

REPORT OF HANDLING

Application Number : 11/0417/PP
Applicant Name: Mr Campbell Douglas
Development : Wooden garage 5.4 x 3.0m single size.
Location : 52 McLelland Drive
Kilmarnock
East Ayrshire
KA1 1SE
Type : Planning Permission

1. Development Description

Wooden garage 5.4 x 3.0m single size. Details of the height of the garage could not be confirmed by the applicant.

2. Site Description

Application site comprises a rectangular area of garden ground located to the front and side of the two storey semi detached dwellinghouse at 52 McLelland Drive in Kilmarnock. The application site is located in a prominent location within the Dundonald Road Conservation Area. The site is bounded on all sides by the garden ground of the property at 52 McLelland Drive and by the surrounding large Victorian dwellinghouses.

3. Representations Summary

None.

4. Consultations Summary

Grange And Howard Community Council - no consultation response received.

5. Development Plan Summary

The proposal is considered against the requirements of Policies ENV7 and ENV 9 of the East Ayrshire Local Plan 2010.

Policy ENV7 states that development and demolition within a conservation area or affecting its setting shall preserve or enhance its character and be consistent with any relevant conservation area appraisal or management plan that may have been prepared for the area.

The design, materials, scale and siting of any development shall be appropriate to the character of the conservation area and its setting. Trees which are considered by the planning authority to have amenity value shall be preserved. Given the importance of assessing design matters, outline applications will not normally be considered appropriate in conservation areas.

Where an existing building, listed or not, contributes positively to the character of the conservation area, policy ENV5 on demolition shall apply. Where it does not, proposals for

demolition will not be considered in the absence of a detailed planning application for a replacement development that enhances or preserves that character. Demolition will not begin until evidence is given of contracts let for the approved development.

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 complies with the Council's appropriate Design Guidance. In particular, the Council will not be supportive of any development that is unsympathetic 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.

In this instance the material finish and siting of the proposed garage, forward of the building line of the streetscape, does not preserve or enhance the character of the Dundonald Road Conservation Area which is characterised by large Victorian properties with the predominantly traditional pattern of larger houses situated to the front of plots with longer rear or side gardens.

Notwithstanding the height of the boundary wall around the garden of the property the proposed timber garage is located in a corner site in a prominent location within the Conservation Area. Consequently, the proposed garage will be clearly visible thus breaching the existing development pattern of the Conservation Area resulting in a significant detrimental visual impact on the Conservation Area.

The proposed timber garage is located to the front of the dwellinghouse at 52 McLelland Drive and also to the front of the building line of the streetscape of both McLelland Drive and Howard Park Drive. Consequently the siting and material finish of the proposed garage will disrupt the character and appearance of the Conservation Area resulting in a significantly unacceptable adverse visual impact on the existing streetscape of the Conservation Area. The proposal will not result in a positive contribution to the architectural and historic qualities of the Dundonald Road Conservation Area.

Policy ENV9 states that The Council will actively encourage and demand the highest possible standards of design from applicants in the formulation of their development proposals. All developers will be expected to comply fully with the Council's existing design guidance documents relating to, and advising on, the particular type of development proposed. Developments which do not meet the required design standards detailed in these documents will require to be fully justified and may not be supported by the Council.

In this instance the relevant Design Guidance is Householder Development (1).

In relation to garages, part 4 of Design Guidance 1 states that "all freestanding garages to be erected within the cartilage of a dwellinghouse will require to be located behind the front building line of the property and incorporate a dual pitched roof. Wooden garages may be considered acceptable but only where these are located behind the rear building line of the dwellinghouse."

The proposed garage does not comply with the terms of the Councils Design Guidance 1 as the garage is proposed to be finished in timber and be sited to the front of the existing dwellinghouse

6. Material Considerations

No representations have been received in connection with the application. However at the site visit the proprietor of the adjoining property at 50 McLelland Drive indicated that a letter of support in connection to this planning application had been submitted to the Council. At the time of preparing this report no letter of support has been received in connection with the application.

No consultation response has been received from the Community Council.

Planning History – whilst there is no relevant planning history for the application site the associated dwellinghouse has a planning history as follows:

04/0613/FL – proposed two storey rear extension – withdrawn – 11/01/2005

05/0146/FL – erection of extension – approved with conditions – 13/05/2005

Affect on Amenity – As indicated at part 5 of the report the proposed timber garage will result in a detrimental visual impact on the character and appearance of the Dundonald Road Conservation area in terms of the siting and material finish of the proposed garage.

Site Visit – At the site visit on 5th July the planning officer advised the applicant that the proposal was not likely to receive a favourable recommendation from the planning service. The planning officer suggested to the applicant that the garage could be acceptably repositioned within the side garden behind the front building line of the dwellinghouse and that the garage should be finished in a material to match the dwellinghouse. The applicant declined this advice and requested that the application be progressed as submitted.

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).

As previously detailed in this report the proposal is not considered to be in accordance with the development plan as the proposal fails to comply with policies ENV7 and ENV9 of the East Ayrshire Local Plan. No representations have been received in connection with the application and no consultation response has been received from the Community Council. However, in terms of siting and material finish the proposal will result in a detrimental visual impact on the amenity, character and appearance of the Dundonald Road Conservation Area.

9. Recommendation

Refused

10. Reasons for the Decision

The proposed development does not accord with the Development Plan and material considerations indicate that the application should be refused.

Case Officer : Jane Little

Signature:

Date:

7/7/11

Principal Planner:

Jane Little