

EAST AYRSHIRE COUNCIL

NORTHERN AREA LOCAL PLANNING COMMITTEE: 22 DECEMBER 2000

**00/0659/FL: PROPOSED REPLACEMENT OF GARAGE
AT ROWALLAN SMITHY, 63 MAIN ROAD, FENWICK
BY MR R SKEOCH**

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 It is proposed to erect a new garage to replace a corrugated steel version which was storm damaged last year. The new garage is detailed as being finished in timber with a felt roof. The garage is 7.2m long, 3.5m wide and 4.0m high, and will be accessed off the existing carriage crossing and hardstanding.

2. RECOMMENDATION

2.1 It is recommended that the application be approved subject to the condition on the attached sheet.

3. SUMMARY OF ANALYSIS

3.1 The age of the development plan indicates that the material planning consideration in determining this application must be the Finalised East Ayrshire Local Plan.

3.2 It is considered that this proposal is acceptable, for the reasons stated in paragraph 5.2 above, as it in part results in an improvement of the Conservation Area at this particular locus. Other material considerations such as the representations submitted citing daylight matters are not considered sufficient to outweigh the development plan.

**Alan Neish
Head of Planning and Building Control**

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 and Building Control

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 because it has been the subject of an objection.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site is the house and land attached at No 63 Main Road, Fenwick. The site is hard upon the southern boundary of the High Fenwick Conservation Area where it abuts an agricultural field on the west side of Main Road, Fenwick. Currently the house enjoys a hardstanding and associated outbuildings of various finishes and design which accords with its previous semi industrial/commercial history.

2.2 **Proposed Development:** It is proposed to erect a new garage to replace a corrugated steel version which was storm damaged last year. The new garage is detailed as being finished in timber with a felt roof. The garage is 7.2m long, 3.5m wide and 4.0m high and will be accessed off the existing carriage crossing and hardstanding.

3. CONSULTATIONS AND ISSUES RAISED

3.1 East Ayrshire Council Roads Division have confirmed that they have no objection to the proposed garage.

Noted.

3.2 The Architectural Heritage Society of Scotland have advised that they find the proposal generally acceptable with the exception of the rather minimal roof treatment.

Noted. The issue of the minimal roof treatment was put to the Society who confirmed that this concern related to the proposed felt roof, but was not an objection. It is considered that the treatment is acceptable for the timber garage and that other options could result in the garage having a top-heavy appearance.

3.3 Fenwick Community Council have not responded at the time of writing this report.

Noted.

4. REPRESENTATIONS

One individual, the owner of a cottage on the other side of Main Road, has lodged objections relative to the proposal. The grounds of objection are as follows:-

4.1 The proposed garage would result in loss of light from front rooms.

The garage is to be located approximately 28m (93 ft) from the front of the objector's house. Accordingly it is considered that this separation is such as to have a minimal affect on the daylighting of the rooms involved.

4.2 The garage is not for the applicant's use and a separate individual will be utilising the garage for the storage of a lorry.

This matter was brought to the applicant's attention who, through his agent, has confirmed that a Mr Hunter is the beneficiary of this established arrangement having housed the lorry in the garage previously on site for a great many years.

This appears to involve some form of arrangement between the applicant and Mr Hunter but not to the degree that a business can be said to be run from the premises. The Council has not previously been made aware of this situation and there have been no complaints raised specifically on this arrangement in terms of impact on residential amenity. Accordingly, on the basis of the current arrangement, this Division is satisfied that this particular issue does not require separate investigation and does not amount to a material change of use from that of residential. It should be borne in mind that should the character of this use alter significantly then it could

be investigated further to clarify if at that stage a material change has occurred requiring planning consent.

5. DEVELOPMENT PLAN STATUS

5.1 Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise. The development plan comprises the Adopted Joint Ayrshire Structure Plan and, in this case, the Adopted Stewarton Local Plan. The latter is considerably out of date and as a consequence, significant weight must be attached to a more recent expression of policy.

5.2 Consequently, it is the policies contained in the East Ayrshire Local Plan (Finalised Version) which have been agreed for determination purposes by the Council as being a prime material consideration and the main policy base and to which the greatest weight should be attached.

5.3 Policy ENV4 – “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, is sympathetic 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”.

The site itself as stated above (paragraph 2.1) is of a utilitarian character. The garage as proposed is an improvement on the previous painted corrugated metal structure and in part screens the remaining stores and outhouses on site and accordingly improves the amenity of the locus. It is therefore considered that the design and finish of the proposed garage can be supported in terms of this policy.

6. OTHER PLANNING CONSIDERATIONS

6.1 None.

7. FINANCIAL AND LEGAL IMPLICATIONS

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

8. CONCLUSION

8.1 The age of the development plan indicates that the material planning consideration in determining this application must be the Finalised East Ayrshire Local Plan.

8.2 It is considered that this proposal is acceptable, for the reasons stated in paragraph 5.2 above, as it in part results in an improvement of the Conservation Area at this particular locus. Other material considerations such as the representations submitted citing daylight matters are not considered sufficient to outweigh the development plan.

9. RECOMMENDATION

9.1 It is recommended that the application be approved subject to the condition on the attached sheet.

Alan Neish
Head of Planning and Building Control

13 December 2000
(IW/MMM)

FV/DVM

LIST OF BACKGROUND PAPERS

1. Application Form/Plans.
2. Statutory Notice/Certificates.
3. Letters of Representation.
4. East Ayrshire Council Local Plan (Finalised Version).

Anyone wishing to inspect the above papers please contact Ian Walker on 01563 576769.

Implementation Officer: Dave Morris

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

00/0659/FL

Site of Proposal: Rowallan Smithy
63 Main Road
FENWICK

Natural of Proposal: Proposed Replacement of Metal Garage

Name & Address of Applicant: Robin Skeoch
Rowallan Smithy
63 Main Road
FENWICK KA3 6DU

Name & Address of Agent: Robert G Lang RIBA ARIAS
25 Bellevue Crescent
AYR KA7 2DP

DPOs Reference: IW/MMM

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

1. The proposed development shall be carried out in accordance with the application form received on 19 September 2000 and the amended plans received by the Planning Authority on 04 December 2000.

REASON To ensure that development is carried out in accordance with the approved details.

**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.**

AGENDA

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