

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE : 30 MARCH 2001 01/0098/FL : PROPOSED ERECTION OF STORAGE SHED ASSOCIATED WITH HYDRAULICS BUSINESS, HOWFORD COTTAGE, MAUCHLINE FOR MR G BRYSON

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 Full planning permission is sought for the erection of a storage shed, associated with an existing hydraulics business based at Howford Cottage, adjacent to the site. The proposed shed measures 18.3 metres by 12.2 metres and is 5 metres high. The applicant proposes to externally finish the shed with olive green metal sheeting and grey concrete blocks. A new access is also proposed to be formed onto the unclassified road.

2. RECOMMENDATION

2.1 It is recommended that the application be refused on the grounds listed on the attached sheet.

3. ANALYSIS OF SUMMARY

3.1 As indicated at paragraphs 5.2 and 5.3 in the report the application is considered to be contrary to 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 refused unless material considerations indicate otherwise. As is indicated at paragraphs 6.2 to 6.4 in the report, there are material considerations relevant to the determination of this application.

3.2 Given the age of the Adopted Catrine - Sorn Local Plan, the Council has agreed that the East Ayrshire Local Plan Finalised Version should be considered as a prime material consideration. The proposal is also considered to be contrary to the provisions of the East Ayrshire Local Plan Finalised Version.

3.2 The proposed shed is not considered to have a site specific locational need to be located in the countryside, and it is considered to be visually obtrusive and out of keeping with the rural character of the area in terms of its siting, scale, design and use of finishing materials. Furthermore, it is not a sympathetic

industrial development associated with the traditional activities of agriculture and forestry, nor is it related to an appropriate rural activity. Should the Committee be minded to approve the application, it will require to be referred to the Development Services Committee for consideration as the development would represent a significant departure from policy.

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 a full planning application which is to be considered by the Local Planning Committee under the Scheme of Delegation as the application is recommended for refusal.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site lies approximately 1.5 miles south-east of Mauchline on the east side of the Uc 35 Low Clews road and is located immediately adjacent to the curtilage of Howford Cottage. The site is a visually prominent greenfield site, presently in pastoral use.

2.2 **Proposed Development:** Full Planning Permission is sought for the erection of a storage shed, associated with an existing hydraulics business based at Howford Cottage, adjacent to the site. The proposed shed measures 18.3 metres by 12.2 metres and is 5 metres high. The applicant proposes to externally finish the shed with olive green metal sheeting and grey concrete blocks. A new access is also proposed to be formed onto the unclassified road.

3. CONSULTATIONS AND ISSUES RAISED

3.1 East Ayrshire Council Roads and Transportation Division has no objection to the proposal subject to the inclusion of conditions on any planning permission in respect of the construction and standard of the site's access and its junction with the public road, the treatment of the roadside ditch, visibility splays and the provision of a turning and car parking spaces area with the site.

Should the application be approved conditions in respect of the above can be included in any planning permission.

3.2 The West of Scotland Water Authority has no comment to make on the application.

Noted.

3.3 The Scottish Environment Protection Agency has no objection to the proposal, provided the drainage arrangements are to its satisfaction and that any oil or hydraulic fluid is stored within a suitable bund.

Should the application be approved, an appropriate note and condition can be included in any planning permission.

3.4 The Coal Authority and British Gas Transco have no objection to the proposal.

Noted.

3.5 Scottish Power has no objection to the proposal, subject to the protection of its plant during construction.

Should the application be approved, an appropriate note can be attached to any planning permission requiring the applicant to make early contact with Scottish Power.

4. **REPRESENTATIONS** : None

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 (1999) and the Adopted Catrine - Sorn Local Plan (1984). The Adopted Plan was prepared in the context of the then approved Strathclyde Structure Plan.

5.2 The site lies within the countryside and within the Rural Diversification Area as defined in the Ayrshire Joint Structure Plan (1999). The application therefore requires to be considered with regard to Policy G6 which states that:-

“Development proposals in the Rural Diversification Area shall normally be limited to the use of land within settlements. Outside settlements development proposals shall conform to the structure plan where the development:-

a) comprises an acceptable form of residential use as defined by the local plan

- b) *provides for sensitive industrial, business recreational or tourism development with a site specific locational need:*
- c) *can be justified in terms of social and economic benefit to the community:*
- d) *contributes to rural land diversification; or*
- e) *provides for the operational needs of agriculture and forestry.*

It is not considered that the proposal accords with any of the criteria set out in Policy G6. Whilst an existing hydraulics business is in operation adjacent to the site, it is of a relatively small scale and is visually unobtrusive. It is considered that this proposal represents an intensification of that use and as such, would be best located within purpose built industrial premises elsewhere. It is further considered that the erection of the shed would be visually obtrusive and not be in the best interests of visual amenity.

5.3 The application site lies within the countryside and within an area of Local Landscape Significance as defined in the Adopted Catrine - Sorn Local Plan. The application therefore requires to be determined with regard to Policy 4.10.8 of the Adopted Catrine - Sorn Local Plan which does not discourage industrial development in locations where it would not have a detrimental effect on the rural character of the area or on areas of Local Landscape Significance.

It is considered that the proposed shed would be visually obtrusive and out of keeping with the rural character of the area of Local Landscape Significance in terms of its site, scale, size and external finishes. This is not considered to be in the best interests of visual amenity and as such, it is considered that the proposal conflicts with Policy 4.10.8.

6. ASSESSMENT AGAINST OTHER MATERIAL CONSIDERATIONS

6.1 The other principal material considerations relevant to the determination of the application are the East Ayrshire Local Plan, (Finalised Version with Modifications), the objections detailed above and the site's planning history.

6.2 The Adopted Local Plan is considerably out of date and therefore it is considered appropriate that greater weight should be attached to more recent expressions of policy. The Council has agreed that the East Ayrshire Local Plan, Finalised Version (EALP) should be considered as a prime material consideration.

6.3 The application site lies within the countryside and within the Rural Diversification Area as defined in the East Ayrshire Local Plan (Finalised Version). Policy SD4 states that:-

“Within the Rural Diversification Area, development proposals relating to land outwith settlement boundaries will be acceptable to the Council where the development:

- a) comprises an acceptable form of residential use as detailed in Policy RES14 of the Local Plan: or*
- b) provides for sensitive industrial, business, recreational or tourism development with a site specific locational need: or*
- c) can be fully justified in terms of social and economic benefit to the community”.*

See response to 5.2 above.

6.4 Policy IND 10 of the East Ayrshire Local Plan Finalised Version with Modifications is also of relevance. Policy IND 10 states that:

“Industrial and business development outwith settlement boundaries will be acceptable to the Council only where the proposal relates to:-

- (i) Category 1 and 2 business and industrial sites and those Miscellaneous Development Opportunity sites with potential for industrial or business development, as indicated on the Local Plan Rural Area Map;*
- (ii) Sympathetic industrial and business developments associated with the traditional activities of agricultural and forestry;*
- (iii) Sympathetic industrial and business developments related to appropriate rural activities such as small scale craft industries and leisure, recreation and tourism developments;*
- (iv) Rail freight based industrial uses at existing coal disposal points; or*
- (v) Sensitive industrial and business developments with a clearly demonstrated site specific locational need located within the Rural Diversification Area.*

All proposals for industrial and business developments in the countryside will require to be justified and will be assessed against their impact on the surrounding environment and adjacent uses, transportation and infrastructure

implications, loss of prime agricultural land and impact on natural and built heritage resources.”

It is considered that the proposed shed would be visually obtrusive and out of keeping with the rural character of the area in terms of its siting, scale, size and external finishes. This is not considered to be in the best interests of visual amenity and as such, it is considered that the proposal conflicts with policy IND10. In addition, there is no clearly demonstrated site specific locational need for the proposal to be located in the countryside and it is not a sympathetic industrial development associated with the traditional activities of agricultural and forestry. Furthermore, it is not related to an appropriate rural activity.

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 at paragraphs 5.2 and 5.3 above, the application is considered to be contrary to 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 refused unless material considerations indicate otherwise. As is indicated at paragraphs 6.2 to 6.4 above, there are material considerations relevant to the determination of this application.

8.2 Given the age of the Adopted Catrine - Sorn Local Plan, the Council has agreed that the East Ayrshire Local Plan Finalised Version should be considered as a prime material consideration. The proposal is also considered to be contrary to the provisions of the East Ayrshire Local Plan Finalised Version.

8.3 The proposed shed is not considered to have a site specific locational need to be located in the countryside, and it is considered to be visually obtrusive and out of keeping with the rural character of the area in terms of its siting, scale, design and use of finishing materials. Furthermore, it is not a sympathetic industrial development associated with the traditional activities of agriculture and forestry, nor is it related to an appropriate rural activity. Should the Committee be minded to approve the application, it will require to be referred to the Development Services Committee for consideration as the development would represent a significant departure from policy.

9. RECOMMENDATION

9.1 It is recommended that the application be refused on the grounds listed on the attached sheet.

Alan Neish
Head of Planning and Building Control
20 March 2001
DS/YW/SMB
FV/DVM

LIST OF BACKGROUND PAPERS

1. Application form and plans
2. Consultation replies
3. Ayrshire Joint Structure Plan
4. Adopted Catrine – Sorn Local Plan
5. East Ayrshire Local Plan (Finalised Version with Modifications)

Any person wishing to inspect the background papers listed above should contact Mr Derek Scott on 01563 555483.

Implementation Officer : Dave Morris

Application no: 01/0098/FL

Location	Howford Cottage MAUCHLINE KA5 5JX
Nature of Proposal:	Proposed erection of storage shed associated with hydraulics business
Name and Address of Applicant:	Mr G Bryson Howford Cottage MAUCHLINE KA5 5JX
Name and Address of Agent	Stairhill Architecture Services Stairhill MAUCHLINE KA5 5HN

DPO's Ref: Derek Scott]
PPO's Ref; []

The above FULL application should be refused on the following grounds:-

1. Given the siting, scale, size and the external finishes of the proposed shed, it is considered that the proposal would be visually obtrusive and would not be in the best interests of visual amenity and as such would be contrary to the terms of Policy 4.10.8 of the Adopted Catrine - Sorn Local Plan and Policy IND10 of the East Ayrshire Local Plan (Finalised Version with Modifications).
2. The proposed development would further be contrary to Policy IND 10 of the East Ayrshire Local Plan (Finalised Version with Modifications) in that there is no clearly demonstrated site specific locational need for it to be located in the countryside. Furthermore, it is not a sympathetic industrial development associated with the traditional activities of agricultural and forestry, nor is it an appropriate rural activity.
3. The proposed development, in terms of its siting, scale, size and external finishes would be detrimental to the character of the rural area in which it would be located.

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AGENDA