

EAST AYRSHIRE COUNCIL

NORTHERN AREA LOCAL PLANNING COMMITTEE: 29 SEPTEMBER 2006

06/0549/FL: PROPOSED ERECTION OF STABLE BLOCK AT LAND ASSOCIATED WITH THE PADDOCK, FAIRLIECREVOCH FARM, CUNNINGHAMEHEAD BY LORRAINE CRUM

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 The proposal consists of the erection of a stable block accommodating a foaling box, a loose box and a tack/feed store. In addition, it is proposed to erect a small enclosure adjacent to the stables to provide a muck heap for recycling in gardens. The applicants have confirmed that the building will not be used for commercial purposes. The proposed building covers a footprint area of some 45.6 square metres and is 3.3 metres in height to the apex of the roof of the building. The building is finished in stained weatherboarding and brown onduline roofing. It is proposed to install a small wind turbine on the roof of the stables, to be located on the west facing gable of the stables.

2. RECOMMENDATION

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

3. CONCLUSIONS

3.1 As indicated in the report the application is considered to be in accordance with the terms of the Development Plan. Therefore it should be approved unless material considerations indicate otherwise.

3.2 There are material considerations relevant to the application, however it is not considered that these are of sufficient weight to merit refusal of the application given the use of appropriate planning conditions.

CONTRARY DECISION NOTE

Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning, Development and Building Standards, the application will not require to be referred to the Development Services Committee as that would not be a significant departure from Council policy.

Alan Neish
Head of Planning, Development and Building Standards

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, Development and Building Standards

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, due to the fact that objections have been submitted in respect of the application.

2. APPLICATION DETAILS

2.1 **Site Description:** The site is located on open ground to the west of the dwellings at the category "C" Listed Building of Fairliecrevoch Farm at Cunninghamhead. The site measures approximately 2.14 hectares in area, is currently level open rural ground and is bounded to the south and the east by a mature hawthorn hedge and to the north and west by a post and wire fence. It is proposed to access the site from the existing gate located on the eastern boundary of the site.

2.2 **Proposed Development:** The proposal consists of the erection of a stable block accommodating a foaling box, a loose box and a tack/feed store. In addition, it is proposed to erect a small enclosure adjacent to the stables to provide a muck heap for recycling in gardens. The applicants have confirmed that the building will not be used for commercial purposes. The proposed building covers a footprint area of some 45.6 sq metres and is 3.3 metres in height to the apex of the roof. The building is finished in stained weatherboarding and brown onduline roofing. It is proposed to install a small wind turbine on the roof of the stables, to be located on the west facing gable of the stables.

3. CONSULTATIONS AND ISSUES RAISED

3.1 East Ayrshire Council Roads and Transportation Division have no objection to the proposal subject to the imposition of conditions on any planning

consent that the stables are to be used exclusively by the applicant and not to be used for any commercial activity.

Should the Committee be minded to approve the proposal, a planning condition can be attached relating to this issue.

3.2 East Ayrshire Councils Environmental Health Section have no adverse comments to offer on the proposal.

Noted

3.3 Stewarton and District Community Council have not commented on the application.

Noted.

4. REPRESENTATIONS

The application was advertised as affecting the setting of a listed building, and one letter of support was received from the applicant and three letters of objection were received from the same parties in relation to the proposal, all are summarised below;

4.1 The proposal would cause an increase in traffic on the road adjacent to Fairliecrevoch Farm.

The Council's Roads and Transportation Division has not raised any objection to the proposals.

4.2 The proposed development will be detrimental to the view from our property and garden and the appearance of the properties from the public road.

Loss of view is not a material planning consideration and it is noted that the stable block is located approximately 38 metres south-west of the gable of Fairliecrevoch Farm. It is considered that there is adequate separation distance between the proposed stable block and the existing the property at Fairliecrevoch.

4.3 The proposed stable building size, design and materials are not sympathetic to the surrounding buildings and would present an incongruous element adjacent to the existing Fairliecrevoch Farm.

The stable block is sited behind a mature hedge at least 38 metres from the nearest dwellinghouse to minimise any visual impact. It is considered that the timber construction, design and scale of the

stable block is a typical representation of such structures located throughout the countryside and therefore it is considered that any visual impact will be minimal and will not adversely affect the setting of Fairliecrevoch Farm.

4.4 The close proximity of the proposed stable building which incorporates a wind turbine and lighting will present a further adverse effect as a result of pollution.

The applicant has confirmed that three small external downlights to illuminate the stable entrances are proposed, no external lighting is proposed on the rear elevation of the building which faces Fairliecrevoch Farm. As previously stated, the stable block is located approximately 38 metres from Fairliecrevoch Farm, therefore it is considered that no adverse impact to the amenity of occupiers of Fairliecrevoch Farm is imposed by the form of illumination proposed. A planning condition is proposed, in order to control the lighting on the stables. The proposed wind turbine is to provide lighting by an environmentally friendly method and is considered to be located at sufficient distance from Fairliecrevoch Farm to prevent any adverse effect on the residential amenity of the occupiers through noise pollution.

4.5 The close proximity of the new stable building, which incorporates a muck heap, will have an adverse effect on the living environment of the area as a result of air pollution.

A condition can be attached to any grant of planning consent to ensure that the storage of manure meets the requirements of SEPA.

4.6 The properties at Fairliecrevoch are an established residential development, all of which are category C(S) listed. Therefore these properties are considered to be of local importance and worthy of protection.

Whilst it is recognised that Fairliecrevoch Farm is a C(S) listed building the proposed stable block is located outwith the curtilage of the listed building approximately 38 metres distant from the dwellinghouses. In addition, the siting of the proposed stables behind a mature hedge will provide effective screening from the listed building. Consequently, it is considered that the proposal will not adversely affect the setting or character of the listed building.

4.7 The letter of support received from the applicant indicates that the proposed stables will not be used for commercial purposes. In addition, the applicant considers that the visual impact of the proposed stables on the nearby

residential properties will be minimal as the existing hedge will screen the stables from the houses and the proposed stables are to be located at least 30 metres from the nearest dwellinghouse. The applicant considers that the proposed finished materials for the stables of treated timber and onduline roofing, is in keeping with the listed building at Fairliecrevoch Farm. The proposed wind turbine at the stables will not provide noise pollution as the turbine is small in size and is located 30 metres from the nearest dwelling. The proposed lighting for the stables would face away from the dwellings at Fairliecrevoch thereby minimising the impact on any nearby dwellinghouses. The applicant states that Fairliecrevoch is set in a countryside environment surrounded by farming activities and that the proposed stables conforms to those uses.

Noted.

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 and the Adopted East Ayrshire Local Plan (2003).

Ayrshire Joint Structure Plan

5.2 Policy G5 of the Structure Plan has regard to development in the Rural Protection Area and states that outside settlements, development proposals shall conform to the Structure Plan only where the development:

A has a demonstrated site specific locational need

A rural location is acceptable in principle for stables. The applicant has justified this proposal at the specific site, by stating that the site is in close proximity to the applicants dwellinghouse and the surrounding land at Fairliecrevoch Farm is used for rural and farming purposes.

B can be justified in terms of social and economic benefit to the community;

The proposal will not result in any social or economic benefit to the community.

C contributes to rural land diversification; or

Not applicable in this instance.

D provides for the operational needs of agriculture and forestry

The proposal does not relate to agriculture or forestry.

Adopted East Ayrshire Local Plan

5.3 Policy SD3 states the specific circumstances under which development in the Rural Protection Area will be acceptable. This policy directly relates to Policy G5 of the Ayrshire Structure Plan and is similar to that Policy where the only criteria which would be applicable to this application in terms of justification is criteria (ii) “can be fully justified in terms of site specific locational need”.

As stated previously, the applicant justifies the use of this site as it is located in close proximity to their dwellinghouse and the surrounding land at Fairliecrevoch Farm is used for rural and farming purposes.

5.4 Policy ENV 13 seeks to protect the integrity of the Rural Area and to mitigate the effects of insensitive development.

It is considered that the proposed stable building has been sited at sufficient distance from adjacent dwellings and is screened from these dwellings by a mature hedge to minimise any new visual impact. In addition the proposed stable building is of a design, scale and material compatible with typical stable structures represented elsewhere in the rural area and thus accords with policy ENV13.

5.5 Policy ENV4 seeks to ensure that all development within or affecting the setting of a Conservation Area or affecting the appearance or setting of a Listed Building is sympathetic to the area or building concerned in terms of its layout, size, scale, design, siting, materials and colour of finish. The policy also states that development proposals should seek to preserve, enhance or incorporate features, which contribute positively to the character or appearance of the area or have due regard to the architectural and historic qualities of the area or building concerned.

It is considered that the proposed stable block is a typical representation of such structures in rural areas and is acceptable in terms of its siting, size, scale and material finish. Consequently the proposed stables are considered to be sympathetic to the area and would not adversely affect the setting or the character of the listed building at Fairliecrevoch Farm.

5.6 In conclusion it is considered that the proposal is in accordance with the provisions of the Development Plan.

6. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

6.1 The principal material considerations relevant to the determination of the application are the consultation responses, the representations received, the planning history of the site and the impact on the amenity of the area.

Consultation Responses

6.2 The consultation responses do not indicate that the application should be refused.

Representations

6.3 The representations received have been summarised in Section 4 of the Report and are not considered to be of such weight as to merit refusal of the application.

Impact on the amenity of the area

6.4 It is considered that the proposed building is of appropriate materials, design and scale to minimise any visual intrusion in the rural area in which it is located. It is located well away from any adjoining dwellinghouses, screened by a mature hedge. The proposed domestic stabling use is considered appropriate for the rural location of the site, given the proximity of the applicant's dwellinghouse.

Planning History

6.5 There is no previous planning history at this application site.

7. FINANCIAL AND LEGAL IMPLICATIONS

7.1 There are no financial or legal implications for the Council arising from this application.

8. CONCLUSIONS

8.1 As indicated in the report the application is considered to be in accordance with the terms of the Development Plan. Therefore it should be approved unless material considerations indicate otherwise.

8.2 There are material considerations relevant to the application, however it is not considered that these are of sufficient weight to merit refusal of the application given the use of appropriate planning conditions.

9. RECOMMENDATION

9.1 It is recommended that the application be approved subject to the conditions indicated 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, Development and Building Standards, the application will not require to be referred to the Development Services Committee as that not would be a significant departure from Council policy.

Alan Neish
Head of Planning, Development and Building Standards

JL/RH

20 September 2006
FV/DVM

LIST OF BACKGROUND PAPERS

1. Application Form and Plans.
2. Statutory Notices and Certificates.
3. Letters of Representation.
4. Letter of Support
5. Consultation responses.
6. Adopted East Ayrshire Local Plan (2003)
7. Approved Ayrshire Joint Structure Plan (1999)

Implementation Officer: Dave Morris

Anyone wishing to inspect the above papers please contact Jane Little, Planning Officer on 01563 576768.

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

06/0549/FL

Site of Proposal: Land Associated with The Paddock,
Fairliecrevoch Farm, Cunninghamhead

Nature of Proposal: Proposed Erection of Stable Block

Name & Address of Applicant: Lorraine Crum
Stonebarn
Fairliecrevoch Farm
Cunninghamhead
KA3 2PD

Name & Address of Agent: Hobson Architects
The Studio
Seacliffe
12A Eglinton Terrace
Skelmorlie
PA17 5EP

DPOs Reference: JL/RH

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

1. The stables shall be solely used for purposes incidental to the occupant's enjoyment of the residential property at Stonebarn, Fairliecrevoch Farm and shall not be used for commercial purposes.

REASON In the interest of residential amenity.

2. All runoff from contaminated yards, manure heaps and stable washing must be contained and disposed of in such a manner that water pollution will not occur, as detailed in the "Code of Practice – Prevention of Environmental Pollution from Agricultural Activity". Details of proposals in this regard shall be submitted to and approved by the Planning Authority prior to the commencement of development.

REASON To comply with the requirements of SEPA.

3. If manure is to be stored in field heaps, these should not be located near field drains, within 10 metres of a watercourse or 50 metres of a spring, well or borehole.

REASON To comply with the requirements of SEPA.

4. Notwithstanding the plans hereby approved details of the method of disposing of uncontaminated surface water, including roof water, shall be submitted to and approved in writing by the Planning Authority and thereafter implemented as approved prior to the stables coming into use.

REASON To ensure appropriate drainage of surface water from the site.

6. Notwithstanding the plans hereby approved details of the external lighting arrangements shall be submitted to and approved in writing by the Planning Authority. Thereafter, the external lighting shall be implemented and retained in accordance with the approved details.

REASON To ensure the external lighting is appropriate for the rural setting of the stables.

7. The existing hawthorn hedge located on the eastern and southern boundaries of the application site, adjacent to the public road shall be retained and maintained to a minimum height of 2.0 metres.

REASON In the interests of the visual amenity of the surrounding area.

**DUE TO ORDNANCE SURVEY REGULATIONS AND COPYRIGHT
THE MAP IS AVAILABLE FOR VIEWING AT THE COUNCIL'S
PLANNING OFFICE IN KILMARNOCK. FOR INFORMATION ON
VIEWING PLEASE CONTACT (01563) 576790.**