

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE: 13 AUGUST 2004

**04/0372/RM : PROPOSED DWELLINGHOUSE AND GARAGE AT
SHIELDMAINS FARM, COALHALL**

APPLICATION BY MR ALEX STEVENSON

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 The application has been made for the approval of Reserved Matters further to a house which was approved in principle (Planning Ref : 01/0032/OL) by the Southern Local Planning Committee at their meeting on 30 March 2001.

1.2 It is proposed to erect a sizeable two storey detached dwellinghouse with a detached double garage and set within a generous feu. The house is of a dual pitched roof construction incorporating single storey wings to either gable and also having a large hipped roof sunroom extending out the rear. The proposed dwelling which is to be finished in Marley Monarch roof tiles and white roughcast render displays vertically proportioned fenestration with true masonry mullions. Crow steps and stone quoins are also shown.

1.3 It is proposed to access the site from the existing vehicular access which runs between the fishery and the treed embankment to the west. A scheme of landscaping has been proposed and a simple stob and wire fence would demarcate the boundary of the domestic curtilage. Drainage would be to a septic tank.

2. RECOMMENDATION

2.1 It is recommended that the application be approved subject to the conditions listed 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 development plan. Therefore, given the terms of Section 25 and Section 37(2) of the Town and Country Planning (Scotland) Act 1997, the application should be approved unless material considerations indicate otherwise. As is indicated at Section 6 of the report, there are material

considerations relevant to this application, however it is considered that these do not merit refusal of the application.

3.2 The current application is for the approval of reserved matters only in relation to the dwellinghouse already approved in principle. The justification is therefore not a matter for consideration under the terms of this application. It is purely the detailed design scheme which the Council are being asked to consider at this stage.

3.3 The proposed dwelling is a sizeable two storey unit to be constructed using locally found materials sympathetic to the rural environment in which it is to be located. The overall scale, albeit large, is of vertically aligned proportions and does display traditional rural features with an acceptable fenestration. The plot of ground can accommodate the scale of the proposed house, inclusive of a detached double garage, and with an appropriate boundary treatment of a simple stob and wire fence. A landscaping scheme has been submitted but it is considered that a revised more structural scheme should be sought to enhance the visual impact of the development.

3.4 With an acceptable design scheme and no outstanding infrastructure issues the recommendation is one of approval.

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 require to be referred to the Development Services Committee because it would be a departure from the development plan.

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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SHIELDMAINS FARM, COALHALL**

APPLICATION BY MR ALEX STEVENSON

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 for the approval of reserved matters which is to be considered by the Local Planning Committee under the scheme of delegation, due to it having attracted letters of objection.

2. APPLICATION DETAILS

2.1 **Site Description:** The site is located in a Sensitive Landscape Area in the Rural Protection Area just outside the hamlet of Coalhall. It lies on the south side of the A70 road to Ayr and is positioned on a south west facing slope overlooking the loch at Coyle Water Fishery. An existing access track serves the fishery which sits in a hollow immediately in front of and below the level of the site. Beyond this is a steep bank with dense tree cover which rises to meet the A70 public road.

2.2 Approximately 166 metres to the north east of the site is a recently completed dwelling which was granted planning permission subject to an occupancy condition tied to the animal feed business and farm unit known as Shield Mains Farm. Immediately to the west of the site is the access track which wraps around the back of the site to the farm unit. There is a heavily treed embankment beyond this track to the west.

2.3 **Proposed Development:** The application has been made for the approval of Reserved Matters further to a house which was approved in principle (Planning Ref : 01/0032/OL) by the Southern Local Planning Committee at their meeting on 30 March 2001.

2.4 It is proposed to erect a sizeable two storey detached dwellinghouse with a detached double garage and set within a generous feu. The house is of a dual

pitched roof construction incorporating single storey wings to either gable and also having a large hipped roof sunroom extending out the rear. The proposed dwelling which is to be finished in Marley Monarch roof tiles and white roughcast render displays vertically proportioned fenestration with true masonry mullions. Crow steps and stone quoins are also shown.

2.5 It is proposed to access the site from the existing vehicular access which runs between the fishery and the treed embankment to the west. A scheme of landscaping has been proposed and a simple stob and wire fence would demarcate the boundary of the domestic curtilage. Drainage would be to a septic tank.

3. CONSULTATIONS AND ISSUES RAISED

3.1 The Council's Roads and Transportation Division has no objection to the proposed development.

Noted.

3.2 Scottish Water has advised there are no known sewers to which a connection may be made from the proposed development.

Noted.

3.3 Scottish Environment Protection Agency has no objections in principle but have stated that surface water must be excluded from the septic tank to minimise the amount of drainage being treated and should be discharged to the burn via a suitably designed Sustainable Urban Drainage system, such as a filter trench or French drain.

This can be imposed as a condition on the planning consent should the Committee be minded to approve the application.

3.4 Scottish Natural Heritage has no comments to make regarding the application.

Noted.

3.5 Scottish Wildlife Trust has been consulted but no response had been received at the time of writing this report.

Noted.

3.6 PowerSystems has no objection to the proposed development.

Noted.

3.7 Transco has no objection to the proposed development.

Noted.

3.8 Drongan, Rankinston and Stair Community Council has been consulted but no response had been received at the time of writing this report.

Noted.

4. REPRESENTATIONS

4.1 This planning application has attracted letters of representation from two objectors. The objections raised can be summarised as follows.

4.2 The site lies within a Sensitive Landscape Area and we feel strongly that a house of the dimensions proposed would create an unacceptable visual intrusion.

It is reasonable to describe the proposed dwelling as a sizeable unit. However the scale is not considered to be unacceptable given the scale of the two neighbouring properties, Shield Mains farmhouse and a more recently completed house which lies to the east of the site, with which the proposed unit has the closest relationship. Hence although this is a material planning consideration it is not one which is considered to have sufficient weight to indicate the application should be refused.

4.3 The proposed development, in this Rural Protection Area, also lies outwith a settlement boundary as delineated in the adopted local plan.

The site is indeed located in the Rural Protection Area outwith a settlement envelope. However, the current application is for the approval of reserved matters only and the justification for the house is therefore not under consideration. Hence this objection is not a material planning consideration in the determination of this application.

4.4 The applicant has no proven special locational need for erecting a dwellinghouse at this site : Mr Stevenson has only recently sold the farmhouse and business premises at Shieldmains that he and his family occupied, situated as it is, only yards away from the proposed new erection. Mr Stevenson owns, but does not run, Coyle Water Fishery which already includes an integral building suitable for storage and security purposes.

As stated under para 4.3 the need case for the house is no longer a matter for consideration and it is simply the detailed design scheme which is awaiting determination. Hence this objection is of no materiality in the consideration of this application.

4.5 The intended large, two storey house will look directly onto my own property and detract from my visual amenity and enjoyment of this scenic area of fields and woodland.

The proposed dwelling is located approximately 0.5 kilometre from the objector's property and it is therefore not considered that this is likely to give rise to any issue of overlooking. The enjoyment of the objector's view is not a material planning consideration and hence has no weight in the determination of this planning application.

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 and the Adopted East Ayrshire Local Plan (2003).

Ayrshire Joint Structure Plan

5.2 There are no policies contained within the structure plan which are especially relevant to this application.

East Ayrshire Local Plan

5.3 Policy RES17 states that residential development in the countryside will not be permitted in nine stated circumstances. One of these circumstances is pertinent to the application, this being:

(viii) where, in the opinion of the Council, the development would be unduly visually prominent, break the skyline when viewed from a public road, adversely affect the amenity and appearance of remote areas, wild areas or particularly picturesque locations, or diminish the natural or designed landscape quality and character of the area;

The dwelling proposed is set against a north facing slope above the existing fishery. There is dense tree cover on the facing embankment adjacent to the A70 which provides a significant amount of screening, albeit these trees are deciduous. Additionally there are a number of other buildings, including two storey dwellings, in this

enclave. The proposed house does reflect the rural vernacular and uses generally sympathetic materials and on balance it is not considered to be unduly visually prominent. It therefore complies with Policy RES17.

5.4 Policy ENV11 states that, within Sensitive Landscape Character Areas, the Council will give priority and prime consideration to the protection and enhancement of the landscape in the consideration of rural development proposals. The policy also states that the Council will not be supportive of any development that would create unacceptable visual intrusion or irreparable damage within these areas. In addition, the policy states that the Council will be supportive of development proposals only where these positively enhance or protect the natural landscape, wildlife and cultural heritage of the area or promote the social and economic well-being of communities.

The proposed dwelling is not considered to create an unacceptable visual intrusion or irreparable damage and for the reasons outlined in para 5.3 it is considered to comply with Policy ENV11.

5.5 Policy ENV7 states that all developers will be expected to comply fully with the Council's existing and emerging Design Guidance and Policy documents relating to and advising on the particular type of development proposed.

The proposed dwelling is considered to generally adhere to the guidance set out in the Council's Design Guidance 3 : New Residential Development in the Countryside and thus complies with Policy ENV7.

6. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

6.1 The principal material considerations relevant to the determination of the application are the consultation responses, third party representations and the planning history of the site.

Consultations Responses

6.2 None of the consultation responses have raised any objections to the proposed development.

Representations

6.3 The representations have objected to the proposal on the following material planning issues: impact on visual amenity; overlooking and the

justification for a dwelling in this location. These issues have all been given due regard and are not considered to indicate that the application should be refused.

Planning History

6.4 The current application is for the approval of reserved matters following the granting of outline consent (Ref: 01/0032/OL) for the erection of a dwellinghouse on the site. At this time the applicant demonstrated that there was a site specific locational need case for a dwelling to accommodate him as the full time fishery manager and in the interests of security. It will remain the case that the dwelling must be occupied only by a manager of, or other employee maintaining and supervising, the fishery.

6.5 In January 2003 an application was submitted for the erection of a fishery manager's house (Planning Ref: 03/0076/FL). This was subsequently refused on the basis that the need case had not been sufficiently demonstrated.

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 development plan. Therefore, given the terms of Section 25 and Section 37(2) of the Town and Country Planning (Scotland) Act 1997, the application should be approved unless material considerations indicate otherwise. As is indicated at Section 6 of the report, there are material considerations relevant to this application, however it is considered that these do not merit refusal of the application.

8.2 The current application is for the approval of reserved matters only in relation to the dwellinghouse already approved in principle. The justification is therefore not a matter for consideration under the terms of this application. It is purely the detailed design scheme which the Council are being asked to consider at this stage.

8.3 The proposed dwelling is a sizeable two storey unit to be constructed using locally found materials sympathetic to the rural environment in which it is to be located. The overall scale, albeit large, is of vertically aligned proportions and does display traditional rural features with an acceptable fenestration. The plot of ground can accommodate the scale of the proposed house, inclusive of a detached double garage, and with an appropriate boundary treatment of a simple

stob and wire fence. A landscaping scheme has been submitted but it is considered that a revised more structural scheme should be sought to enhance the visual impact of the development.

8.4 With an acceptable design scheme and no outstanding infrastructure issues the recommendation is one of approval.

9. RECOMMENDATION

9.1 It is recommended that the application be approved subject to the conditions listed 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 require to be referred to the Development Services Committee because it would be a departure from the development plan.

Alan Neish
Head of Planning, Development and Building Standards

4 August 2004
NM/NM
FV/DVM

LIST OF BACKGROUND PAPERS

1. Application Form and Plans.
2. Statutory Notices and Certificates.
3. Letters of Representation.
4. Consultation responses.
5. Adopted East Ayrshire Local Plan (2003).
6. Approved Ayrshire Joint Structure Plan (1999).

Anyone wishing to inspect the above background papers should contact Nicola Monroe on 01563 555485.

Implementation Officer: Dave Morris

Form TP24A

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application No: 04/0372/RM

Location	Shieldmains COALHALL KA6 6LZ
Nature of Proposal:	Proposed dwellinghouse and garage
Name and Address of Applicant:	Mr Alex Stevenson Shield Mains Farm COALHALL KA6 6LZ
Name and Address of Agent	MGP Architects Cathcart House 20 Cathcart Street AYR KA7 1BJ

DPO's Ref: Nicola Monroe
PPO's Ref: Hugh Melvin

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

1. The dwellinghouse shall only be occupied by a person or persons employed or last employed as a manager or other employee charged with the maintenance and supervision of the Coyle Water Fishery or by his or her dependants, widow or widower.

REASON – The proposed development constitutes the construction of a dwellinghouse in the countryside which would otherwise be refused.

2. Prior to the commencement of development the developer shall submit a detailed landscaping scheme to include standards of a native species for the further written approval of the Planning Authority.

REASON – The landscaping scheme as submitted is not considered to be sufficient and a more detailed scheme is required.

3. The landscaping scheme which shall be approved under Condition 02 (Planning Ref : 04/0372/RM) shall be planted in the first planting season following the occupation of the dwellinghouse and shall maintained in perpetuity to the satisfaction of the Planning Authority.

REASON – In the interests of visual amenity.

4. Notwithstanding the details on the plans hereby approved the boundary shall be formed by a simple stob and wire fence, native hedgerow or drystone dyke, unless an alternative receives the prior written approval of the Planning Authority.

REASON – To ensure the boundary treatment is appropriate to the rural environment.

5. Notwithstanding the details on the plans hereby approved the dwellinghouse and garage shall be finished with a Marley Monarch roof tile unless an alternative receives the prior written approval of the Planning Authority.

REASON – To ensure the external finishing materials are appropriate to the rural area in the interests of visual amenity.

6. Notwithstanding the details on the plans hereby approved the external wall finish of the dwellinghouse and garage shall be have a white roughcast render unless an alternative receives the prior written approval of the Planning Authority.

REASON – To ensure the external finishing materials are appropriate to the rural area in the interests of visual amenity.

7. Prior to the commencement of development a colour specification for the external window frames, external doors, window surrounds and garage doors shall be submitted to and approved by the Planning Authority for the further written approval of the Planning Authority.

REASON – In the interests of visual amenity.

8. The double doors as shown on the front elevation of Drawing No. 03 shall be vertically lined timber and painted or stained in a colour to be agreed in accordance with Condition 07 (Planning Ref: 04/0372/RM) to the satisfaction of the Planning Authority.

REASON – In the interests of visual amenity.

9. The up and over doors as shown on the double garage are not approved. The doors to be installed shall have a vertically lined finish and shall be painted or stained in a colour to be agreed in accordance with Condition 07 (Planning Ref: 04/0372/RM) to the satisfaction of the Planning Authority.

REASON – The garage doors as shown are suburban in nature and are not considered to be appropriate to the rural location of the development.

10. Prior to the commencement of development the developer shall form the visibility sightlines measuring 2 metres by 90 metres and once formed these areas shall be kept free from any obstruction greater than one metre height to the satisfaction of the Planning Authority.

REASON – In the interests of road safety.

11. Prior to the commencement of development the developer shall demonstrate in writing that a satisfactory method of surface water disposal has been approved in writing by the

Scottish Environment Protection Agency and this shall be installed and maintained as agreed to the satisfaction of the Planning Authority.

REASON – In the interests of public health and safety.

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