

## **EAST AYRSHIRE COUNCIL**

**SOUTHERN LOCAL PLANNING COMMITTEE: 30 SEPTEMBER 2011**

**11/0336/PP: CHANGE OF USE OF CHURCH AND FORMER  
MANSE/RECTORY TO OFFICES AND VISITOR CENTRE AND  
ERECTION OF GEODOME WITHIN GARDEN GROUND.  
AT 14 BALLOCHMYLE STREET, CATRINE, KA5 6QP**

**Report by Head of Planning and Economic Development**

**Click for Application Details:** <http://eplanning.east-ayrshire.gov.uk/online/caseFile.do?category=application&caseNo=11/0336/PP>

### **EXECUTIVE SUMMARY SHEET**

#### **1. DEVELOPMENT DESCRIPTION**

1.1 Planning permission is sought for the change of use of the former church and rectory to use as a visitor centre with offices, and the erection of geodome within the garden ground for community garden use. The application is made on behalf of the Catrine Community Trust. Catrine Community Trust was formed in 2005 to take over the responsibilities of the Catrine Voes Trust when it ceased to function. The Trust owns and has responsibility for the weir, voes, hydro-tunnel, etc, but has a wider interest in improving village life and restoring other parts of Catrine's Georgian heritage.

1.2 In June 2011, the Trust, with the support of the Council, and a commercial loan from the Social Investment Scotland Fund, purchased St. Joseph's Chapel and the Rectory. It is anticipated the refurbished buildings shall provide a focal point for heritage tours of the village and surrounding area, provide toilet facilities and refreshments for people on the River Ayr Walk and tourists to the village and become a hub for community life. As well as the visitor centre, there are plans for an enhanced interpretation system to help visitors understand Catrine's complex industrial heritage.

1.3 The former church at the rear of the property is to be used for the heritage interpretation area and education on the rich heritage of the village. A café for tourists and walkers using the River Ayr Way will also function as a demonstration kitchen for the "Green Grow Catrine" project, using produce from the rear garden. The proposed geodome would be used for growing vegetables, fruit etc, which would be used in the small café area in the main building. The area shall be flexible in layout, for use as a training and education workshop areas and also as presentation space. An interpretation strategy shall be deployed for the promotion of the local heritage and guided

tours. The “Green Grow Catrine” project was awarded Big Lottery funding of £50,000 in July 2011.

1.4 The Victorian villa to the front is proposed for letting of meeting rooms, small business start up enterprises / business use and as Trust administration offices. A reconfigured link building is proposed and this area will contain toilets and a demonstration kitchen, to be shared between both buildings. The project shall provide employment, training, skills transfer and volunteering opportunities to assist in the economic regeneration of Catrine. In 2010, Catrine Community Trust was awarded monies from the Climate Challenge Fund towards reducing the carbon footprint in Catrine, and the Trust employ two part-time Energy Efficiency Advisors to assist in this.

1.5 The premises at 14 Ballochmyle Street are intended to be integral to the Catrine Environmental Heritage Partnership project, and will be converted using best practice environmentally friendly and energy efficient approaches. The operational expenses shall be provided from income from visitors, the café, letting of rooms and activity space with any shortfall met from income generated from the Hydro project.

1.6 The premises shall be managed by a Development Officer employed by the Trust with responsibility for budget management, sourcing future funding, employment and management of staff (full time or part time), management of volunteers, sourcing training and promotion of the aims of Catrine Community Trust.

## **2. RECOMMENDATION**

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

## **3. CONCLUSIONS**

3.1 8.1 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.

3.2 As detailed previously in this report the proposal is generally in compliance with the applicable policies in the Development Plan. The material considerations are generally supportive of the proposal with the exception of some of the grounds of the objectors, as stated above.

## **CONTRARY DECISION NOTE**

Should the Committee agree that this application be refused contrary to the recommendation of the Head of Planning and Economic Development then

the application will not require to be referred to Council as it would not be a significant departure from policy.

**Alan Neish**  
**Head of Planning and Economic Development**

**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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AT 14 BALLOCHMYLE STREET, CATRINE, KA5 6QP**

**BY MR HUGH HUTCHINSON**

### Report by Head of Planning and Economic Development

#### **1. PURPOSE OF REPORT**

1.1 The purpose of this report is to present for determination an application for planning permission which is to be considered by the Southern Local Planning Committee under the scheme of delegation as the application has attracted more than 10 objections.

#### **2. APPLICATION DETAILS**

2.1 **Site Description:** The application site comprises an area measuring approximately 2400 sq metres on Ballochmyle Street, Catrine, and was formerly St Joseph's RC Church, with former Priest's House / Rectory and associated garden ground. The former rectory fronts onto Ballochmyle Street, and is of traditional Victorian sandstone construction, 2 storeys in height, with a formal square of garden ground to the front, and original boundary railings and gates. There are 4 blind windows to the side elevation. The building is of similar scale and age to other buildings on this side of the street. The Church building is to the rear of this villa, and is a later wooden structure, of domestic scale, with flareout roof. The interior of the Church building is heavily detailed with stylised wooden buttresses.

2.2 On the south side of Ballochmyle Street, a range of smaller scale houses is opposite the site. The application site lies in the Catrine Outstanding Conservation Area, but the buildings are not listed.

2.3 **Proposed Development:** Planning permission is sought for the change of use of the former church and rectory to use as a visitor centre with offices, and the erection of geodome within the garden ground for community garden use. The application is made on behalf of the Catrine Community Trust. Catrine Community Trust was formed in 2005 to take over the responsibilities of the Catrine Voes Trust when it ceased to function. The Trust owns and has responsibility for the weir, voes, hydro-tunnel, etc, but has a wider interest in improving village life and restoring other parts of Catrine's Georgian heritage.

2.4 In June 2011, the Trust, with the support of the Council, and a commercial loan from the Social Investment Scotland Fund, purchased St. Joseph's Chapel and the Rectory. It is anticipated the refurbished buildings shall provide a focal point for heritage tours of the village and surrounding area, provide toilet facilities and refreshments for people on the River Ayr Walk and tourists to the village and become a hub for community life. As well as the visitor centre, there are plans for an enhanced interpretation system to help visitors understand Catrine's complex industrial heritage.

2.5 The former church at the rear of the property is to be used for the heritage interpretation area and education on the rich heritage of the village. A café for tourists and walkers using the River Ayr Way will also function as a demonstration kitchen for the "Green Grow Catrine" project, using produce from the rear garden. The proposed geodome would be used for growing vegetables, fruit etc, which would be used in the small café area in the main building. The area shall be flexible in layout, for use as a training and education workshop areas and also as presentation space. An interpretation strategy shall be deployed for the promotion of the local heritage and guided tours. The "Green Grow Catrine" project was awarded Big Lottery funding of £50,000 in July 2011.

2.6 The Victorian villa to the front is proposed for letting of meeting rooms, small business start up enterprises / business use and as Trust administration offices. A reconfigured link building is proposed and this area will contain toilets and a demonstration kitchen, to be shared between both buildings. The project shall provide employment, training, skills transfer and volunteering opportunities to assist in the economic regeneration of Catrine. In 2010, Catrine Community Trust was awarded monies from the Climate Challenge Fund towards reducing the carbon footprint in Catrine, and the Trust employ two part-time Energy Efficiency Advisors to assist in this.

2.7 The premises at 14 Ballochmyle Street are intended to be integral to the Catrine Environmental Heritage Partnership project, and will be converted using best practice environmentally friendly and energy efficient approaches. The operational expenses shall be provided from income from visitors, the café, letting of rooms and activity space with any shortfall met from income generated from the Hydro project.

2.8 The premises shall be managed by a Development Officer employed by the Trust with responsibility for budget management, sourcing future funding, employment and management of staff (full time or part time), management of volunteers, sourcing training and promotion of the aims of Catrine Community Trust.

### **3. CONSULTATIONS RECEIVED**

3.1 Catrine Community Council commented that the premises are located in the Conservation Area of Catrine, therefore it is essential that any alterations be sympathetic with the surrounding area. Given the nature of the

change of use, the Community Council noted there is no provision for car parking and the current access appears to be very narrow for commercial use. Any future structural alterations to widen the access may be in opposition to conservation policy. In relation to security in a residential area, the Community Council also noted that any security features should not require steel shutters and iron bars as these would be detrimental to the conservation streetscape.

3.2 East Ayrshire Roads and Transportation Service has no objections to the proposal, given that amended plans were received showing 6 parking spaces at the front of the property.

3.3 East Ayrshire Environmental Health Service has no objections but advised further details should be supplied prior to works commencing on the use, on the finishes of the walls/ floors/ ceilings, and the provision of ventilation and wash up facilities for the café area. Should Members decide to grant consent, this can be included as a condition.

#### 4. REPRESENTATIONS

4.1 A number of objections have been received in connection with this application from twelve individuals, with the main points of objection summarised below:

4.2 This area is residential in nature. A commercial proposal is not in keeping with the surrounding residential amenity of the area.

***The site is within the settlement boundary of Catrine but is outwith the designated town centre area. Surrounding uses are residential in nature; however, the plot is generous and set in its own curtilage and it is considered that there should not be any significant effects on the residential amenity of surrounding properties. The previous use as a Church would have been similar in terms of activity and use as the proposed use.***

4.3 The proposed changes to the buildings, including the geodome, would have an effect on the surrounding Conservation Area. Additional security features may be proposed which would look unsightly.

***Elements of the Conservation Area that contribute to its status are not only individual buildings but boundary features, such as gates and railings, walls, as well as features such as chimneys and roofs. The minor elevational changes to the existing buildings will not have any effect on the intrinsic character of the Outstanding Conservation Area, as these will not be seen from the street. No external security features are proposed as part of this application. Any changes to the boundary features of the property can be conditioned to ensure the overall visual amenity of the area is maintained. For the main part, the erection of the geodome will be screened by the former Church building, albeit***

**as it is sited on a raised area of garden ground to the rear of the Church building, the tip of it will be visible. Overall, however, this will have a negligible effect on the Conservation Area.**

4.4 It would be better if commercial buildings in the town are used, prior to a large villa being used for another commercial purpose. Creation of more office space is not required in this area, when other buildings could be used in the town centre.

**The choice of building proposed is at the discretion of the applicant and the Council has no control or bearing over this. Whilst commercial uses would be more suited to being in the defined town centre area, the applicants have now bought this building, and the application stands to be determined on its own merits for the site as indicated in the application. In terms of the Town and Country Planning (Use Classes) (Scotland) Order 1997, the proposed use is similar to the last use as a place of worship.**

4.5 We are a property nearby and were not neighbour notified.

**Neighbour notification is an obligation of the Council and not the applicant. The property in question does not come within the neighbour notification area. Notwithstanding this the application was the subject of statutory publicity.**

4.6 Cooking smells from the café element will affect neighbouring properties.

**The River Ayr Way, which attracted 145,000 visitors between January and October 2010, creates opportunities to provide hospitality and toilet facilities to those walkers and runners passing through Catrine (which is in the most popular part of the route. The model currently under consideration by the Trust is for the provision of toilets, tables and chairs, with vending machines for drinks and snacks. Other services may be developed as and when the demand becomes apparent; however this model will allow the cafe to operate with minimum staffing and minimum risk.**

**As demand increases, there may be more need for expanded facilities. However, a condition could be attached to any consent granted to control any effect of odours on the adjacent properties, through the use of only sealed units (for example, microwave oven, panini press, soup urn, closed oven, etc) for the heating or cooking of food. Should the café use require to be expanded, and a more sophisticated or intense form of cooking be required, extraction methods would be required to disperse cooking odours, and this would require to be the subject of a further planning application, which would be assessed in conjunction with the Environmental Health Service, and therefore this can be**

**reviewed as and when a more intense use of the café is required. Overall, as the Trust cannot yet quantify their hours or intensity of use, it is difficult to assess the effect of the café element on the adjacent properties, however, the suggested condition should allow an element of control over the operation of the café in its present form.**

- 4.7 There will be an impact on the privacy of some surrounding properties.

**The large plot size of the premises offers a fair distance of separation to most of the objectors' properties, with the exception of the immediately adjacent neighbouring property at no. 12 Ballochmyle Street. There is still a degree of physical separation between the rear areas of the two properties, with a 3.5 metre wide space between the link corridor and the boundary wall, and with the link corridor and former Church being one storey, there should therefore be little impact on existing privacy levels. The geodome, at an overall height of 4.75m to its apex, will not have any facility for people to view into adjacent properties; it will be used for growing plants in as detailed in Section 25 of this report.**

- 4.8 The additional traffic generation from the use will be a road safety hazard.

**The Council's Roads and Transportation Service has assessed the application and has no objections on road safety. Six parking spaces are proposed to the front of the property to accommodate visitor parking.**

- 4.9 The facility will become an attraction for vandalism.

**The re-use of the site should be beneficial in terms of reducing vandalism in the area, as the buildings will be occupied and put to productive use. There is no evidence to suggest that re-use of the site as a Community project will encourage anti-social behaviour.**

- 4.10 The bio-diesel production should not be located in a residential area.

**The Trust is at present researching the possibility of producing bio-diesel, and has not yet made any plans to produce it at this location. It is not therefore part of this application? Hugh can you check with Marion as I ran out of time this afternoon as had to do work for Alan in the morning.**

## **5. ASSESSMENT AGAINST DEVELOPMENT PLAN**

- 5.1 For the purposes of this application the development plan comprises the Adopted East Ayrshire Local Plan (EALP) (2010) and the approved Ayrshire Joint Structure Plan (2007).

## Ayrshire Joint Structure Plan

5.2 As stated in ECON12, the three Ayrshire Councils shall, in conjunction with other agencies, promote the development of tourism to increase the range, geographic spread and quality of accommodation, facilities, attractions, and supporting infrastructure where it contributes to environmental quality, extends the visitor season, provides further job opportunities, supports communities and encourages rural diversity.

***The proposed development is intended to act as a visitor facility for those coming to Catrine as well as for those walking in the wider area, and would hopefully increase the range of tourist facilities and develop the tourism product in the Catrine area.***

## East Ayrshire Local Plan

5.3 Policy SD2 notes that the Council will positively encourage new developments which make the area more attractive to inward investment, and will encourage developments for improved or additional facilities and amenities, which, in turn, help improve the quality of life for residents, particularly for those areas suffering from problems of economic and environmental decline.

***The proposal will act as a base for the Community Trust and the facility will encourage use by both residents and visitors to the area.***

5.4 As per Policy SD8, the Council will positively support, encourage and promote the sympathetic renovation, re-use and conversion of existing properties, both within the area settlements and throughout the rural area.

***The proposed development involves the re-use of an existing building in the rural area, the principal of which is supported through this policy.***

5.5 Policy IND4, notes that within settlement boundaries, all proposals for new industrial, commercial or business development, on land not specifically identified for such purposes on the Local Plan maps, and changes of use of existing premises to industrial or business use, will only be supported where:

- (i) the proposed use is compatible with surrounding land uses;
- (ii) the development has no unacceptable adverse impact on the character and amenity of the surrounding area;
- (iii) the development has no unacceptable transportation or infrastructure implications;
- (iv) there is no unacceptable loss of safeguarded public amenity or recreational open space; and
- (v) the development has no adverse impact on landscape character or on natural and built heritage resources.

Developments that do not meet all of these criteria will not receive Council support.

***In this instance, the surrounding uses are predominately residential, with the adjacent Church, to the immediate east of the application site, still in use. The use of the villa will be largely limited to office hours, although the villa will remain open as offices for the Hydro scheme, in case maintenance issues occur. It is not anticipated that beyond normal office hours, there will be any intensity of use of the villa.***

***Although opening hours cannot as yet be identified for the former Church and link forming the exhibition space and café area, it is not anticipated that the uses will generate any noise or activity particularly more than the former use as a place of worship. Not restricting the operation of the premises through prescriptive opening hours will allow maximum flexibility of the premises to ensure the project is as viable as possible, but using a condition to limit the types of cooking will ensure any cooking smells are minimised to adjacent properties.***

5.6 Policy TOUR4 states that the Council will encourage and support the retention and improvement of existing tourist attractions and tourism related facilities throughout the local plan area and will be supportive of sensitive new tourism related developments where:

- (i) the proposed use and any associated structures are not visually or environmentally intrusive, are of a nature and scale compatible with surrounding land uses and are not detrimental to the character and amenity of the area within which they are proposed;

***The proposal involves the re-use of an existing building and does not include any extensions or significant alterations to the external appearance of the building. The proposal would not have any significant impact on the character and amenity of the area.***

- (ii) there is no adverse impact on the natural environment and in particular on recognised natural or built heritage resources requiring conservation; and

***The development will have no significant impact on any natural or built heritage resources.***

- (iii) the proposal can be fully justified in terms of infrastructure, provision of services, access and car parking provision;

***The Council's Roads and Transportation Service was consulted and offered no objection to the proposal.***

5.7 The Council's retailing policies state that a sequential assessment is made of commercial proposals, in order that these are located firstly in town centres where possible.

***In essence, the uses proposed are those which would normally be preferred for a location in town centre areas; however, as the use is by the Community Trust on behalf of Catrine and the surrounding area, an exception to policy is considered appropriate in this instance as the premises could be used for the uses without any particular detriment to Catrine, especially as the property is only some 120 metres from the town centre area.***

5.8 Policy CS1 relates to the provision and improvement of community facilities and advises that the Council will encourage and support the development of such new facilities to meet local needs.

***The proposal would improve the range of community facilities within Catrine and as such is compliant with this policy.***

## **6. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS**

6.1 The material considerations relevant to the determination of this application are the consultation responses, letters of representation and the impact on the amenity of the area.

### Consultation Responses

6.2 No issues have been raised in the consultation process which warrant refusal of the application.

### Letters of Representation

6.3 The issues raised by the objectors relate primarily to the effect of the use on surrounding residential amenity, in terms of privacy, cooking odours, and possible traffic generation emanating from the use, and overall the effect of the proposal on the surrounding Conservation Area. As discussed above, at Section 4, there will negligible effect on the Conservation Area as a result of the proposal; and the Roads and Transportation Service has no issues in terms of traffic generation or road safety. It is recognised that the proposed use may result in some impact on adjacent properties; however, it is considered that these will not be significant and, with the condition proposed regarding the operation of the cafe, any effects of cooking odours should be minimised.

### Impact on the amenity of the area

6.4 As per the previous point, with the inclusion of a condition, the proposal will have not any significant effect on surrounding residential amenity, should Member decide to grant consent.

## **7. FINANCIAL AND LEGAL IMPLICATIONS**

7.1 There are no financial implications for the Council relative to this application.

## **8. CONCLUSIONS**

8.1 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.

8.2 As detailed previously in this report the proposal is generally in compliance with the applicable policies in the Development Plan. The material considerations are generally supportive of the proposal with the exception of some of the grounds of the objectors, as stated above.

## **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 this application be refused contrary to the recommendation of the Head of Planning and Economic Development then the application will not require to be referred to Council as it would not be a significant departure from policy.

**Alan Neish**  
**Head of Planning and Economic Development**

20 September 2011

MF/MF  
FV/HM

## LIST OF BACKGROUND PAPERS

1. Application forms and plans
2. Statutory Notices and Certificates
3. Letters of Representation
4. Consultation responses
3. Ayrshire Joint Structure Plan 2007
4. East Ayrshire Local Plan 2010

Anyone wishing to inspect the above papers should contact Marion Fergusson, Senior Planning Officer on 01563 576769.

***Implementation Officer: Hugh Melvin***

TP24

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

**Application No: 11/0336/PP**

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Site of Proposal: 14 Ballochmyle Street, Catrine, East Ayrshire,  
KA5 6QP

Nature of Proposal: Change of use of church and former manse to  
offices and visitor centre and erection of  
geodome within garden ground.

Name & Address of Applicant: Mr Hugh Hutchinson  
Catrine Community Trusts  
West George Street  
AM Brown Institute  
Institute Avenue  
Catrine  
KA5 6RT

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DPO's Reference: Marion Fergusson  
(01563) 576769

The above Planning Permission application should be granted subject to the following conditions:-

1. The only methods of heating or cooking food employed in the premises shall be from sealed units (such as microwave oven, panini press, enclosed soup urn, closed oven). No other form of cooking and /or heating of food shall be utilised within the premises without the prior written approval of the Planning Authority.

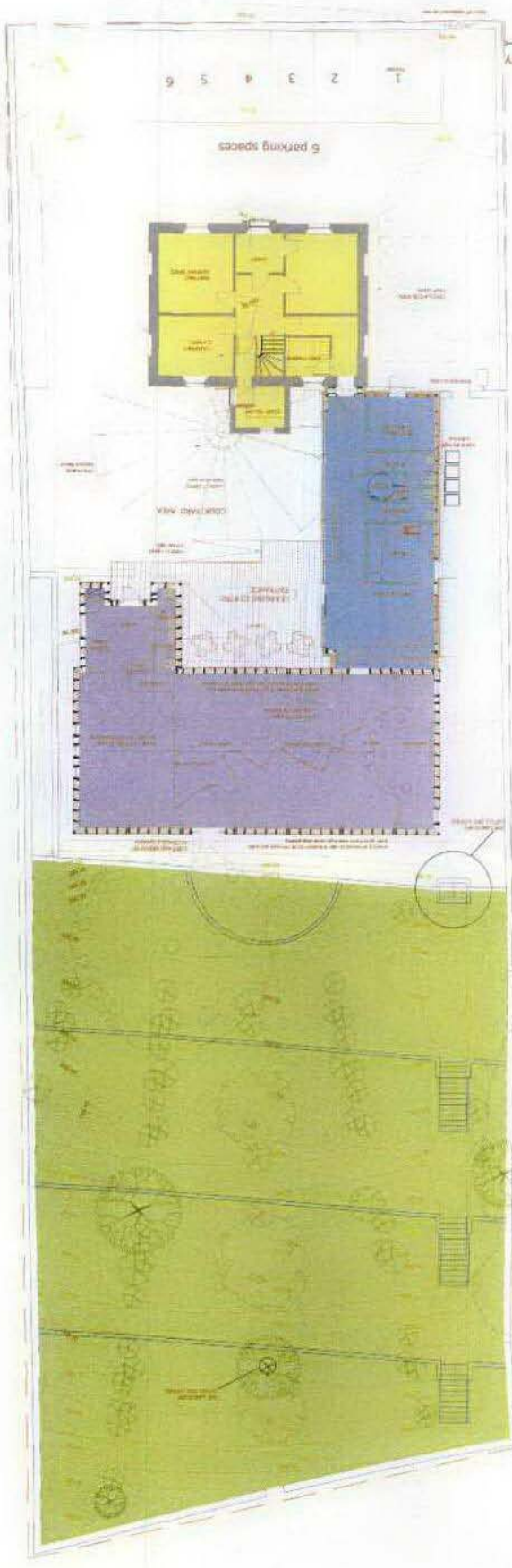
**Reason:** In order to safeguard the property and the residential amenity of the surrounding area.

2. Details of the finishes of floors, walls and ceilings, the provision of ventilation and wash up facilities, shall be submitted to and approved by the Planning Authority in writing, prior to the commencement of development on site and implemented thereafter in accordance with the approved details.

**Reason:** In order for the Planning Authority to consider these aspects in detail and to safeguard the property and the residential amenity of the surrounding area.

**Reason for the Decision**

The proposed development is generally consistent with the Development Plan and the material considerations do not, on balance, indicate that refusal would be appropriate in this instance.



26 JUL 2011  
 Disposition of Neighbourhood Services  
 Planning & Environment Department

# Austin-Smith:Lord

Project: Cairns Civic Centre  
 Stage: 2 H/F Application  
 Description: Site Plan - Ballochmyle Civic Centre  
 Job No: 210025  
 Drawing No: L(00)105  
 Revision: C

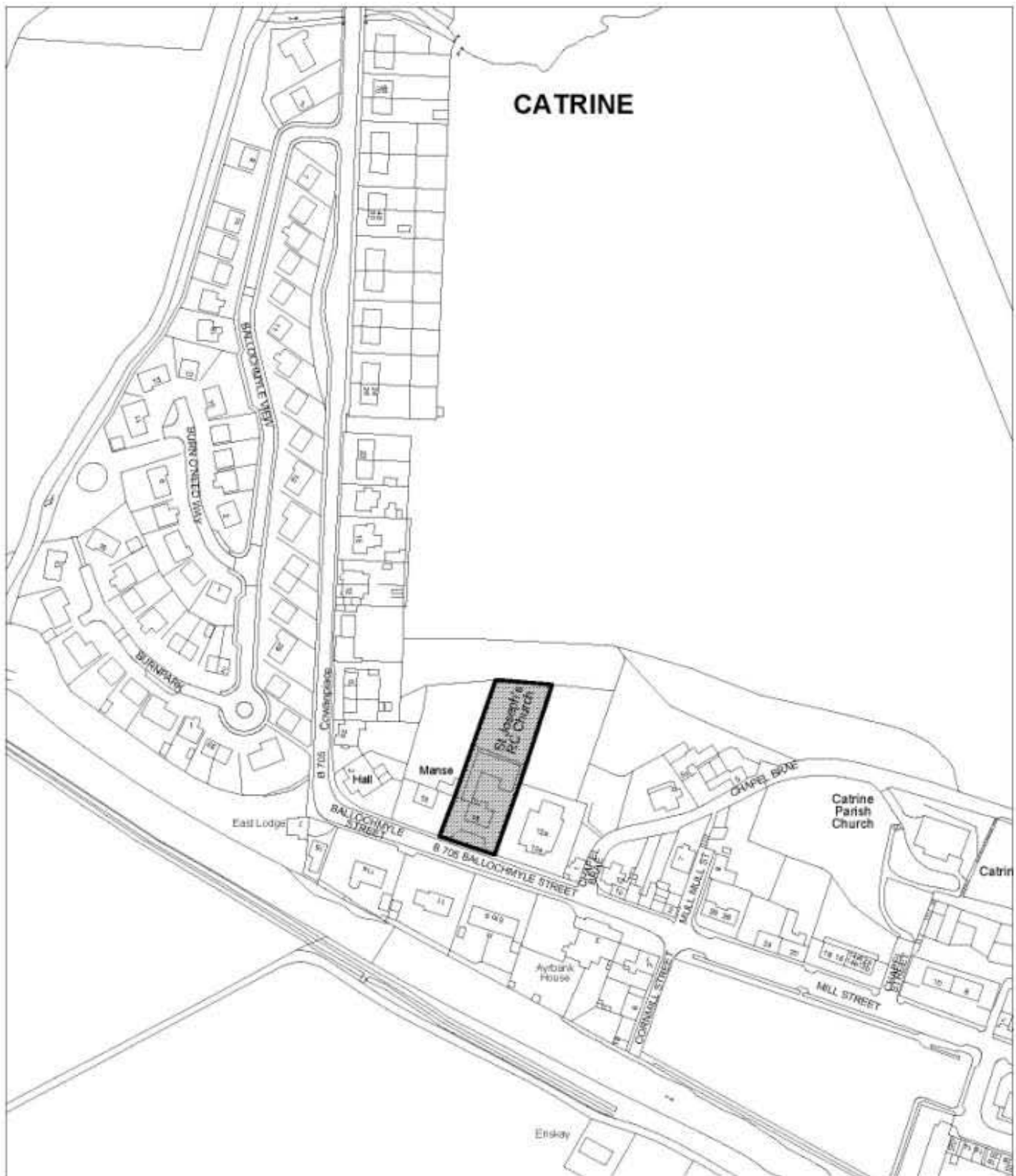
**Austin Smith:Lord LLP**  
 Architects Designers Planners  
 Landscape Architects  
 296 St Vincent Street  
 Glasgow G2 5BU  
 t 0141 223 8500  
 e glasgow@austin-smith-lord.com



Drawn	SK	Date	Disc.
	SK	11.05.11	Disc. 2010
Checked	DM	12.05.11	
Date	DM	05.07.11	May 2011
Scale			1:250 at A3
Status			Stage D - H/F Submission

Revision	Description	By	Date
A	Detailed Proposal	SK	11.05.11
B	Red boundary / Landscape details ref	BM	12.05.11
C	Parking bays shown	BM	05.07.11

Notes:  
 1. Do not to alter the listed dimensions etc.  
 2. Do not to alter the boundary line of the works.  
 3. Do not to alter the landscape details etc.  
 4. Do not to alter the parking bays shown etc.  
 5. Do not to alter the boundary line of the works etc.  
 6. Do not to alter the landscape details etc.  
 7. Do not to alter the parking bays shown etc.  
 8. Do not to alter the boundary line of the works etc.  
 9. Do not to alter the landscape details etc.  
 10. Do not to alter the parking bays shown etc.

Date Plotted:



<p>Title/Location    <b>14 Ballochmyle Street,</b> <b>CATRINE</b> <b>Application No. 11/0336/PP</b></p>	<p><b>East Ayrshire Council</b> Department of Neighbourhood Services Planning &amp; Economic Development Service The Johnnie Walker Bond 15 Strand Street Kilmarnock KA1 1HU Tel: (01563) 576790    Fax: (01563) 554592 E-Mail : <a href="mailto:Planning@east-ayrshire.gov.uk">Planning@east-ayrshire.gov.uk</a> Com Date: 30/9/2011</p>
<p>Key</p> <p> <b>Application Site</b></p>	

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