

EAST AYRSHIRE COUNCIL

**SOUTHERN LOCAL PLANNING COMMITTEE : 11 AUGUST 2000
00/0339/FL : CHANGE OF USE OF EXISTING GARAGE TO LIGHT
INDUSTRIAL UNIT AND PROPOSED EXTENSION AT GLENAMMER
COTTAGE, DALRYMPLE**

APPLICATION BY GLENAMMER ENGINEERING LTD

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 The proposal involves a change of use of an existing garage into a light industrial unit for the assembly of sieves and a small extension to the rear of the garage to accommodate additional workshop accommodation. The sieves are distributed throughout the world to Egypt, Belgium etc. One delivery van will uplift and deliver material per day. The proposed extension will have a lean-to roof and painted blockwork to match the existing garage. The application is retrospective as the proposed use is already undertaken within the existing garage.

2. RECOMMENDATION

2.1 The application should be refused for the reasons indicated on the enclosed sheet.

3. SUMMARY OF ANALYSIS

3.1 The proposed development is contrary to the industrial policies of the East Ayrshire Local Plan Finalised Version and the policies of the Adopted Dalmellington/Patna Dalrymple Local Plan. The proposal involves the assembly of sieves which is an industrial use which does not have a specific locational requirement to be sited in the countryside. There are alternative industrial premises in the area which could accommodate this industrial use. The proposal will however bring economic benefit to the area by providing employment for 3 people.

3.2 The Roads and Transportation Division have recommended refusal of the application as the existing access has very poor visibilities. Discussions have taken place between the applicant and the Roads Division regarding an alternative access to the west of the existing access. The applicant believes that the provision of a new access cannot be justified at this time. The applicant has indicated that he would be willing to accept a conditional planning consent that prior to any further expansion or increase in employee numbers beyond those stated on the application, a new access would be provided as suggested, to the west of the site. The Roads Division believe

that the proposed condition is unacceptable and would still maintain their objection in terms of road safety based on the application under determination.

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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APPLICATION BY GLENAMMER ENGINEERING LTD

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 Southern Local Planning Committee under the scheme of delegation as the proposal is contrary to policy and it is recommended for refusal.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site is located within the curtilage of a residential property. The site is adjacent to the B7036 public road and it is adjacent to the Primpton Burn and Glenammer Bridge. The site is bounded by agricultural land, and it is 0.177hectares in area.

2.2 **Proposed Development:** The proposal involves a change of use of an existing garage into a light industrial unit for the assembly of sieves and a small extension to the rear of the garage to accommodate additional workshop accommodation. The sieves are distributed throughout the world to Egypt, Belgium etc. One delivery van will uplift and deliver material per day. The proposed extension will have a lean-to roof and painted blockwork to match the existing garage. The application is retrospective as the proposed use is already undertaken within the existing garage.

3. CONSULTATIONS AND ISSUES RAISED

East Ayrshire Council Roads and Transportation Division have recommended refusal of the application on road safety grounds. The applicant has had discussions with the Roads Division and has been informed that in view of the extremely poor existing visibilities at the access onto the B7036 public road any intensification of use would be resisted. Visibilities could be improved by the removal of hedging to the left hand side on exit from the access, but would be still extremely poor for this class of road.

The applicant has discussed the proposal of a new access to be formed to the west of the existing access. The applicant believes

that the frequency of vehicle traffic to deliver/uplift goods is such that the provision of a totally new access cannot be justified at this time. They accept that the present access is not perfect, however they believe that the volume and frequency of traffic is such that manual directions/control can be given at the locus to ensure that safety of egress is maintained. They believe that egress is the main problem and contend that manual guidance and control can address safety issues. The applicant has suggested a condition that prior to any further expansion or increase in employee numbers beyond that already stated on the application, a new access would be provided as suggested to the west of the site.

3.2 West of Scotland Water have commented that there is water apparatus within the development site which may be affected by this application and contact should be made to discuss what measures are to be taken to safeguard their apparatus.

A note can be attached to any planning consent granted to advise the applicant to make early contact with West of Scotland Water.

3.3 The Scottish Environment Protection Agency have no objections provided drainage arrangements are to their satisfaction. All foul drainage must be connected to the septic tank system. Roof drainage should be kept separate and channelled to the Primpton Burn. Any oil storage tanks/drums on the site should be contained in a bunded area.

A note can be attached to any planning consent granted to advise the applicant to make early contact with the Scottish Environment Protection Agency.

3.4 The Coal Authority, Scottish Power have no adverse comments to make regarding the proposed development.

Noted.

3.5 British Gas Transco have commented that mechanical excavation shall not be carried out within 500mm of Transco Plant and a site visit is likely to be required prior to the commencement of works.

A note can be attached to any planning consent granted to advise the applicant to make early contact with British Gas Transco to arrange a site visit.

3.6 East Ayrshire Council Economic Development Division assume that the change of use is retrospective as the business was being operated out of the garage at the time of the visit. The employment level will increase by one new employee. The development of a small manufacturing business in Dalrymple is to be welcomed and if the proposed development does not conflict with any

planning policies or raise specific issues then the application should be approved.

Noted.

3.7 East Ayrshire Council Environmental Health, Dalrymple Community Council and British Telecom have not responded to the consultation letter.

Noted.

4. REPRESENTATIONS

Two letters of objection (one of which is from East Ayrshire Council Roads Division as detailed in Paragraph 3.1)

4.1 Access to Glenammer Cottage is on a very sharp bend with inadequate sightlines. Any increased vehicular activity, in particular light vans or delivery lorries, would be a significant hazard to other road users.

The Roads Division have recommended refusal of the application as they believe that the existing access has very poor visibilities.

4.2 The site falls within a “sensitive landscape area” as promoted by environmental policies. ENV11 and ENV12 are intended to preserve and enhance the environment, thus the application is inappropriate.

The proposal involves the conversion of an existing garage and a proposed extension. It is considered that the proposed development will not have an adverse impact on the rural environment in terms of visual amenity.

4.3 Policy ENV19.1 requires any application to be considered having regard to possible adverse effect on water courses by potential increase in levels of pollution or the detrimental impact on water quality, aquatic habitats for wildlife etc. The proposal shows a 100mm rainwater drain running from the proposed workshop extension to Primpton Burn, plus additional foul drainage to the existing septic tank run off from which discharges into Primpton Burn. The net effect is to increase the speed of surface run off and the quantity of albeit treated, foul water into the burn.

Both Scottish Environment Protection Agency and West of Scotland Water have no objections to the proposed development provided drainage arrangements are to their satisfaction.

4.4 The area is not recorded in the industrial site classifications being Paragraphs 3.5 and 3.6 of the Local Plan and thus fails to be considered in terms of Policies IND6 and IND7.

a) no evidence of locational need;

- b) the former water works site in Dalrymple which is listed as a potential development site is available within close proximity of the proposed site;
- c) no case has been made to justify the proposal on economic grounds;
- d) the change of use and in particular the proposed extension will have an adverse impact on the surrounding environment;
- e) there is no regular public transport available nor is there an adjacent bus stop;
- f) there will be loss of public amenity;
- g) there will be loss of prime agricultural land thus not relevant;
- h) the proposal will impact on the environment, but not on natural heritage resources.

The proposal is located in a sensitive landscape area, and it is not zoned for industrial use.

See response to Section 5.3

4.5 With regard to the proposal to extend the premises, the foregoing comments apply with regard to Policy IND7.

See response to Section 5.3

4.6 The proposal does not conform to Policy SD3:-

- a) the proposal is not residential development as detailed in Policy RES13;
- b) the proposal cannot be justified in terms of site specific locational need, as there is a site which is potentially available in Dalrymple;
- c) there is no justification that the site is required in terms of social and economic benefit to the community;
- d) the site/proposal does not contribute to the rural land diversification;
- e) the site/proposal does not provide for operational needs of agriculture or forestry.

See response to Section 5.3

4.7 The proposal is in breach of the Ayrshire Joint Structure Plan which zones the area as being of environmental and amenity importance and there is a presumption against development.

The proposed development will not have an adverse impact on the environment in terms of amenity. There is no locational need for this type of development to be located in a rural area.

4.8 The proposal will have an adverse effect in terms of highway safety, will have an adverse impact on the local environment and is in breach of a number of planning policies. The current proposals will significantly reduce the environmental benefit that is enjoyed by the local community.

The Roads and Transportation Division have recommended refusal of the application on road safety grounds. The proposal is contrary to Policy IND6 of the East Ayrshire Local Plan Finalised Version.

5. DEVELOPMENT PLAN STATUS

5.1 The relevant policy documents are the East Ayrshire Local Plan Finalised Version and the Dalmellington/Patna Dalrymple Local Plan. Policies SD3, IND6 and IND11 of the East Ayrshire Local Plan Finalised Version are specifically relevant.

5.2 Policy SD3 states within the Rural Protection Area development proposals relating to land located outwith the settlement boundaries will be acceptable where they :-

- (i) comprise an acceptable form of residential use as detailed in Policy RES13 of the Local Plan;
- (ii) can be fully justified in terms of site specific locational need, or;
- (iii) can be fully justified in terms of social and economic benefit to the community, or;
- (iv) contribute to rural land diversification or;
- (v) provide for the operational needs of agriculture or forestry.

The proposed development cannot be accommodated within Policy SD3 as there is no site specific locational need for the industrial process for the assembly of metal sieves to be located in the countryside. It does not contribute to the operational needs of agriculture or forestry or to the rural land diversification. It is acknowledged that the proposed use will bring economic benefit to the area by providing employment for 3 people.

5.3 Policy IND6 requires that all proposals for new industrial or business development on land not specifically identified for such purposes and changes of use of existing premises to industrial or business use will require to be justified against all of the following criteria:-

- (i) locational need;
- (ii) availability of alternative land/premises in established industrial areas or on land identified as part of the marketable industrial land supply;
- (iii) economic benefit;
- (iv) impact on surrounding environment and adjacent uses;
- (v) transportation and infrastructure implications;
- (vi) loss of public amenity open space;
- (vii) loss of prime agricultural land and;
- (viii) impact on natural and built heritage resources.

The proposed development is for the manufacture of sieves, there is no specific locational need for the business to be located in the countryside. There are alternative industrial premises where the proposed use can be accommodated which would be more acceptable in terms of local planning policies. The proposed development will not have an adverse impact on the surrounding environment and adjacent uses and on natural and built heritage resources. It will not result in the loss of prime agricultural land or public amenity open space. The Roads and Transportation Division have raised road safety concerns regarding the proposed development as the existing access has very poor visibilities. The development does however bring economic benefit to the area by providing employment for 2 people in the assembly process and 1 office staff. The proposed development therefore cannot be accommodated within Policy IND6 of the above Plan.

5.4 Policy IND11 will be supportive of the operation of small businesses in residential properties or associated outbuildings subject to the following criteria:-

- (i) the primary use of the property remains residential;
- (ii) the business can be adequately accommodated within the existing property;
- (iii) the business use does not adversely affect the existing residential use of the property or impact adversely on other residential properties in the area, and;
- (iv) that adequate car parking is provided to the standards of the Council as Roads Authority.

The proposed development is consistent with the above policy as the primary use of the property will remain residential and it can be accommodated within the curtilage of the existing property. It will not have an adverse impact on surrounding residential properties. The level of car parking proposed is acceptable to the Roads Division.

5.5 Policy ENV11 states that within the Sensitive Landscape Character Areas, the Council will give priority and prime consideration to the protection and enhancement of the landscape. Policy ENV12 requires that all development proposals respect in terms of their design, the local landscape characteristics of the particular area.

The proposed development is located in a Sensitive Landscape Character Area and it is in accordance with Policies ENV11 and ENV12. The proposals which involves the conversion of an existing garage and a small extension will not detract from the rural landscape.

5.6 In terms of the Dalmellington/Patna Dalrymple Local Plan, the proposed development is affected by Policy 6.32. In the countryside, there will be a presumption against any housing, industrial or other developments which would have an adverse environmental impact or detrimental effect on the Regional Scenic Area and the Area of Local Scenic Significance. Isolated development in areas designated as Countryside Around Towns shall not generally be approved unless there is a specific locational need or unless related to agriculture, horticulture, silviculture or other uses appropriate to country areas. Proposals require to be justified against economic benefit, specific locational need, infrastructural implications and environmental impact.

The Adopted Local Plan policies relate to now superseded designations. There is no specific locational need for the proposed development to be located in the countryside and it is not related to agriculture or other uses appropriate to country areas. The proposal will not have an adverse impact on the environment.

6. OTHER PLANNING CONSIDERATIONS

6.1 If the Committee are minded to approve this application, it would require to be submitted to the Development Services Committee for determination as a significant departure from Council policy.

7. FINANCIAL AND LEGAL IMPLICATIONS

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

8. CONCLUSIONS

8.1 The proposed development is contrary to the industrial policies of the East Ayrshire Local Plan Finalised Version and the policies of the Adopted Dalmellington/Patna Dalrymple Local Plan. The proposal involves the assembly of sieves which is an industrial use which does not have a specific locational requirement to be sited in the countryside. There are alternative industrial premises in the area which could accommodate this industrial use. The proposal will however bring economic benefit to the area by providing employment for 3 people.

8.2 The Roads and Transportation Division have recommended refusal of the application as the existing access has very poor visibilities. Discussions have taken place between the applicant and the Roads Division regarding an alternative access to the west of the existing access. The applicant believes that the provision of a new access cannot be justified at this time. The applicant has indicated that he would be willing to accept a conditional planning consent that prior to any further expansion or increase in employee numbers beyond those stated on the application, a new access would be provided as suggested, to the west of the site. The Roads Division believe that the proposed condition is unacceptable and would still maintain their objection in terms of road safety based on the application under determination.

9. RECOMMENDATION

9.1 The application should be refused for the reasons indicated on the enclosed sheet.

Alan Neish
Head of Planning and Building Control
PC/SMB
27 July 2000
FV/DVM

LIST OF BACKGROUND PAPERS

1. Application form and plans.
2. Statutory notices/certificates.

3. Consultation replies.
4. Letter of objection.
5. East Ayrshire Local Plan Finalised Version.
6. Dalmellington/Patna Dalrymple Local Plan

Any person wishing to inspect the background papers listed above, should contact Pamela Clifford on 01563 555485.

Form TP24A

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Implementation Officer : Pamela Clifford

Application no 00/0339/FL

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|--------------------------------|---|
| Location | Glenammer Cottage, DALRYMPLE KA6 6AP |
| Nature of Proposal: | Proposed change of use of existing garage to light industrial unit and proposed extension |
| Name and Address of Applicant: | Glenammer Cottage DALRYMPLE KA6 6AP |
| Name and Address of Agent | Mr J McDonald 10 Hollow Park, AYR KA7 4SR |

DPO's Ref: [PAMELA CLIFFORD]
PPO's Ref; []

The above **FULL** application should be refused on the following grounds.

- (1) The proposed development is contrary to Policy IND6 of the East Ayrshire Local Plan Finalised Version because there is no locational need for this industrial use to be located in the countryside.
- (2) The proposed development would be detrimental to road safety as the existing access has very poor visibilities and as such would be contrary to Policy IND6 of the East Ayrshire Local Plan Finalised Version.
- (3) The proposed development is not specifically related to a rural activity, and therefore would not be in accordance with Policy 6.32 of the Adopted Dalmellington/Patna Dalrymple Local Plan.

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AGENDA