

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE: 12 SEPTEMBER 2003

**03/0122/OL: OUTLINE PLANNING PERMISSION FOR PROPOSED HOUSING
DEVELOPMENT AT CRAUFURD DRIVE/TRYSTING THORN WYND
DRONGAN**

APPLICATION BY HOPE HOMES SCOTLAND

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 Outline planning permission is sought for the residential development of the site. The proposed number of units has not been identified at this stage and house types have not yet been indicated. Access to the site will be taken off the existing residential roads at Craufurd Drive and Trysting Thorn Wynd, with another access point indicated off Watson Terrace. The submitted plan also indicates the location of a sustainable drainage system in the south-east corner of the development site.

2. RECOMMENDATION

2.1 It is recommended that the application be approved subject to the conditions listed on the attached sheet.

3. CONCLUSIONS

3.1 As indicated in section 5 of the report, 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. As is indicated at Section 6 of the report, there are material considerations relevant to this application, however it is considered that these issues have been assessed and are not of sufficient weight to merit refusal of the application.

3.2 Outline planning permission for a residential development is being sought for a site which has been allocated in the local plan for a development of around 58 houses to be built. This allocation identifies that the site is suitable for the purpose of residential development. The principal of the development is

therefore acceptable and at this stage there are no material planning considerations which would render the proposal unacceptable.

CONTRARY DECISION NOTE

Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning and Building Control on the basis of the principle of the development, the application will require to be referred to the Development Services Committee because this would represent a significant departure from the statutory development plan.

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 an outline planning application which is to be considered by the Local Planning Committee under the scheme of delegation, as the application is of area significance and is subject to objection.

2. APPLICATION DETAILS

2.1 **Site Description:** The site, which comprises of unmanaged grassland, lies on the west side of the settlement of Drongan and forms part of the housing land supply with an allocation of land which has been identified as suitable for around 58 units. The application site extends to 3.44 hectares.

2.2 Beyond the site to the west is agricultural land. To the south and east are residential properties which are recently completed developments. The site is accessed by Craufurd Drive which is a newly constructed route through the residential development off Watson Terrace. This road adjoins the site by a bellmouth which has been formed between No.1 and No.2 Trysting Thorn Wynd.

2.3 **Proposed Development:** Outline planning permission is sought for the residential development of the site. The proposed number of units has not been identified at this stage and house types have not yet been indicated. Access to the site will be taken off the existing residential roads at Craufurd Drive and Trysting Thorn Wynd, with another access point indicated off Watson Terrace. The submitted plan also indicates the location of a sustainable drainage system in the south-east corner of the development site.

3. CONSULTATIONS AND ISSUES RAISED

3.1 East Ayrshire Roads and Transportation Division has no objection to the proposed development subject to standard conditions regarding off road parking

spaces, visibility splays, private parking provision etc. The applicant will require to discuss SUDS implications of the site with the Roads and Transportation Division. The applicant must submit a mineral report and ground investigation survey as part of any construction consent submission. The applicant would be advised to submit and discuss internal road layout details with the Roads Division prior to submitting an application for full planning permission.

Conditions can be attached to any consent granted for the proposed development to meet the requirements of the Roads Division.

3.2 Scottish Water has advised that there is a public sewerage system to which a connection may be made for foul drainage only, which requires to be kept separate from surface water. They have however objected to the application due to the cost of providing infrastructure to serve the development which is outwith Scottish Water's reasonable cost obligations. They would remove their objection if the applicant bears the cost of the increase in capacity or if they promote a scheme that does not compromise the quality and quantity of discharge from the existing sewerage system.

The developer has been advised of this and a suspensive condition to address this is recommended if planning permission is granted.

3.3 The Scottish Environment Protection Agency has no objection to the proposed development but stated that the developer should select and install an appropriate Sustainable Urban Drainage system.

A condition can be attached to any consent granted for the proposed development to meet the requirements of SEPA.

3.4 Scottish Power has no objection to the proposed development.

Noted.

3.5 East Ayrshire Environmental Health Section has advised that the developer should be advised of the presence of old mine shafts in the vicinity of the site and should check with the Coal Authority for shaft locations with regard to ground stability.

The developer has been advised of the mineral stability of the development site.

3.6 The Coal Authority has advised that in view of the mining circumstances the developer should seek appropriate technical advice before any work is undertaken on site.

The developer has confirmed that they have commissioned an independent site investigation regarding this.

3.7 Drongan, Rankinston and Stair Community Council has been consulted but no response had been received at the time of writing the report.

Noted.

4. REPRESENTATIONS

4.1 This application has attracted two letters of representation, including the objection received from Scottish Water as indicated above. The points of objection can be summarised as follows:

4.2 There is objection to anything other than single storey bungalows being built behind Watson Terrace.

4.3 Any houses built higher than those on Watson Terrace will have a direct view onto the back garden as well as private rooms at the rear of the house

4.4 Any houses built higher will affect the natural light that is available, which would be totally unacceptable.

4.5 The objector raises concern that the plans do not offer any information about the house positions and unit size to be built.

Albeit that the concerns raised regarding residential privacy and daylighting are material planning considerations they are not matters which can be given full consideration at this stage, given that this is an outline application and details regarding layout are not known. The application is in outline only and is for a site that has been allocated for housing in the adopted Local Plan. Should an application for the approval of Reserved Matters or a full planning permission be submitted the above mentioned matters will then be given full consideration. Notified parties would then have an opportunity of making further representations in light of the developer's detailed proposals for the site.

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 Approved

Ayrshire Joint Structure Plan (1999) and the Adopted East Ayrshire Local Plan (2003).

East Ayrshire Local Plan

5.2 Policy RES1 states that the Council will encourage and support the residential development of those sites identified for housing purposes on the individual Local Plan maps.

The proposed development is on an allocated site within the settlement of Drongan and the proposal therefore complies with this policy.

5.3 Policy RES22 sets out the standards for private open space within residential developments.

The proposed development provides for private open space for each dwelling consistent with the provisions of Policy RES22.

6. ASSESSMENT AGAINST OTHER MATERIAL CONSIDERATIONS

6.1 The other principal material considerations relevant to the determination of the application are the consultation responses and the representations received.

Consultations Responses

6.2 The consultation responses received do not indicate that the proposed development should be refused.

Planning History

6.3 Scottish Water is the only consultee that has objected to the proposed development on the grounds that it is beyond its reasonable cost obligation. This has been referred to the developer to address and is not considered to be of sufficient weight to merit an unfavourable recommendation, particularly where the site in question is allocated for housing. A suspensive condition can be imposed requiring the developer to agree appropriate drainage measures with Scottish Water prior to any works commencing on site.

6.4 A full planning application (Ref. No. CD/90/103) for a revised layout of roads and demarcation of 113 residential plots on this larger site was approved on 07 June 1990.

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 indicated in section 5 of the report, 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. As is indicated at Section 6 of the report, there are material considerations relevant to this application, however it is considered that these issues have been assessed and are not of sufficient weight to merit refusal of the application.

8.2 Outline planning permission for a residential development is being sought for a site which has been allocated in the local plan for a development of around 58 houses to be built. This allocation identifies that the site is suitable for the purpose of residential development. The principal of the development is therefore acceptable and at this stage there are no material planning considerations which would render the proposal unacceptable.

9. RECOMMENDATION

9.1 It is recommended that the application be approved subject to the conditions listed on the attached sheet.

CONTRARY DECISION NOTE

Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning and Building Control on the basis of the principle of the development, the application will require to be referred to the Development Services Committee because this would represent a significant departure from the statutory development plan.

Alan Neish
Head of Planning and Building Control

26 August 2003
NM/NM
FV/DVM

LIST OF BACKGROUND PAPERS

1. Application Form and Plans.
2. Statutory Notices and Certificates.
3. Letter of Representation.
4. Consultation responses.
4. Adopted East Ayrshire Local Plan (2003).
5. Approved Ayrshire Joint Structure Plan (199)

Anyone wishing to inspect the above background papers should contact Nicola Monroe on 01563 555485.

Implementation Officer: Dave Morris

Form TP24A

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application No: 03/0122/OL

Location	Craufurd Drive/Trysting Thorn Wynd DRONGAN KA6 7AB
Nature of Proposal:	Proposed housing development
Name and Address of Applicant:	Hope Homes Scotland Watson Terrace DRONGAN KA6 7AB
Name and Address of Agent	As above

DPO's Ref: Nicola Monroe
PPO's Ref: Hugh Melvin

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

1. Before any development commences on the site, the further approval of the Planning Authority shall be obtained in respect of the undermentioned matters hereby reserved.
 - (a) The layout of the site;
 - (b) The size, height, design and external appearance of the proposed dwellinghouses;
 - (c) The means of drainage and sewage disposal;
 - (d) Details of the access arrangements;
 - (e) The provision for open space and associated maintenance arrangements;
 - (f) The provision for car parking;
 - (g) The boundary walls/fences to be erected;
 - (h) The landscaping of the site, provision of open space, equipped play areas and associated maintenance arrangements;
 - (i) Existing and finished site levels/floor levels.

REASON – The approval is in outline only.

2. Notwithstanding the submitted plans the visibility splay areas of 2.5 metres by 90 metres shall be provided at the junction of the access to the development with Watson Terrace with no obstruction to visibility greater than 1metre in height being allowed within these areas.

REASON – To enable drivers of vehicles leaving the site to have a clear view over a length of road sufficient to allow for safe exit.

3. Any garages associated with the proposed dwellinghouses shall be set back a minimum distance of 6 metres from the edge of the public road and footpath

REASON – In the interests of road and public safety.

4. Any access gates shall require to open inwards away from the public road.

REASON – In the interests of road and public safety.

5. Prior to the occupation of each dwelling the access driveway shall be surfaced in a bituminous material for the first 2 metres from the rear of the public road.

REASON – To avoid the overcarry of loose material onto the public road to ensure a safe road surface.

6. No surface water shall be allowed to egress onto the public road.

REASON – To ensure a safe road surface.

7. No development shall commence on site until a drainage scheme, to include surface water disposal, has been agreed in writing by the Planning Authority in consultation with Scottish Water. The development thereafter shall be implemented in accordance with the agreed scheme.

REASON – In the interests of ensuring an adequate drainage scheme to protect public and environmental health.

Notes to Applicant

1. The applicant should make early contact with East Ayrshire Council's Roads and Transportation Division, Council Offices, Lugar, Cumnock to discuss details of the proposed internal roads layout for the development site and requirements for Construction Consent and a roads bond.

2. The applicant should make early contact with The Coal Authority, 200 Lichfield Lane, Berry Hill, Mansfield, NG18 4RG regarding the mineral stability of the development site.

3. The applicant should make early contact with both Scottish Water and The Scottish Environment Protection Agency to discuss and agree the proposed surface water and foul drainage arrangements for the development site.

**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.**