

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE – 02 MARCH 2001

**00/0850/FL: PLANNING PERMISSION FOR ERECTION OF
DWELLINGHOUSE AT VACANT GROUND ADJACENT TO NO. 7 MANSE
ROAD, OCHILTREE**

APPLICATION BY MR SCOTT

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 Detailed planning permission is sought for the erection of a two bedroom dwellinghouse on the site. The dwelling would be single storey with wet dash finish to external walls and timber windows. The 40 degree pitched roof would be clad in slate substitute 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 is indicated at paragraph 5.2 above, the application 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. However, as is indicated in Section 6 above, there are material considerations relevant to this application. It is considered that these are generally supportive of the application.

3.2 The proposed new house is a sympathetic development within a gap site located in the conservation area. It is considered that the development of this unsightly piece of land would result in an improvement to both the built and natural environment of this part of Ochiltree Conservation Area. It is noted that there is significant shortfall in the minimum private open space requirement, however, due to the nature of this site, and the site history, this is not considered significant enough to warrant a recommendation of refusal.

3.3 There are no consultee or other objections to the proposed development of a dwellinghouse.

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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APPLICATION BY MR SCOTT

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 proposed development is contrary to policies contained within the East Ayrshire Local Plan, Finalised Version.

2. APPLICATION DETAILS

2.1 **Site Description:** The site lies to the west side of Manse Road, Ochiltree, approximately 55 metres northwards of its junction with Main Street. The site extends to 150 square metres and comprises a small gap site which is situated between a car park and a dwellinghouse. The site is located within Ochiltree Conservation Area and lies directly adjacent to a Category C(S) Listed Building.

2.2 **Proposed Development:** Detailed planning permission is sought for the erection of a two bedroom dwellinghouse on the site. The dwelling would be single storey with wet dash finish to external walls and timber windows. The 40 degree pitched roof would be clad in slate substitute tiles.

3. CONSULTATIONS AND ISSUES RAISED

3.1 Ochiltree Community Council has advised that the development should be sympathetic to the adjacent properties. Rendering, windows, doors, roof etc. should be in keeping with No.7 Manse Road which they understand to be of unique architectural interest.

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 and the Scottish Environment Protection Agency have no adverse comments to make on the application.

Noted.

3.4 East Ayrshire Roads and Transportation Division has no objection subject to conditions. Conditions recommended refer to the provision of one parking space within the plot, a kerbed footway to be provided along the site frontage and surfacing of the proposed access.

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

3.5 The Architectural Heritage Society of Scotland advises that as the proposed house has fulfilled requirement of suitable finishes and materials, it finds the proposal generally acceptable. Although a new house, it derives its character, as does the traditional vernacular on which it is based, from the design of its new windows. The more interesting profile of the double hung sash and cases could be an enhancement.

The proposed windows are of timber construction, and whilst they are top hung, they are of sash and case appearance. It is considered that it would be unreasonable to require the installation of sash and case windows, as the current proposals are considered acceptable.

4. REPRESENTATIONS

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

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 comprises the Adopted Ayrshire Joint Structure Plan and the Adopted Mauchline-Drongan-Ochiltree Local Plan, (1993). The Adopted Plan was prepared within the context of the then emerging Strathclyde Structure Plan.

5.2 Notwithstanding the age of the Adopted Local Plan, the proposal would fall to be considered against Policy RES10 and ENV11. Policy RES10 states that the Council will pursue a policy aimed at retaining the character of existing residential areas.

It is considered that the proposed development of a single dwellinghouse, with traditional finishes, would complement the character of the area.

5.3 Policy ENV11 of the Adopted Plan states that the Council will ensure through the development control process, that any proposed development in the central areas of Mauchline and Ochiltree is in keeping with the character and appearance of the areas in terms of its size, scale, design, siting, materials used etc.

It is considered that the proposed dwellinghouse, which would be wet dash rendered and have timber windows and slate roof, is in keeping with the character and appearance of Ochiltree Conservation Areas. The proposal would therefore be in accordance with the policy provisions of the Adopted 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), and Historic Scotland's 'Memorandum of Guidance on Listed Buildings and Conservation Areas 1998' which gives detailed advice on consideration of applications within Conservation Areas.

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 (EALP) should be considered as a prime material consideration. The site is affected by Residential and Environment Policies.

6.3 Policy RES4 of the EALP 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;
- (ii) Transportation and infrastructure implications;
- (iii) Compatibility with surrounding densities and housing types; and
- (iv) Compliance with the Council's Development Promotion and Design Guidance

It is considered that the proposed development would be sympathetic to the built and natural environment and compatible with surrounding densities and house types. Furthermore, the development complies with the Council's Design Guidance.

6.4 The application also 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 (minimum of 100 square metres). The ground floor area of the proposed dwelling measures 55 square metres whilst the area of private garden ground to the rear and to the side of the dwelling measures 45 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 100 square metres cannot be provided. Whilst this is not considered to be in the best interests of residential amenity, the shortfall of private open space is not considered to be significant enough for refusal. It is common for dwellinghouses within village/town centres to have smaller garden areas than that of new large residential developments. Furthermore, it is considered that the erection of the dwellinghouse on an unsightly gap site, would result in an improvement to both the built and natural environment of this part of Ochiltree Conservation Area. The small area of private garden ground to be provided is as a result of the size of the plot and not due to the size of the proposed dwellinghouse i.e the dwellinghouse is not considered to be too large for the plot. Additionally, planning consent was previously granted by the former Cumnock and Doon Valley District, for the same development (see paragraph 6.7). This consent expired in July 2000.

6.5 Policy ENV4 states that the Council will seek to ensure that all development within or affecting the setting of a Conservation Area or affecting the appearance or setting of a Listed Building, is sympathetic to the area or building concerned in terms of its layout, size, scale, design, siting, materials and colour of finish. Wherever possible, all proposals should seek to preserve, enhance or incorporate features, which contribute positively to the character or appearance of the area and have due regard to the architectural and historic qualities of the area or building concerned.

It is considered that in terms of design and finishes, the proposed dwellinghouse would be sympathetic to Ochiltree Conservation Area. The proposed development therefore conforms with the provisions of Policy ENV4.

6.6 Historic Scotland's "*Memorandum of Guidance on Listed Buildings and Conservation Areas, 1998*" states that in considering whether to grant planning permission, planning authorities must have regard to the effect of the development on the setting of any listed building in the vicinity.

It is considered that the proposed dwellinghouse, in terms of its design and finishes, is sympathetic to the setting of the adjacent Category C(S) Listed Building.

6.7 Planning History: Detailed planning permission was granted on 10th May 1990 for the erection of a one and half storey dwellinghouse on the same site (Ref: CD/90/27). This application has since expired. Detailed planning permission was granted on 28th July 1995 for the same development as this current application. This application expired in July 2000.

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 As is indicated at paragraph 5.2 above, the application 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. However, as is indicated in Section 6 above, there are material considerations relevant to this application. It is considered that these are generally supportive of the application.

8.2 The proposed new house is a sympathetic development within a gap site located in the conservation area. It is considered that the development of this unsightly piece of land would result in an improvement to both the built and natural environment of this part of Ochiltree Conservation Area. It is noted that there is significant shortfall in the minimum private open space requirement, however, due to the nature of this site, and the site history, this is not considered significant enough to warrant a recommendation of refusal.

8.3 There are no consultee or other objections to the proposed development of a dwellinghouse.

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
21 February 2001
VE/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. Mauchline-Drongan, Ochiltree Local Plan.
6. Adopted Ayrshire Joint Structure Plan.
7. Memorandum of Guidance on Listed Buildings and Conservation Areas, 1998.

Any person wishing to inspect the background papers listed above should contact Miss Vivien Emery on 01563 555485.

Implementation Officer: Dave Morris

Form TP24A

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application no: 00/0850/FL

Location	Vacant Ground Adjacent to No.7 Manse Road, Ochiltree
Nature of Proposal:	Proposed Erection of Single Dwellinghouse
Name and Address of Applicant:	Mr Wm Scott 1 Bridge Street PRESTWICK KA9 1PN
Name and Address of Agent	N/A

DPO's Ref: [VIVIEN EMERY]
PPO's Ref; []

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

- (1) Notwithstanding the plan hereby approved, the external surface of the walls shall be wet dash rendered in a colour to be agreed in writing with the Planning Authority prior to the commencement of development.

REASON: In the interests of visual amenity.

- (2) Notwithstanding the plans hereby approved, a 1.8 metre high fence shall be erected along the area outlined in green on the approved site plan, prior to the occupation of the dwellinghouse.

REASON: In the interests of visual amenity.

- (3) Details of the design and construction of the fence required by Condition No. (2) and all other fences and walls to be erected on the site, shall be submitted to and approved by the Planning Authority before any development commences on the site.

REASON: In the interest of visual amenity.

- (4) Prior the occupation of the dwellinghouse a parking space for one car shall be provided and maintained within the site.

REASON: In the interest of road safety.

- (5) Prior to the occupation of the dwellinghouse a one metre wide kerbed footway, to East

Ayrshire Roads Division specification shall be constructed along the frontage of the site. The formation of the new footway, shall not reduce the width of Manse Road and shall extend from the existing kerblin.

REASON: In the interest of road safety.

- (6) Prior to the occupation of the dwellinghouse the private driveway shall be paved for a minimum distance of 2 metres from the rear of the proposed footway to avoid overcarry of loose material onto the public road.

REASON: In the interest of road safety.

- (7) No surface water shall issue from the site onto the public road.

REASON: In the interest of road safety.

- (8) Any gates shall open inwards, away from the public road.

REASON: In the interest of road safety.

NOTES

- (1) The applicant shall make early contact with West of Scotland Water, 35 Glenburn Road, Prestwick, to discuss drainage arrangements.

**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