

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE – 19 MAY 2000

**00/0129/OL: OUTLINE PLANNING PERMISSION FOR ERECTION OF
DWELLINGHOUSE AT PLOT OF LAND, LITTMILL ROAD, DRONGAN**

APPLICATION BY MR N BLAIR

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

- 1.1 Outline planning permission is sought for the erection of a single dwellinghouse on the site. No details of the design, layout and access of the proposal have been submitted at this outline stage.

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 area, where residential development shall only be permitted where this meets a specific locational need. In this case, no specific locational need has been proven by the applicant. The proposal is not therefore consistent with the policy provisions for new housing in the countryside. The proposal is also contrary to the policy provisions of the Mauchline-Drongan, Ochiltree Local Plan.

3.2 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 the ribboning out of the settlement form of Drongan and other settlements.

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 N BLAIR

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 recommended for refusal.

2. APPLICATION DETAILS

2.1 The site lies on the east side of the B730 Littlemill Road at Drongan and extends to 0.065 hectares in area. It is situated within the corner of a field. The sloping site is bounded to the north and east by agricultural land, to the west by a dwellinghouse and to the south by the B730 and a factory. An old access road, which served a former mine site, runs through the west of the site.

2.2 **Proposed Development:** Outline planning permission is sought for the erection of a single dwellinghouse on the site. No details of the design, layout and access of the proposal have been submitted at this outline stage.

3. CONSULTATIONS AND ISSUES RAISED

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

Noted.

3.2 British Gas Transco and Scottish Power have no objection to make on the proposed development.

Noted.

3.3 The Coal Authority advise that in view of the mining circumstances, a prudent developer would seek appropriate technical advice before works are undertaken on site.

A note could be attached to any planning consent with regard to the above.

3.4 West of Scotland Water advise that the application may involve building over an existing public sewer. The developer must contact West of Scotland Water prior to starting work on site in order to discuss whether diversion or protection is required.

A note could be attached to any planning consent with regard to the above.

3.5 East Ayrshire Roads and Transportation Division have no objections to the proposed development. Visibility splays of 2.5m x 60m will be required, and this can be achieved at the southern end of the plot. A kerbed 2-metre footway across the site frontage would also be required. Full road comments regarding the proposal will be made pending the submission of a full planning application.

3.6 The Scottish Environment Protection Agency advise that they have no objections in principle to the proposed development provided the drainage arrangements are to our satisfaction. All foul drainage must be connected to the public sewer. Uncontaminated surface/roof water from the development can be discharged via field drains to the nearest watercourse.

Noted

4. REPRESENTATIONS

4.1 The applicant has submitted a letter in support of his application making the following comments.

The application site is adjacent to a modern built bungalow, which was presumably built in the green belt.

Outline planning permission was approved for the adjacent dwellinghouse on 30 September 1992 (Ref. No. CD/92/134). The relevant policy document at that time was the Mauchline, Drongan and Ochiltree Local Plan. The site was outwith the settlement boundary and was contrary to the policy provisions of the plan. However, the Planning Officer's Report stated that "the development of the application site would result in the conclusion of development along this side of Littlemill Road with further ribboning of development being unlikely south east of the adjacent access road into the former mine area." The application was approved by the former Cumnock and Doon Valley District Council and detailed permission granted on 13 November 1992 (Ref. No. CD/92/271)

4.2 The site is brownfield and not suitable for agriculture.

It is acknowledged that the site is brownfield, however this does not justify a departure from the policy provisions of the East Ayrshire Local Plan Finalised Version.

4.3 There are have historical records of housing on this site, which can be forwarded to you if necessary.

Ordnance Survey plans from the 1960's show evidence of buildings to the north and east of the site. It is likely that these were associated with the former mine. Historical records of housing on the site is not a material consideration in the determination of this application.

4.4 Drongan is currently being extended by a house developer into the green belt area. The site has no history of previous housing and is agricultural land.

All recent larger housing developments within Drongan have been within the settlement boundary and have been identified for housing within the local plan.

4.5 The applicant has requested that a site visit be carried out.

5. DEVELOPMENT PLAN STATUS

5.1 The relevant policy document is the East Ayrshire Local Plan Finalised Version. The application site lies outwith the settlement boundary of Drongan within the Rural Protection Area. The site 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 located outwith settlement boundaries will be acceptable to the Council only 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 development does not contribute to rural diversification and the applicant has not provided any site specific locational justification for the development. The proposal is therefore contrary to the provisions of this policy.

5.3 Policy RES 13 states that the Council will be supportive of residential development of single houses in the countryside 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;
- (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;
- (iii) as an essential and integral part of an authorised proposal which necessitates the provision of on-site staff accommodation; or
- (iv) as an enabling development for the conversion of a large rural residential or institutional property.

Developments for which a site specific locational need cannot be demonstrated to the satisfaction of the Council will not receive Council support.

The applicant has not provided any site specific locational justification for the development. The proposal is therefore contrary to the provisions of this policy.

5.4 Policy RES 16 (v) states that residential development in the countryside will not be permitted.

- (i) where the development would constitute an inappropriate extension of development into the countryside from existing settlement boundaries.

The development would result in an extension of development from the settlement boundary of Drongan into the countryside and would not therefore be consistent with the provisions of the above policy.

5.5 In terms of the Mauchline-Drongan, Ochiltree Local Plan the proposed development is affected by Policy RES 17 which presumes in favour of single small scale especially high amenity residential development in the countryside in areas designated as Remoter Rural Areas. Residential development will not be permitted.

- a) unreasonable infrastructure costs not carried by the developer;
- b) in sites of Special Scientific Interest designated by SNH and Listed Wildlife sites;
- c) on prime quality, non-prime quality but locally important agricultural land and good quality grazing;
- d) detrimental effect on important areas of known;
- e) nature or heritage conservation interests where ribboning out of development from the built up areas would result;
- f) adversely affect deciduous woodland and important areas of coniferous woodland;

- g) unduly visually prominent, break the skyline when viewed from a public road; and
- h) proliferation of private sewage units.

The proposed development is located in a Remoter Rural Area which presumes in favour of single scale residential development however, the proposal is considered contrary to Policy RES 17 as it would result in a ribboning out of development from the settlement form of Drongan.

6. OTHER PLANNING CONSIDERATIONS

6.1 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 area, where residential development shall only be permitted where this meets a specific locational need. In this case, no specific locational need has been proven by the applicant. The proposal is not therefore consistent with the policy provisions for new housing in the countryside. The proposal is also contrary to the policy provisions of the Mauchline-Drongan, Ochiltree Local Plan.

8.2 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 the ribboning out of the settlement form of Drongan and other settlements.

9. RECOMMENDATIONS

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
4 April 2000
VE/SMB/IH
FV/AN

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. Planning Application No. CD/92/134 and CD/92/271.

Any person wishing to inspect the background papers listed above should

Form TP24A

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1972
contact Miss Vivien Emery on 01563 555485.

Implementation Officer : Alan Neish

Application no: 00/0129/OL

Location	Plot of land at Littlemill Road, DRONGAN
Nature of Proposal:	Proposed outline planning for dwellinghouse.
Name and Address of Applicant:	Mr N D Blair Carston Farm Littlemill Road, DRONGAN
Name and Address of Agent	

DPO's Ref: [VIVIEN EMERY]
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 dwelling in the countryside without agricultural support and would therefore not be in accordance with Policy SD3 and RES13 of the Finalised East Ayrshire Local Plan.

- (2) The proposed development would constitute the erection of a new dwelling in the countryside which would constitute ribbon development and therefore it would be contrary to Policy RES17 of the Mauchline Drongan Ochiltree Local Plan.
- (3) The proposed development would set an undesirable precedent for the ribboning out of the settlement form from the approved settlement boundary.

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VIEWING PLEASE CONTACT (01563) 555320.**

AGENDA