

Application No. S/99/00698/FUL
Date registered 24 May 1999
APPLICANT MR PHIL BIRD, 25 THE LOANING, MOTHERWELL
Agent
DEVELOPMENT ERECTION OF DETACHED GARAGE
LOCATION 25 THE LOANING, MOTHERWELL

Ward No. 1
Grid Reference

File Reference S/PL/B/13/23/JL/AB

Site History No site history

Development Plan Residential on Southern Area Local Plan - Finalised Draft

Contrary to Development Plan No

CONSULTATIONS

- Objection**
- No Objection**
- Conditions**
- No Reply**

REPRESENTATIONS

- Neighbours** One letter of objection
- Newspaper**
- Advertisement** Not Required

COMMENTS

The applicant seeks planning consent for the erection of a garage to the rear of 25 The Loaning, Motherwell. One letter of objection was received from a neighbouring property, objecting to the size of garage and the possibility of a workshop/business activity taking place from the building. The garage amounts to some 52 square metres. A normal double garage is generally around 42 square metres, it is therefore some 10 square metres larger than a standard double garage. The applicant has confirmed that he will not be using the garage for any commercial activity. He owns a 'classic car' and requires additional space to carry out repairs and maintenance and for storage of spare parts. For insurance purposes a steel roller shutter single door is proposed and the unit will have no windows.

The garage will take up less than 25% of the total useable rear garden area of the dwelling and will be built to suitable design and material specifications. It should also be noted that the garage only requires planning consent by virtue of the fact that it exceeds the 4m high permitted development allowance by 0.27 metres.



Produced by
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 Southern Division
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Planning Application No. S/99/00698/FUL
 Erection of Detached Garage
 25 The Loaning, Motherwell

★ Location of Objector



1:1250



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Since the rear garden is capable of sustaining a garage of this size without compromising the useable rear garden space and the applicant has stated that the garage is to be used solely for domestic purposes, I hereby recommend that planning consent is granted subject to appropriate conditions.

The objector has requested a special hearing in order to put his case across to the Committee prior to a decision being made.

RECOMMENDATION

Grant, subject to the following conditions:-

1. That the development hereby permitted shall be started within five years of the date of this permission

Reason: To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.

2. That before the development hereby permitted starts, full details of the facing materials to be used on all external walls and roof of the garage shall be submitted to, and approved in writing by the Planning Authority, including any modifications as may be required.

Reason: To ensure that the facing materials complement those of the existing dwellinghouse.

3. That the use of the garage hereby permitted shall be restricted to private use incidental to the enjoyment of the dwellinghouse on the site and no commercial activity shall be carried out, in, or from, the garage.

Reason: To safeguard the residential amenity of the area by enabling the Planning Authority to retain effective control.

List of Background Papers

Application form and plans dated 24/5/99

Letters dated 6/6/99 and 30/6/99 from the Applicant

Southern Area Local Plan - Finalised Draft

Letters dated 24/5/99 and 28/6/99 from Mr Peter Kelland, 27 The Loaning, Motherwell.

Any person wishing to inspect the above background papers should telephone Motherwell 302142 and ask for Mr Lennon.

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Site History No site history

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Contrary to Development Plan No

CONSULTATIONS

Objection
No Objection
Conditions
No Reply

REPRESENTATIONS

Neighbours Four letters of objection from adjoining neighbour
Newspaper Advertisement Not Required

COMMENTS

The applicant seeks planning consent for the erection of a detached garage to the rear of 25 The Loaning, Motherwell. The garage measures some 6.2 metres x 8.4 metres and is 4.3 metres in height, resulting in an area of some 52.08 square metres. Due to the size of the garage, the Council sought confirmation that the garage was to be used solely for domestic purposes. Mr Bird has stated that it will be used for the parking of a 'classic' car which involves storage of spare parts and enough room for maintaining the car. One letter of objection was received from a notified neighbour. The contents of the objection and my comments thereon may be found in the accompanying report. Notwithstanding the objector's concerns, I hereby recommend that planning consent is granted subject to conditions.



Planning Application No. S/99/00698/FUL
 Erection of Detached Garage
 25 The Loaning, Motherwell



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 Department of Planning and Environment
 Southern Division
 13 Brandon Street
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RECOMMENDATION

Grant, subject to the following conditions:-

1. That the development hereby permitted shall be started within five years of the date of this permission

Reason: To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.

2. That before the development hereby permitted starts, full details of the facing materials to be used on all external walls and roof of the garage shall be submitted to, and approved in writing by the Planning Authority, including any modifications as may be required.

Reason: To ensure that the facing materials complement those of the existing dwellinghouse.

3. That the use of the garage hereby permitted shall be restricted to private use incidental to the enjoyment of the dwellinghouse on the site and no commercial activity shall be carried out, in, or from, the garage.

Reason: To safeguard the residential amenity of the area by enabling the Planning Authority to retain effective control.

List of Background Papers

Application form and plans dated 24/5/99

Letters dated 6/6/99 and 30/6/99 from the Applicant

Southern Area Local Plan - Finalised Draft

Letters dated 24/5/99, 28/6/99, 26/7/99 and 10/8/99 from Mr Peter Kelland, 27 The Loaning, Motherwell.

Any person wishing to inspect the above background papers should telephone Motherwell 302142 and ask for Mr Lennon.

APPLICATION NO: S/99/00698/FUL

REPORT

1. BACKGROUND AND PROPOSAL

1.1 The applicant seeks planning consent for the erection of a detached garage to the rear of 25 The Loaning, Motherwell. The garage measures some 6.2 metres x 8.4 metres x 4.3 metres high, amounting to 52.08 square metres. For insurance purposes a steel roller shutter single door is proposed and the unit will have no windows.

1.2 The application site is located within a residential area and is surrounded by residential dwellings on all sides. The rear garden depth is some 20 metres from the main part of the rear elevation and is 14 metres wide. The garage uptake is some 13% of the total available garden area which, for the avoidance of doubt, includes the front, side and rear garden area.

2. REPRESENTATION

2.1 Three letters of objection and a letter requesting information were received from an adjoining neighbour, these objections and my comments thereon can be summarised as follows:-

- the garage could be used to facilitate a business, why does he require a garage of this size?

Comment: the applicant has stated in a letter that the garage is to be used to store a 'classic' car and requires additional space to carry out repairs and maintenance and for storage of spare parts. A condition will be imposed on the garage thereby limiting its use for domestic purposes only and that no commercial activity shall be carried out, in, or from, the garage.

- the garage is too big and looks more like a workshop.

Comment: it is agreed that the garage is larger than the normal domestic garage, however, it takes up only 13% of the total garden area and less than 25% of the total useable rear garden area.

- the garage has commercial potential.

Comment: every large garage has commercial potential, however, regardless of the size of the garage, no commercial activity should take place within a residential area without the need to gain planning consent. As stated above, a condition will be attached to the consent restricting its use solely for domestic purposes.

- garages in the area are all less than half the size of proposed structure.

Comment: the Council does not restrict the size of a persons garage. If a site can readily accommodate a large garage of this size without causing a detrimental effect to the surrounding area, then the Council should not discriminate against its size provided that it is used for domestic purposes.

- since Mr Bird has not received planning consent, why have steel beams been delivered to the site, presumably for proposed garage construction.

Comment: the Council cannot stop Mr Bird from getting material delivered to his dwellinghouse. It should be noted that Mr Bird could, in fact, start building the garage up to a certain level without requiring planning consent, as the only reason he required consent, is due to the garage being over 4 metres in height. If the garage was 0.3 metres lower, it would not have required planning consent.

- the original notice was not an accurate description of the proposal as it did not mention 'double garage'.

Comment: the description, in my opinion, is satisfactory as it is a clear description. The notice gives any interested parties the opportunity to inspect the plans at the Council office, should they wish.

- does the garage conform to the Local Plan.

Comment: as the garage is to be used for domestic purposes, I can confirm that it conforms to the Local Plan for the area.

3. CONCLUSION

- 3.1 The applicant has stated in a letter that he keeps a 'classic' car as a hobby. As such, he requires, for insurance purposes, a secure building to park it. He also requires space for maintenance purposes and for storage of spare parts. My Department have no reason to question Mr Bird's motive for the garage, but as a precautionary measure, have imposed conditions on the garage restricting its use solely for domestic purposes.

Notwithstanding the objectors concerns, I hereby recommend that planning consent is granted.