

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE : 05 JANUARY 2001

**00/0458/FL: PROPOSED ERECTION OF DWELLINGHOUSE, PLOT 6, GRASSMILLEES WAY,
MAUCHLINE**

APPLICATION BY MR G BELL

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 Planning permission is sought for the erection of a single storey, three-bedroom dwellinghouse on the site. The applicant proposes to externally finish the walls with a combination of facing brick and render and the roof with grey concrete tiles. As proposed, the north west corner of the dwellinghouse (in closest proximity to the road) would lie only 3 metres from the heel of the footway. The applicant also proposes to orientate the dwelling so that the main ridgeline of the roof would lie at 70° to the public road. Consequently, the principal elevation of the dwellinghouse faces the side elevation of an existing dwelling, which lies adjacent to the east. (This dwelling is presently owned and occupied by the applicant). The submitted plans show that the windows on the principal elevation of the proposed dwelling would overlook the windows on the side elevation of the existing dwelling to the east at a distance of only 6 metres. Another existing occupied dwelling lies on the adjacent site to the west.

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 It is considered that, whilst the proposed development is consistent with the designation of the site for residential development in the East Ayrshire Local Plan Finalised Version, it is nevertheless contrary to Policy RES21 of the Local Plan which seeks to ensure that adequate levels of open space are provided within developments.

3.2 The proposal also fails to comply with paragraph 2.9 of the Burnsland Nursery, Mauchline – Housing Design Guidance and with condition 12 of Reserved Matters planning permission (CD/92/302) for the road layout and plot demarcation.

3.3 Furthermore, the house type is considered to be ill suited to the plot, which has resulted in the awkward orientation of the proposed dwelling. Consequently, for the above reasons, it is considered that the proposed development would be detrimental to the visual and residential amenity of the Burnsland Nursery housing site.

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 & Building Control

1. PURPOSE OF REPORT

1.1 The purpose of this report is to present for determination an application for full planning permission under the Scheme of Delegation as the proposal is recommended for refusal.

2. APPLICATION DETAILS

2.1 **Site Description** : The site forms part of a larger site which lies on the former Burnsland Nursery on the south east edge of Mauchline, adjacent to the A76 and Catrine Road. The larger site was granted planning permission for the erection of 40 dwellinghouses (CD/92/302) in August 1992 and is presently being developed by individuals on a plot by plot basis and by Kings Homes. The application site relates to one of the plots within the larger site and measures some 480 square metres in area.

2.2 **Proposed Development** : Planning permission is sought for the erection of a single storey, three-bedroom dwellinghouse on the site. The applicant proposes to externally finish the walls with a combination of facing brick and render and the roof with grey concrete tiles. As proposed, the north west corner of the dwellinghouse (in closest proximity to the road) would lie only 3 metres from the heel of the footway. The applicant also proposes to orientate the dwelling so that the main ridgeline of the roof would lie at 70° to the public road. Consequently, the principal elevation of the dwellinghouse faces the side elevation of an existing dwelling, which lies adjacent to the east. (This dwelling is presently owned and occupied by the applicant). The submitted plans show that the windows on the principal elevation of the proposed dwelling would overlook the windows on the side elevation of the existing dwelling to the east at a distance of only 6 metres. Another existing occupied dwelling lies on the adjacent site to the west.

3. CONSULTATIONS AND ISSUES RAISED

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

Noted.

3.2 The Roads and Transportation Division has stated that it has no objection to the proposal subject to the inclusion of conditions on the planning permission, should the application be approved. These conditions relate to the construction and standard of the driveway and adjacent footway, visibility splays and in curtilage car parking.

Conditions in respect of the above can be attached to any consent granted for the proposed development.

3.3 The West of Scotland Water Authority has no objection to the proposal.

Noted.

3.4 Transco has no objection to the proposal subject to the safeguarding of its apparatus during construction.

A note can be attached to any consent granted for the proposed development with regard to the comment of Transco.

3.5 Scottish Power has no objection to the proposal.

Noted.

3.6 The Coal Authority has stated that reserves of coal exist in the locality which may be worked at some time in the future

Noted.

4. REPRESENTATIONS

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

5. DEVELOPMENT PLAN STATUS

5.1 The relevant policy document is the East Ayrshire Local Plan Finalised Version. The application site forms part of a larger site identified for residential development within the East Ayrshire Local Plan Finalised Version.

The proposal is considered to be consistent with the above designation.

5.2 The application requires to be determined with regard to Policy RES21 of the East Ayrshire Local Plan Finalised Version. Policy RES21 states that:

“All developers will require to observe the minimum open space criteria and standards detailed in Schedule 4 of the Local Plan”

Schedule 4 states that detached dwellinghouses should have an associated private garden area of at least 1.5 times the ground floor area of the house. The ground floor area of the proposed dwelling measures 150 square metres whilst the area of private garden ground to the rear and to the side of the dwelling measures 189 square metres. The proposal is therefore considered to be contrary to the requirements of Policy RES21 in that the minimum area of private garden ground of 225 square metres cannot be provided. This is not considered to be in the best interests of residential amenity. Notwithstanding this, it should be noted that this requirement has been relaxed on various occasions within this development.

5.3 Paragraph 2.9 of the Council’s Burnsland Nursery, Mauchline – Housing Design Guidance states that:

“Each dwellinghouse shall have a building line of between six and ten metres from the heel of the footway”

As has been noted above, the dwelling is positioned only 3 metres from the heel of the footway (at its closest point). It is therefore considered that the proposal fails to comply with this aspect of the design guidance and would consequently be detrimental to the visual amenity of the area.

6. OTHER PLANNING CONSIDERATIONS

6.1 Planning application CD/92/302: Approval of Reserved Matters for Road Layout and Demarcation of 40 House Plots at Burnsland Nursery, Catrine Road, Mauchline, was granted with conditions on 20 December 1994. Condition 4 of that permission states:

“That each dwellinghouse shall have a building line of at least six metres from the footway and/or service strip and all front elevations and roof ridgelines shall face and be parallel to the access road serving the plot.”

The proposal is not considered to be consistent with the conditions of the Reserved Matters application for the road layout and demarcation of house plots in that the proposed dwelling would lie only 3 metres from the heel of the footway (at its closest point) and the main ridgeline and front elevation are not parallel to the access road. As has been noted above, this is not considered to be in the best interests of visual amenity.

6.2 It is further considered that the proposed house type is over-large and ill suited to the plot. This has resulted in the awkward orientation of the proposed dwelling where the windows of the principal elevation overlook the windows of habitable rooms on the side elevation of the adjacent dwelling. Furthermore, the side elevation (comprising two bedroom windows and a bathroom window) faces the public road. Again, this is not considered to be in the best interests of visual amenity.

6.3 The applicant has, however, stated that he is prepared to relocate one of the windows from the front to the side elevation and has submitted an informal sketch to illustrate this. Whilst this would reduce the amount of window-window overlooking, it does not alleviate the awkward orientation of the dwellinghouse on the plot or compensate for the subsequent loss of visual amenity.

6.4 The applicant has been advised that that the proposal, in its present form, is unlikely to be considered favourably and that a smaller house type would be more suited to this particular plot. He has stated verbally, however, that he cannot re-orientate the house as the plot is too narrow to accommodate the dwelling's width and should the house be moved back from the footway, the area of private garden ground to the rear would be further compromised. He has also stated that he does not wish to consider a smaller house type for the plot and that he wishes the application to be determined as it stands.

7. FINANCIAL OR LEGAL IMPLICATIONS

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

8. CONCLUSION

8.1 It is considered that, whilst the proposed development is consistent with the designation of the site for residential development in the East Ayrshire Local Plan Finalised Version, it is nevertheless contrary to Policy RES21 of the Local Plan which seeks to ensure that adequate levels of open space are provided within developments.

8.2 The proposal also fails to comply with paragraph 2.9 of the Burnsland Nursery, Mauchline – Housing Design Guidance and with condition 12 of Reserved Matters planning permission (CD/92/302) for the road layout and plot demarcation.

8.3 Furthermore, the house type is considered to be ill suited to the plot, which has resulted in the awkward orientation of the proposed dwelling. Consequently, for the above reasons, it is considered that the proposed development would be detrimental to the visual and residential amenity of the Burnsland Nursery housing site.

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 & Building Control
21 December 2000
DS/IH/SMB

LIST OF BACKGROUND PAPERS

1. Application forms and plans.
2. Statutory notices/certificates.
3. Consultation responses.
4. East Ayrshire Council Local Plan Finalised Version.
5. Burnsland Nursery, Mauchline – Housing Design Guidance
6. Previous application - CD/92/302

Any person wishing to inspect the Background Papers listed above should contact Mr Derek Scott on (01563) 555483.

Implementation Officer : Dave Morris

Application no: 00/0458/FL

Location	Plot 6 Grassmillees Way MAUHLINE
Nature of Proposal:	Proposed erection of 3 bedroom bungalow
Name and Address of Applicant:	Mr Gordon Bell 10 Grassmillees Way, MAUHLINE
Name and Address of Agent	

DPO's Ref: DEREK SCOTT]

PPO's Ref; []

The above **FULL** application should be refused on the following grounds.

1. The proposal is considered to be contrary to Policy RES21 of the East Ayrshire Local Plan (Finalised Version) with respect to private open space provision. The layout of the plot and the size of the dwelling proposed has resulted in a development which fails to comply with the minimum private open space standards and is therefore not in the best interests of residential amenity.
2. The proposal fails to comply with the Burnsland Nursery, Mauchline - Housing Design Guidance in that the proposed dwelling would be positioned, at its nearest point, only 3 metres from the heel of the footway, which is not considered to be in the best interests of visual amenity.
3. The proposal fails to comply with Condition 12 of Reserved Matters planning permission (Reference No. CD/92/304, dated 20 December 1994) for the road layout and demarcation of the plots in that the proposed dwelling would be positioned, at its nearest point, only 3 metres from the heel of the footway and the main ridge line of the roof and front elevation are not parallel to the access road. This is not considered to be in the best interest of visual amenity.
4. The size of the proposed dwellinghouse and the shape of the plot requires the dwelling to be orientated with its principal elevation facing the side elevation of the existing adjacent dwelling and with the side elevation facing the public road. The proposed development is therefore considered to be detrimental to the visual amenity of the Burnsland Nursery residential development.

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VIEWING PLEASE CONTACT (01563) 555320.**

AGENDA