

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE: 11 APRIL 2003

**02/0684/RM: APPROVAL OF RESERVED MATTERS FOR ERECTION OF A
DETACHED DOUBLE GARAGE AT PLOT 8 GRASSMILLEES WAY,
MAUCHLINE**

APPLICATION BY MR & MRS J STEEL

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 This planning application has been submitted on a retrospective basis for a detached double garage. The approval (Ref: 02/0020/FL) relating to the house included details of a single garage. However, the garage which is currently being built is a double unit and is therefore of significantly different proportions to that which has been approved.

1.2 The garage is situated in the south east corner of the plot and the front elevation faces south west so that its main elevation is visible to the public road on the approach from Mauchline. The ridge height of the garage as under construction is 4.4 metres with a front elevation width of 6.4 metres. The finishing materials are concrete roof tiles and a render for the external walls to match the dwellinghouse. A single horizontally lined up and over garage door is proposed.

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, there are no specific policies within the Development Plan applicable to this development and therefore greater weight should be attached to other material considerations. As indicated in Section 6 of the report, there are material considerations relevant to this application. In this regard, the proposal accords with the Council's Design Guidance and consequently, the provisions of Policy ENV7 of the EALP are supportive of the development.

3.2 This application has been submitted on a retrospective basis for a garage which has been constructed (and is almost complete) but which is not in accordance with the approved plans and therefore is currently unauthorised. The application has been made subsequent to a request by the Enforcement Officer for the area in order that its authorisation be considered.

3.3 The development that has been applied for is a detached double garage in a generously sized feu on a residential development in the settlement. Albeit that the majority of the detached garages on the development are indeed single and that it was a single garage which was originally approved it is not considered that the structure has a detrimental impact on the general amenity of the area. It does not have any impact on the neighbouring property and the style and materials are in keeping with the existing built environment. The garage is visible from the public road but a single garage would equally be visible and it is not considered that as built it is of any significant undue prominence.

CONTRARY DECISION NOTE

Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning and Building Control, the application will not require to be referred to the Development Services Committee because there will be no significant departure from Council 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 the Head of Planning and Building Control

1. PURPOSE OF REPORT

1.1 The purpose of this report is to present for determination a reserved matters application, which is to be considered by the Local Planning Committee under the scheme of delegation as agreed by the Head of Planning and Building Control in consultation with the Chair.

2. APPLICATION DETAILS

2.1 **Site Description:** The site under consideration is a plot in the residential development at Grassmillees Way in the settlement of Mauchline. The detached house to which the garage pertains is in the final stages of completion and the garage itself has been commenced and is significantly underway. This particular plot is located adjacent to the A76 with a hedgerow forming the boundary to the public highway. There is a detached property located immediately to the north of the site.

2.2 **Proposed Development:** This planning application has been submitted on a retrospective basis for a detached double garage. The approval (Ref: 02/0020/FL) relating to the house included details of a single garage. However, the garage which is currently being built is a double unit and is therefore of significantly different proportions to that which has been approved.

2.3 The garage is situated in the south east corner of the plot and the front elevation faces south west so that its main elevation is visible to the public road on the approach from Mauchline. The ridge height of the garage as under construction is 4.4 metres with a front elevation width of 6.4 metres. The finishing materials are concrete roof tiles and a render for the external walls to match the dwellinghouse. A single horizontally lined up and over garage door is proposed.

3. CONSULTATIONS AND ISSUES RAISED

3.1 Mauchline Community Council have not responded at the time of writing this report.

Noted.

4. REPRESENTATIONS

4.1 This planning application has not attracted any third party representations.

Noted.

5. ASSESSMENT AGAINST THE 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 Mauchline-Drongan-Ochiltree Local Plan (1993). The Adopted Local Plan was prepared within the context of the approved Strathclyde Structure Plan.

Mauchline-Drongan-Ochiltree Local Plan

5.2 There are no policies contained in this plan that directly relate to the proposed development.

Noted.

Ayrshire Joint Structure Plan

5.3 There are no policies contained in this plan that directly relate to the proposed development.

Noted.

6. ASSESSMENT AGAINST OTHER MATERIAL CONSIDERATIONS

6.1 The principal material considerations relevant to the determination of this application are the East Ayrshire Local Plan (Finalised Version with Modifications) 2002, (EALP), and the planning history of the site.

East Ayrshire Local Plan

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 EALP should be considered as a prime material consideration.

6.3 Policy ENV7 requires that developers comply with the Council's Design Guidance relating to and advising on the particular type of development.

The Design Guidance pertinent to this development advises that garages should be built behind the front building line of the property and incorporate a dual pitched roof. The proposed garage is in accordance with this guidance and therefore the development as submitted does comply with the relevant development plan policy.

Planning History

6.4 Planning permission for the erection of a dwellinghouse and single garage was granted on 11 February 2002 (Ref No. 02/0020/FL).

7. FINANCIAL AND LEGAL IMPLICATIONS

7.1 There are no financial or legal implications in the determination of this application.

8. CONCLUSIONS

8.1 As indicated in Section 5 of the report, there are no specific policies within the Development Plan applicable to this development and therefore greater weight should be attached to other material considerations. As indicated in Section 6 of the report, there are material considerations relevant to this application. In this regard, the proposal accords with the Council's Design Guidance and consequently, the provisions of Policy ENV7 of the EALP are supportive of the development.

8.2 This application has been submitted on a retrospective basis for a garage which has been constructed (and is almost complete) but which is not in accordance with the approved plans and therefore is currently unauthorised. The application has been made subsequent to a request by the Enforcement Officer for the area in order that its authorisation be considered.

8.3 The development that has been applied for is a detached double garage in a generously sized feu on a residential development in the settlement. Albeit that the majority of the detached garages on the development are indeed single and that it was a single garage which was originally approved it is not considered that the structure has a detrimental impact on the general amenity of the area. It does not have any impact on the neighbouring property and the style and materials are in keeping with the existing built environment. The garage is visible from the public road but a single garage would equally be visible and it is not considered that as built it is of any significant undue prominence.

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 and Building Control, the application will not require to be referred to the Development Services Committee because there will be no significant departure from Council policy.

Alan Neish
Head of Planning and Building Control

25 March 2003
NM/NM
FV/DVM

LIST OF BACKGROUND PAPERS

1. Application form and plans.
2. Statutory notices and certificates.
3. Mauchline-Drongan-Ochiltree Local Plan (1993).
4. Approved Ayrshire Joint Structure Plan (1999).
5. East Ayrshire Local Plan, Finalised Version with Modifications (2002).
6. Approved Strathclyde Structure Plan.

Any person wishing to inspect the background papers listed above should contact Miss Nicola Monroe on 01563 555485.

Implementation Officer: Dave Morris

Form TP24A

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application no: 02/0684/RM

Location:	Plot 8 Grassmillees Way Mauchline
Nature of Proposal:	Proposed erection of detached double garage
Name and Address of Applicant:	Mr & Mrs J Steel Plot 8 Grassmillees Way Mauchline KA5 6EJ
Name and Address of Agent:	Ayly Homes 10 Grassmillees Way MAUCHLINE KA5 6EJ

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

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

1. Notwithstanding the plans hereby approved the external appearance of all materials to be used in the construction of the garage shall match the materials of the dwellinghouse to which it relates.

REASON: To ensure that the garage matches the external appearance of the dwellinghouse and thereby maintains the visual quality of the area.

2. The garage shall not be used for commercial purposes, other than those being incidental to the occupant's enjoyment of the residential property.

REASON: To safeguard the residential amenity of the area.

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VIEWING PLEASE CONTACT (01563) 555320.**