

EAST AYRSHIRE COUNCIL

NORTHERN AREA LOCAL PLANNING COMMITTEE: 18 JUNE 2004

**04/0428/FL: CHANGE OF USE OF PART OF INDUSTRIAL UNIT TO ALLOW
RETAIL SHOWROOM FOR KITCHEN AND BEDROOM DISPLAYS
AT UNIT 1 BARRMILL INDUSTRIAL ESTATE, GALSTON
BY MR J ROWAN**

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 The proposed development is for a change of use of part of an industrial unit to allow retail showroom for kitchen and bedroom displays. The Industrial Unit measures 186m in area of which 49 square metres will consist of the new Kitchen and Bedroom Showroom and there will be no external alterations. The primary use of the application site will remain industrial with the majority of floor space remaining for industrial use.

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 at Section 5 of the report, applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise. The proposed development accords with the Development Plan and therefore the application should be approved unless material considerations indicate otherwise.

3.2 It is considered that the proposed development meets the requirements of Policies IND5 and RTC7. The primary use of the site will remain industrial and the proposed change of use of part of the industrial unit to allow retail showroom for kitchen and bedroom displays is acceptable in policy terms.

3.3 In terms of the application the consultations received are generally supportive. The submitted letter of objection is noted but is not considered to be of/

of sufficient weight to justify an unfavourable recommendation. The overall impact on the amenity of the area is such that the proposed development can be accommodated without detriment to the surrounding area.

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 represent 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 an application which is to be considered by the Local Planning Committee under the scheme of delegation as it is subject to an objection.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site is an industrial unit located at Barrmill Road, Galston. The site is bound by the River Irvine to the north and industrial and residential properties to the south, east and west.

2.2 **Proposed Development:** The proposed development is for a change of use of part of an industrial unit to allow retail showroom for kitchen and bedroom displays. The Industrial Unit measures 186m in area of which 49 square metres will consist of the new Kitchen and Bedroom Showroom and there will be no external alterations. The primary use of the application site will remain industrial with the majority of floor space remaining for industrial use.

3. CONSULTATIONS AND ISSUES RAISED

3.1 Transco, Scottish Water, and East Ayrshire Roads and Transportation Division have no comments to make.

Noted.

3.2 Scottish Environment Protection Agency have not responded to their consultation at the time of compiling this report.

Noted.

4. REPRESENTATIONS

4.1 One letter of representation was received in respect of the proposed development. The grounds of objection are as follows:-

4.2 I am concerned that the change of use from Industrial to a Retail Unit would cause severe parking problems for the other 4 units and the surrounding area of Barrmill Road.

East Ayrshire Council's Roads and Transportation Division have been consulted as part of this application and offered no objections.

4.3 We would be concerned that the parking bays belonging to us would be used by customers of the Retail Unit.

See response in section 4.1. In any case if these bays are owned by the objector this is under his control.

5. ASSESSMENT AGAINST DEVELOPMENT PLAN

5.1 Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that 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 and the Adopted East Ayrshire Local Plan.

Approved Ayrshire Joint Structure Plan

5.2 The application does not raise any strategic issues that would require assessment against the provisions of the Approved Ayrshire Joint Structure Plan.

Adopted East Ayrshire Local Plan

5.3 Policy IND5 safeguards those established industrial areas as shown on the Local Plan Maps for business, industrial and storage and distribution uses.

The proposed development involves a change of use of part of an existing Industrial Unit to retail whereby kitchen and bedroom units would be displayed. However, the primary use would still be industrial with the furniture and kitchen units being manufactured on site.

5.4 Policy RTC7 supports retail development proposals in out-of-town centre locations in six stated circumstances. One of these circumstances is pertinent to the application, this being where:

- (iii) the proposal is for a factory shop, not exceeding 200m squared gross floor area and falling within Class1 of the Use Classes Order, where the retail outlet is purely ancillary to the main manufacturing use of the premises and the goods sold are exclusively to those goods manufactured on site:

The primary use of the application will remain industrial, with the majority of the floor space remaining industrial as the kitchens and bedroom furniture will be manufactured on-site, sold via a sales desk and then fitted in the customer's homes. The retail element of the proposed development will occupy approximately 49 square metres.

5.5 It is therefore considered that the proposed development meets the requirements of Policies IND5 and RTC7. The primary use of the site will remain industrial and the proposed change of use of part of the industrial unit to allow retail showroom for kitchen and bedroom displays is acceptable in policy terms.

6. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

6.1 The material considerations relevant in the determination of this application comprise the consultation responses, letter of representation and the impact of the proposal on the amenity of the area.

Consultation Responses

6.2 The consultation responses are detailed in section 3 of this report and offer no objection to the proposed development.

Letter of Representation

6.3 The letter of representation is detailed in Section 4 of this report and the points raised are not considered to warrant the refusal of this application.

Impact of the proposal on the amenity of the area

6.4 The circumstances of the proposed development are such that it is considered that the proposals can be accommodated without detriment to the surrounding area.

7./

7. FINANCIAL AND LEGAL IMPLICATIONS

7.1 There are no financial or legal implications for the Council in determining this application.

8. CONCLUSIONS

8.1 As indicated at Section 5 of the report, applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise. The proposed development accords with the Development Plan and therefore the application should be approved unless material considerations indicate otherwise.

8.2 It is considered that the proposed development meets the requirements of Policies IND5 and RTC7. The primary use of the site will remain industrial and the proposed change of use of part of the industrial unit to allow retail showroom for kitchen and bedroom displays is acceptable in policy terms.

8.3 In terms of the application the consultations received are generally supportive. The submitted letter of objection is noted but is not considered to be of sufficient weight to justify an unfavourable recommendation. The overall impact on the amenity of the area is such that the proposed development can be accommodated without detriment to the surrounding area.

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 the application will not require to be referred to the Development Services Committee as this would not represent a significant departure from policy.

Alan Neish
Head of Planning, Development and Building Standards

10 June 2004
(EMcL/MMM/FGD)
FV/DVM

LIST OF BACKGROUND PAPERS

1. Application Forms/Plans.
2. Statutory Letters/Certificates.
3. Consultations.
4. Letter of Objection.
5. Approved Ayrshire Joint Structure Plan.
6. Adopted East Ayrshire Local Plan.
7. Application No: 99/0829/FL.

Anyone wishing to inspect the above papers please contact Eddie McLennaghan on 01563 576772.

Implementation Officer: Dave Morris

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

04/0428/FL

Site of Proposal: Unit 1
Barrmill Road Industrial Estate
GALSTON
KA4 8HH

Nature of Proposal: Proposed Partial Change of Use from Industrial
to Industrial and Kitchen and Bedroom
Showroom Displays

Name & Address of Applicant: Mr J Rowan
New Look Fitted Bedrooms & Kitchens
11 Barrwood Gate
GALSTON
KA4 8NA

Name & Address of Agent:

DPOs Reference: EMcL/MMM

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

1. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (Scotland) Order 1992, and the Town and Country Planning (Use Classes) (Scotland) Order 1997, this permission relates to the use of the premises as retail showroom for kitchen and bedroom displays and the further express permission of the Planning Authority shall be required in respect of any other use which falls within the same use class to the use hereby approved.

REASON To enable the Planning Authority to retain control over the use of the site in the interests of residential amenity.

NOTE:-

1. Early contact should be made with Transco on 0141 418 4093 at 95 Kilbirnie Street, Glasgow as Transco apparatus may be located on or adjacent to the site in order to prevent damage to said apparatus.

**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.**