

APPENDIX 10

EAST AYRSHIRE COUNCIL

REPORT OF HANDLING

Application Number : 10/0528/PP
Applicant Name: Mrs Joyce Black
Development : Proposed erection of garage (retrospective)
Location : Kilholm Street
Newmilns
East Ayrshire

Type : Planning Permission

1. Development Description

Proposed erection of garage (retrospective)

2. Site Description

Site is adjacent to existing garages.

3. Representations Summary

None.

4. Consultations Summary

Roads And Transportation Division Flooding Section -Roads Flooding have advised that *continued access is possible confirms that our continued access is possible, as stated below we require to have access (JCB Suitable) at all times to the watercourse screen, therefore we would require a condition that no structure temporary or permanent which would impede this access would be allowed , this is to include in the condition that no storage/parking of materials or vehicles outwith the confines of the garage footprint are allowed, which could impede this access.*

Further we have carried out checks and the FFL of the garage is exactly 500mm above the wall of the watercourse, which is the minimum we would allow due to the history of flooding here, we would therefore suggest to the applicant that they use water resistant forms of materials and construction methods.

We have no further comments as far as flood risk

Newmilns And Greenholm Community Council - No response.

5. Development Plan Summary

East Ayrshire Local Plan - ENV9 compliant.

6. Material Considerations

Representations Received – None.

Consultations Received - Roads have confirmed that access for maintenance is required and this is a material consideration. It can be appropriately covered by conditions.

Planning history – No impact on current proposal.

Amenity - The proposed development is set back from the road way and existing line of garages and it is not considered that the proposed development will have a detrimental impact on surrounding properties.

7. Financial and Legal Implications

None.

8. Application Assessment

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 East Ayrshire Local Plan (2010).

There are no material considerations that would warrant a recommendation other than approval, including the alteration to the local plan. The matters raised through consultation can be controlled by conditions. The proposed development will not have a detrimental impact on adjacent properties or the surrounding area.

9. Recommendation

Approved with conditions.

10. Reasons for the Decision

The proposed development accords with the Development Plan and the Councils Design Guidance criteria and there are no material considerations in this instance which would justify a recommendation other than approval.

Case Officer :

Robert Beaton

Signature:



Date:

15/11/10

Principal Planner:



Signature:

15/11/10

Date:

**Development Management
Manager :**

Signature:

Date: