It is considered that the design, density layout and use of finishing materials is acceptable and complies with the terms of the Section 75 Agreement for the site.

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

2 March 2000
PC/SMB
FV/DVM

LIST OF BACKGROUND PAPERS

1. Application form and plans.
Statutory notices/certificates.
2. Consultation responses.
3. Letter of representation.
4. Mauchline-Drongan, Ochiltree Local Plan.
5. Finalised Cumnock and Doon Valley District Wide Local Plan.
6. East Ayrshire Local Plan Finalised Version.
7. Planning Application Nos. CD/96/0034/DPP & 99/0053/FL

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

submitted to and approved by the Planning Authority before any development commences on site.

REASON – In the interests of visual amenity.

- (3) Notwithstanding the approved plans, a 1.8 metre high screen fence shall be erected along the northern and eastern boundaries of the site adjacent to the existing housing. Details of its design and location shall be submitted to and approved by the Planning Authority before development commences on the site, and shall be implemented prior to the occupation of any houses.

REASON – In the interests of residential amenity.

- (4) Notwithstanding the plans hereby approved, and the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, or any order or enactment replacing this, any garages associated with the development shall be of permanent construction and finished in the same materials as the dwellinghouses to which they relate and shall be set back a minimum distance of 6 metres from the rear of the footway.

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

- (5) Notwithstanding the approved plans, the two areas of public open space on either side of the visitor car parking spaces shall be incorporated as garden ground for Plot 23.

REASON – To ensure future maintenance of these areas.

- (6) Junction visibility splay areas of 2.5m by 35 metres shall be required at all internal road junctions with no object greater than 1 metre in height allowed within these areas.

REASON – In the interests of road safety.

- (7) Prior to the occupation of the houses, junction visibilities of 2.5m by 90 metres shall be required at the junction of Ladies Walk and no fencing or object over 1 metre in height shall be allowed within these areas.

REASON – In the interests of road safety.

- (8) Access to the site shall be taken via internal roads which comply with East Ayrshire Council Roads Development Guide 1996.

REASON – In the interests of road safety.

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

footway/edge of the public road carriageway to avoid overcarry of loose material onto the public road.

REASON – In the interests of road safety.

(10) Any gates shall require to open inwards away from the public road.

REASON – In the interests of road safety.

(11) Visitor and car parking spaces for each dwellinghouse shall be provided in line with the requirements of East Ayrshire Council Roads Development Guide 1996.

REASON – In the interests of road safety.

(12) No construction work and preparation works shall take place on site before 0700 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.

MAP

Due to Ordnance Survey Regulations and Copyright the map may be viewed at the Council's Planning Offices in Lugar. For information on viewing please telephone (01563 555320).

AGENDA