

## **EAST AYRSHIRE COUNCIL**

**CENTRAL LOCAL PLANNING COMMITTEE: 08 DECEMBER 2006**

**06/0875/FL ERECTION OF SHED AND IMPLEMENT STORE  
AT 13 GREENHILL HOLDINGS, KNOCKENTIBER, KA2 9BY  
BY MR R AND E BARTLING**

### **EXECUTIVE SUMMARY SHEET**

#### **1. DEVELOPMENT DESCRIPTION**

1.1 Full planning permission is sought to erect a shed and implement store. The shed is currently on site and this part of the application is in retrospect. The shed is to store gardening equipment and vegetables harvested from the garden of 13 Greenhill Holdings. The shed is currently finished in brown painted plywood but is to be finished in green coloured profiled steel sheeting. The implement store has not yet been constructed on site. The implement store is also to be finished in green plastic coated profiled steel sheeting. The shed is 26.9 metres by 5.5 metres and the implement store is 20 metres by 10 metres. The implement store will be used solely for the purposes of 13 Greenhill Holdings. The applicant is also proposing screening along the western and eastern boundaries of the site.

#### **2. RECOMMENDATION**

**2.1 It is recommended that the application be approved subject to the conditions 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 terms of the Development Plan. Therefore given the terms of Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 the application should be approved unless material considerations indicate otherwise.

3.2 As stated in Section 6, there are material considerations relevant to this proposal. The objector does not raise any issues which would warrant refusal of the application and the consultees have not raised any adverse comments. The proposed shed and implements store is considered appropriate to its rural location.

## **CONTRARY DECISION NOTE**

Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning, Development and Building Standards the application will not require to be referred to the Development Services Committee as this would not be a significant departure from policy.

**Alan Neish**  
**Head of Planning, Development and Building Standards**

**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, Development and Building Standards

#### 1. PURPOSE OF REPORT

1.1 The purpose of this report is to present for determination a planning application which is to be considered by the Local Planning Committee under the scheme of delegation, as it has been the subject of objection.

#### 2. APPLICATION DETAILS

2.1 **Site Description:** The application site comprises land between 12 and 13 Greenhill Holdings and the access road leading to the Kilmarnock to Knockentiber road. The site is located in the countryside to the south east of the town of Knockentiber, west of the C24 Kilmarnock to Knockentiber road. The site is bound to the east, south and north by fields, the north east by 12 Greenhill Holdings and the west and south west by 13 and 14 Greenhill Holdings.

2.2 **Proposed Development:** Full planning permission is sought to erect a shed and implement store. The shed is currently on site and this part of the application is in retrospect. The shed is to store gardening equipment and vegetables harvested from the garden of 13 Greenhill Holdings. The shed is currently finished in brown painted plywood but is to be finished in green coloured profiled steel sheeting. The implement store has not yet been constructed on site. The implement store is also to be finished in green plastic coated profiled steel sheeting. The shed is 26.9 metres by 5.5 metres and the implement store is 20 metres by 10 metres. The implement store will be used solely for the purposes of 13 Greenhill Holdings. The applicant is also proposing screening along the western and eastern boundaries of the site.

#### 3. CONSULTATIONS AND ISSUES RAISED

3.1 East Ayrshire Council's Roads and Transportation Division have no objections provided no intensification of use occurs at the site.

***Noted. The structures are for the purposes of the existing holding.***

3.2 Scotland Gas Networks and the Health and Safety Executive have no adverse comments to make regarding the proposed development.

***Noted.***

3.3 There is no Community Council in existence for this area.

#### **4. REPRESENTATIONS**

There is one objector to the proposed development and their grounds of objection are as follows:-

4.1 The house, shed and garden at 13 Greenhill Holding belongs to Mrs Bartling and not to the applicant.

***The house, shed and garden of 13 Greenhill Holding are not within the application site and are not shown outlined in blue. Therefore this matter is not relevant to the proposal under consideration.***

4.2 The plans do not show where the vehicular access is going to be for the proposed development.

***Access to the site is from a shared road that leads to the two proposed buildings. The buildings are accessed by means of an opening in the existing hedge and this opening will remain in use for the shed and implement store. The implements being used in the running of the holding are stored outdoors presently. The erection of the implement store will allow them to be stored in the shed.***

4.3 The shed already erected appears to be in a different location on site than is indicated in the plans.

***A site visit has taken place and the plans checked on site and the shed is in the same location in both the plans and on 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 (AJSP) and the Adopted East Ayrshire Local Plan (EALP).

Approved Ayrshire Joint Structure Plan (AJSP)

5.2 There are no relevant policies in the AJSP which would affect the determination of this application.

East Ayrshire Local Plan

5.3 Policies ENV 12, ENV 13 and ENV 14 of the Adopted EALP are specifically relevant in the determination of the application.

5.4 Policy ENV 12 of the Local Plan states that throughout the rural area, and especially in the Sensitive Landscape Character Areas identified on the Local Plan maps, the Council will ensure that all development proposals respect, in terms of their design, the local landscape characteristics of the particular area within which they are proposed. Developers will be expected to conserve and enhance, and reinstate or replace where appropriate, those features which contribute to the intrinsic landscape value and quality of the area concerned, including:

- (i) existing setting of settlements and buildings within the landscape;

***Existing buildings within close range of the application site are a mix of single houses and farm buildings including brick and tile houses, wood and corrugated iron roofed buildings and various farm buildings including large metal sheds. The proposal comprises of building styles and finishes that are commonly seen on working farms and in the countryside and would not be out of place at this location.***

- (ii) existing woodlands, shelter belts, hedgerows and trees;

***The hedgerows that follow the boundary of the access road are to be retained intact.***

- (iii) existing burns, rivers, lochs and other water features;

***The proposal does not relate to any water features***

- (iv) existing field patterns and means of enclosure including dry stone dykes, hedging and fencing;

***The hedgerows that follow the boundary of the access road are to be retained intact.***

- (v) existing Public Rights of Way, footpaths and bridleways

***The proposal does not relate to any footpaths or Public Rights of Way***

- (vi) existing skylines, landform and contours.

***The proposal makes no adverse effect on existing skylines, landform or contours.***

- (vii) Development which results in the permanent loss of landscape features which are not readily renewable and whose loss would be unacceptable in landscape terms, will not be supported by the Council.

***The proposal does not adversely effect any landscape features.***

5.5 Policy ENV13 states that within the rural area, and especially within the Sensitive Landscape Character areas identified on the Local Plan maps, the Council will ensure, through the development process, that:

- (i) any authorised development is in keeping with, has minimal visual impact and reflects the nature of the rural area in which it is located, in terms of layout, materials used, design, size, scale, finish and colour. The design and material finish of any ancillary features will also require to be sympathetic to the character and appearance of the area;

***The proposal is in keeping with typical farm buildings found in the rural area. The finish of the building is sympathetic to the rural area and is coloured to blend into the rural landscape.***

- (ii) any authorised development is sensitively sited, landscaped and screened so as to blend into, respect and complement the landscape characteristics of the particular area in which it is to be located

***The proposal includes an element of proposed screening to the western and eastern boundary of the site which will blend the proposal further into the rural setting.***

- (iii) the landscape setting of a particular area affected by a proposed development is safeguarded from adverse or irreversible change by the use of appropriate planning conditions, management agreements, preparation and promotion of environmental improvement schemes, development and design briefs etc.

***In the event that the proposal is approved, planning conditions can be attached specifying that the height of the screening be maintained to prevent the landscape setting being adversely affected in any way.***

5.6 Policy ENV14 states that in assessing development proposals relating to land within the rural area which has not been identified as specific development opportunity sites on the Local Plan maps, the Council shall ensure that these have minimum impact on the rural environment. There will be a general presumption against any development which would:

- (ii) cause the permanent and irreversible loss of prime quality agricultural land (i.e. Classes 1, 2 and 3.1 in the Macaulay Land Classification System) (see Appendix 3);

***The proposal site is located on land classed as Locally Important Good Quality with a classification of 3(2). The proposal is not considered to lead to the loss of prime quality agricultural land as the shed and implement store sit on a small portion of the land and should not damage it in any way that would lead to an irreversible loss.***

- (iii) have a permanent adverse impact or cause irreparable damage to built heritage resources requiring conservation or their settings including listed buildings, conservation areas, historic gardens and designed landscapes, scheduled ancient monuments, archaeological and industrial archaeological sites;

***The proposal does not have an impact on any of the above.***

- (iv) have a permanent adverse impact or cause unacceptable, irreparable damage to natural heritage resources requiring conservation and to existing species and habitats;

***The proposal does not have an impact on any of the above.***

- (v) adversely affect the quality of water resources, water catchment areas, land drainage or flood protection interests or create water pollution problems;

***The proposal does not have an impact on any of the above.***

- (vi) result in the destruction of any areas of peat which are considered to be of significant ecological value.

***The proposal will not result in the destruction of any areas of peat.***

## **6. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS**

6.1 The principal material considerations relevant to the determination of the application are the consultation responses and the representation received that are addressed in Sections 3 and 4 of this report and the planning history of the site.

### Consultation Responses and Representation

6.2 The consultation responses are detailed in Section 3 of the report and no adverse comments have been raised. The Council's Roads and Transportation Division offer no objections provided there is no intensification of use on site. The applicant responded to this issue by submitting photographic evidence that proves the equipment to be stored in the shed and implement store are currently on site and he stated in a supporting letter that there will be no intensification of use at the site.

6.3 The concerns of the objector are not considered to be of such weight in the determination of this application as to require refusal of the proposal.

6.4 06/0463/FL: Erection of shed and Implement Store - withdrawn by the applicant on 25 August 2006.

## **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 terms of the Development Plan. Therefore given the terms of Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 the application should be approved unless material considerations indicate otherwise.

8.2 As stated in Section 6, there are material considerations relevant to this proposal. The objector does not raise any issues which would warrant refusal of the application and the consultees have not raised any adverse comments. The proposed shed and implements store is considered appropriate to its rural location.

## **9. RECOMMENDATION**

**9.1 It is recommended that the application be approved subject to the conditions 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, Development and Building Standards it will not require to be referred to the Development Services Committee as there would be no significant breach of Council Policy.

**Alan Neish**  
**Head of Planning, Development and Building Standards**

27 November 2006  
(DW/MMM)

FV/DVM

### **LIST OF BACKGROUND PAPERS**

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

Anyone wishing to inspect the above papers please contact David Wilson, Planning Officer, on 01563 576779.

***Implementation Officer: Dave Morris***

## EAST AYRSHIRE COUNCIL

## TOWN &amp; COUNTRY PLANNING (SCOTLAND) ACT 1997

Application No: 06/0875/FL

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Site of Proposal: No. 13 Greenhill Holdings  
Knockentiber  
KILMARNOCK  
KA2 0DX

Nature of Proposal: Erection of shed and Implement Store

Name & Address of Applicant: Mr R and E Bartling  
2 Harperland Holdings  
Dundonald  
KA2 9BY

Name & Address of Agent:

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DPO's Reference: WS/MMM

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

1. The shed and implement store shall be used solely for the storage of implements and materials associated with the use of 13 Greenhill Holdings and no other commercial activity shall be carried out in or from these structures.

REASON To protect the rural environment by preventing the establishment of unauthorised commercial uses.

2. Details of the additional screening to be planted on the boundary of the site shall be submitted to and approved in writing by the Planning Authority within 4 weeks of the date of this permission and shall be planted within the next available planting season following the date of this permission.

REASON To ensure that the screening is adequate in the interests of visual amenity.

3. The existing hedge that bounds the access road and implement store shall be allowed to increase to a height of 2.5 metres and maintained on site thereafter at that height.

REASON To ensure that the hedge provides ample screening in the interests of visual amenity.

**DUE TO ORDNANCE SURVEY REGULATIONS AND COPYRIGHT  
THE MAP IS AVAILABLE FOR VIEWING AT THE COUNCIL'S  
PLANNING OFFICE IN KILMARNOCK. FOR INFORMATION ON  
VIEWING PLEASE CONTACT (01563) 576790.**