

APPENDIX 1



East Ayrshire Council

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Planning Department

Applications cannot be validated until all necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 000039019-002

The online ref number is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the Planning Authority about this application.

Applicant or Agent Details

Are you an applicant, or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:

Stairhill Architecture Services

Ref. Number:

First Name: *

Alistair

Last Name: *

Mair

Telephone Number: *

Extension Number:

Mobile Number:

Fax Number:

Email Address: *

You must enter a Building Name or Number, or both:*

Building Name:

Stairhill

Building Number:

1

Address 1 (Street): *

Stairhill

Address 2:

Mauchline

Town/City: *

Ayrshire

Country: *

UK

Postcode: *

KA5 5HN

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title: *	<input type="text" value="Other"/>
Other Title: *	<input type="text" value="C/O"/>
First Name: *	<input type="text" value="Stairhill"/>
Last Name: *	<input type="text" value="Architecture Sertvices"/>
Company/Organisation:	<input type="text"/>
Telephone Number:	<input type="text"/>
Extension Number:	<input type="text"/>
Mobile Number:	<input type="text"/>
Fax Number:	<input type="text"/>
Email Address:	<input type="text"/>

You must enter a Building Name or Number, or both:*

Building Name:	<input type="text" value="Stairhill"/>
Building Number:	<input type="text"/>
Address 1 (Street): *	<input type="text" value="Stair"/>
Address 2:	<input type="text"/>
Town/City: *	<input type="text" value="Mauchline"/>
Country: *	<input type="text" value="UK"/>
Postcode: *	<input type="text" value="ka5 5hn"/>

Site Address Details

Full postal address of the site (including postcode where available):

Address 1:	<input type="text"/>	Address 5:	<input type="text"/>
Address 2:	<input type="text"/>	Town/City/Settlement:	<input type="text"/>
Address 3:	<input type="text"/>	Post Code:	<input type="text"/>
Address 4:	<input type="text"/>		

Please identify/describe the location of the site or sites.

Northing	<input type="text" value="621217"/>	Easting	<input type="text" value="243665"/>
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Description of the Proposal

Please provide a description of the proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Type of Application

What type of application did you submit to the planning authority? *

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? *

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time of expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

attached as supporting document

Have you raised any matters which were not before the appointed officer at the time the determination on your application was made? *

Yes No

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

planning appeal statement

Application Details

Please provide details of the application and decision.

What is the application reference number? *

12/0295/PP

What date was the application submitted to the planning authority? *

03/05/12

Has a decision been made by the planning authority? *

Yes No

What date was the decision issued by the planning authority? *

27/06/12

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

Yes No

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

Yes No

Is it possible for the site to be accessed safely and without barriers to entry? *

Yes No

Checklist - Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant? *

Yes No

Have you provided the date and reference number of the application which is the subject of this review? *

Yes No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

Yes No N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

Yes No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and drawings) which are now the subject of this review *

Yes No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare - Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Alistair Mair

Declaration Date: 20/09/2012

Submission Date: 20/09/2012

Proposal Details

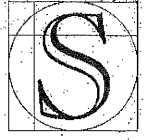
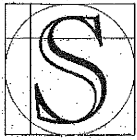
Proposal Name	Sloan Loudonston re submit 2012 2 houses
Proposal Description	erection of two dwellinghouses
Address	Easting: 243665 - Northing: 621217
Local Authority	East Ayrshire Council
Application Online Reference	000039019-002

Application Status

Form	complete
Main Details	complete
Checklist	complete
Declaration	complete
Supporting Documentation	complete
Email Notification	complete
Payment Method	incomplete

Attachment Details

Notice of Review	System	A4
Notice of Review	System	A4
Planning review report scotapp	Attached	A4
	System	A4



Application Ref : 12/0295/PP

Erection of 2 dwelling houses at Land adjacent to Loudonston Cottage, Trabboch, Mauchline.

With regards the above application and East Ayrshire Council's refusal to grant planning permission we hereby formally wish the Planning Authority to review the case under section 43A of the Town and country Planning (Scotland) Act 1997.

Application History

Planning application No: 12/0295/PP was submitted to East Ayrshire council on the 20th April 2012 for the erection of 2 dwelling houses at Land adjacent to Loudonston Cottages, Trabboch, Mauchline.

The proposals consist of two 1 ½ storey bungalows of rural proportions finished with natural slate roofs and off white render walls with gable ends. The proposals include the use of photovoltaic panels and are of low/neutral carbon design.

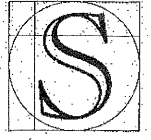
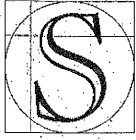
The proposed access includes the widening of the existing road across the frontage of the site and is fully compliant with East Ayrshire Council Roads Department.

A previous application was submitted by our client for the site directly opposite from Loudonston Cottage for 2 similar design houses of a larger scale. The planners recommended approval prior to the Local Planning Committee meeting. The councillors suggested they would approve a similar application on the same side of the road as the existing houses. As it was on the opposite side of the road the councillors recommended refusal contrary to the planner's report of handling which recommended approval. The application was refused and appealed at Scottish Government where it was subsequently refused again.

Local Area History

The mining settlement was made up of four rows, one of 40 and three of 18 houses each, with a population of around 430. The Trabboch pit closed in 1908 and the Drumdow pit closed a few years later. Nearby Trabboch House was home to the proprietor of the coal pits. The workings form a sizeable new 'loch' and the waste material bings are still a prominent feature. Many of the villagers were moved to Drongan when the miner's rows were demolished.

Stair school opened in 1863 and was located in Trabboch; it always served as the Village Hall and later served as the Stair Community Centre. The school became a Junior Secondary with as many as 150-200 pupils, closing its doors in 1969, Miss Brown being



the last head teacher. The Building remains and is still used as Stair Community Centre to this day.

The hamlet is also known for the old castle in the area, Trabboch Castle. The lands of Trabboch are first recorded by name in a rental of 1303-4. King Robert the Bruce gave the castle to the Boyds of Kilmarnock for services rendered at the Battle of Bannockburn. By 1451 the lands had passed into the hands of William, Earl of Douglas and later to the Boswells of Auchinleck. In the 17th century Chalmers of Gadgirth and Reid of Barskimming held parts of the Barony of Trabboch. The associated Mill of Trabboch stood on the Water of Coyle and was not powered by the loch waters. Trabboch Mains is a farm that was built mainly using stone taken from the nearby Trabboch Castle.

Trabboch railway station was situated on the Ayr and Cumnock Branch of the Glasgow and South Western Railway. The station was originally part of the Ayr and Cumnock Branch on the Glasgow and South Western Railway. The station opened in 1872, and closed on 10 September 1951. The stones from the old station were used by Willie Graham to build a bungalow at Carbowie.

Trabboch Loch is nearby, formed from the flooded mineworkings of Drumdow Colliery in the late 19th century. The Loch of Trabboch was an ancient glacial loch, later a curling pond and the remnant is a wetland, important for birdlife.

Planning Department Report of Handling - Analysis

The report of handling produced by David Wilson (Case Officer) on behalf of East Ayrshire Council looks in depth at both the proposals and the councils planning policies.

The planning application 12/0295/PP received no letters of representation from either people supporting the application or objections towards the application.

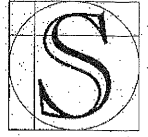
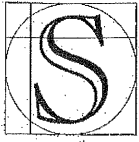
This suggests that the local community and immediate neighbours are supportive of the application and it addresses their previous concerns after the previous application number 11/0278/PP raised some 20 letters of objection.

Drongan, Rankinston and Stair Community Council did not respond to the consultation summary, again this suggests they have no objections to the proposals.

Roads and Transportation have no objections subject to conditions which already form part of the proposals on the submitted drawings.

The development plan summary looks at the application in relation to the appropriate planning policies that the application has to be assessed on.

Policy RES 10 (ii) refers to "limited addition to an existing, clearly defined group of 4 or more house." The report goes on to say that "the proposal meets with one of the four criteria of this policy and is therefore compliant with this policy"



Policy RES 11 is the principal policy in which the application must be assessed and provides two quantitative assessment criteria and thereafter goes on to require a subjective assessment based on design, layout and service standards.

The council has acknowledged that the application site is located within the Rural Diversification Area and the proposed development complies with the numerical limits in RES11 and is therefore compliant with the principal of the policy.

Moving on to the subjective assessment criteria the council accepts the dwellings are of similar design of 1 ½ storeys and finished with natural slates and off white render. They go on to mention the varying degrees of under building not shown on the drawings.

We would like to make it clear that the dwellings shall be cut into the site and ground levels altered to suit. As can be seen on the proposed drawings, the proposed FFL sits below the current ground levels which shall be scraped and sympathetically landscaped to suit, leaving very minimal under building.

The council then go on to say the dwellings are generally appropriate to a rural area. It has also been mentioned that the proposals “utilise better rural materials than most of the other dwellings” This statement reinforces our point of view with regards the new development improving the existing grouping that was described as “alien suburban” by the government reporter for the previous application across the road.

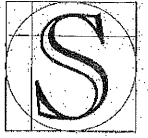
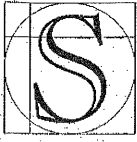
This proposed development helps to unify the grouping through good quality architecture design and specification of materials. The proposed development will help to improve the local area and reverts back to the historical community spirit and feel once common place in the community.

The proposed development sits to the West of the existing grouping and as stated in the report of handling is less prominent than the existing grouping from the North and North West. The proposed low FFL together with low profile roofs and natural finishes and landscaping will make the development practically unnoticeable unless directly looking to identify it.

From the South and South East the proposals are only visible for approximately 300m along the main road before and after being completely screened by existing hedgerows and then the existing grouping. The design proposals have been carefully thought out, to sit the dwellings within the landscape and include natural native planting and boundary treatment together with natural material finishes making the proposals blend into the landscape.

The Report goes on to agree that the proposals are “similar to the existing group, in principle.”

The roads department have no objections to the proposals either on road safety or roads capacity subject to the conditions stated which are incorporated into the design proposals.



The council also make reference to the lack of available gap sites and the use of agricultural land being of minimal impact.

With all the councils considerations and our statement as above our proposals are in line with policy RES11

Policy RES 18 looks at 3 different criteria to include the use of low carbon technologies, proposed siting and orientation and boundary treatments.

Part (i) looks at utilising innovative and energy efficient technologies to achieve particularly low / zero carbon emissions. Design proposals include the use of photovoltaic panels, mechanical ventilation heat recovery and use sustainable highly insulated timber kit structures which is all in compliance with part(i) of Policy RES18.

The council report of handling refers to the site as "exposed southern part of the site allows significant long views from Coalhall and the B730 north of Dronan heading towards the A70" It then refers to the planting before becoming strongly established.

On review of the above points the proposed development is small in nature and sits to the West of the existing grouping away from the crest of the hill. The proposed FFL sits over 2m lower than the road level at the crest of the hill. This translates to little more than the roof being of a greater height than the existing road. With the addition of the proposed landscaping and tree planting together with the existing landscaping present at the grouping the impact the new proposals will have on the long distance views will be less than marginal and of any negative impact could be disregarded.

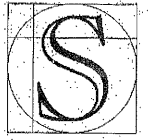
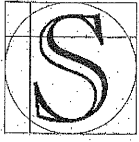
The third is "generally met given the design of the houses and their materials".

The report goes on to mention the caveats below the three numbered criteria as being relevant and makes reference to the previous application 11/0278/PP and subsequent dismissal by The Scottish Government referring to the existing grouping as an unusual rural grouping in a prominent location and states that the development would exacerbate an already unusual feature which thereby undermines the rural identity of the area.

As already discussed we believe the design proposals have been carefully designed to sit within the landscape following the gradient of the site and together with both the existing landscaping and new proposed landscape don't feel the development will be visually prominent. The Scottish Government referred to the previous application for larger dwellings on the opposite side of the road nearer the top of the hill as visually prominent.

This new development sits away from the crest of the hill and the combination of material finishes and landscaping will let the development blend seamlessly into the existing grouping.

We refer to the earlier point in the report about the development "utilising better rural materials" and would argue that this new development would add a more rural



appearance to the existing grouping both through the design and siting of the proposals. As it currently sits there are 5 dwellings which consist of 3 modern "suburban" style bungalows sited away from the road and not parallel to the main road together with a semi detached vernacular property which sits parallel and closer to the road frontage. The proposed development takes cognisance of this and takes design influence from the existing rural properties in the surrounding countryside. It also sits parallel to the road and is of a rural appearance as agreed by the council earlier in the report of handling. With the addition of these 2 new dwellings there would then be 4 traditional dwellings of rural appearance and 3 of a more suburban appearance. This would help to improve the current situation and is of significant benefit to the area both aesthetically and economically.

"The proposals are back clothed by the landscape in very long distance views" This refers to views from Coalhall and further South. The nature and size of the development is going to have a minimal impact on the landscape from such distances, approx. 1mile, at the closest, at Coalhall. As earlier discussed the proposals are set down within the landscape some 2m lower than the existing level of the road at the crest of the hill. In time the landscaping will screen this development completely and will only have a positive impact by improving the overall aesthetic of the whole grouping.

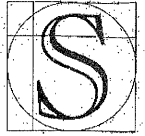
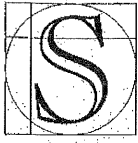
Policy RES20 gives guidance on the presumption against residential development in the countryside in a number of circumstances.

The proposals as detailed are wholly in line with this policy. Point (vi) and (viii) are the only concerns raised against this policy which have been addressed previously in this document.

(vi) relates to development where, in itself would constitute or exacerbate an unacceptable sporadic or ribboning of development along public or private roads in rural locations. The report goes on to say that the site was described as an "alien suburban settlement pattern" and the addition of two further dwellings constitutes further ribboning development. As previously mentioned the proposed dwellings are designed in line with council design guidance for the countryside and reflect the local architecture and "utilising better rural materials" than that of some of the existing properties. This would help to improve the overall design aspect of the grouping by creating a better balance of rural architecture and materials to suburban style houses.

(viii) refers to the site being visually exposed from a general southern direction. Again as previously mentioned it is only visible at close proximity for approximately 500m on the main road to the South West and then from distances of 1mile and greater. As previously stated from this distance and with the nature of design incorporating a low profile house set into the hillside together with existing and proposed landscaping and screen planting the dwellings will become unnoticeable once established.

It also refers to the linear pattern where we would again reinforce the case of the two new dwellings actually having a positive impact on the existing grouping giving it a more



rural appearance. There are examples of existing linear development in the local area with the remains of miners rows and other rural properties at Stair and Gadgirth. These proposals reinforce the historical architecture of the area having a positive impact on the landscape quality and character of the area.

Policy ENV9 actively encourages and demands the highest possible standards of design and is where inspiration has been drawn to revive the local community and improve the local architecture to what it once was. The council agree that the design proposals meet with this part of the policy. The report goes on to mention the visual prominence of the site is contrary to this policy, For the reasons as stated above we feel the site is not visually prominent and blends into the existing grouping in regards to house design, siting and landscape proposals. As discussed the site is not visually prominent from close range and can only be viewed to the South from some miles away where it has a minimal impact on the landscape. The proposed natural screening will unify the grouping as one and will have little negative effect on the skyline with the existing group being only marginally increased.

Justification

As can be seen in the local area history, the area used to be well populated with mining industry and employed a lot of people. There used to be a vibrant community spirit and many properties of rural architecture. This has been lost in recent years and the decline in mining has seen most of these properties demolished and people moved to other settlements. The Housing has been replaced by often suburban style houses not in keeping with the local architecture. Our proposals for two new houses reflect the rural architecture as shown in our submitted design statement and make a positive contribution to vastly improve the "alien" suburban style settlement creating a natural rural style community.

Conclusion

The application is for two dwellings, that meet with council design guidance and have been designed to complement and improve the existing grouping.

The access has been designed in accordance with The Roads and Transportation Service comments and they have no objections to the development.

The application meets with all relevant council policy as shown in the proposed drawing, design statement and subsequently explained above.

I therefore urge the Local review Body to approve the application subject to conditions.

ALISTAIR MAIR.