

EAST AYRSHIRE COUNCIL

**NORTHERN AREA LOCAL PLANNING COMMITTEE:
21 APRIL 2006**

**06/0044/LB & 06/0063/FL: CHANGE OF USE AND EXTENSION TO FORMER
MILKING SHEDS TO FORM DWELLINGHOUSE AND GARAGE AT FULSHAW
FARM, OLD GLASGOW ROAD, STEWARTON, KILMARNOCK, KA3 5JR
BY MR ELLIOT NOUILLAN**

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 Planning permission and Listed Building consent are sought to convert the existing milking sheds to form residential accommodation and associated garaging with the addition of a two storey extension forming additional living accommodation to the north east of the milking shed. The existing milking sheds are finished in natural random stone, slate and brick only on the east elevation of the milking shed. It is proposed to retain the existing stone wall finish to the northwest and southeast elevations and face the existing brick east elevation in stone to match. The two storey extension will be linked by a single storey glazed link structure covering a footprint area of some 13 sq metres. The ground floor of the two storey extension covers a footprint area of some 60 sq metres. It is proposed to finish the two storey extension in wet dash render and natural slate.

It is proposed to convert the former milking parlours to accommodate a kitchen, dining and living areas and a garage/ workshop which is of a scale able to accommodate four cars. The proposed two storey extension accommodates three bedrooms and en-suite facilities. The height of the proposed two storey building is some 7 metres in height to the roof ridge (the architect has advised that the scale of the plans submitted is 1:100, however the plans do not scale accurately to this therefore this dimension is not precise).

2. RECOMMENDATION

2.1 It is recommended that the application be refused for the reasons indicated on the attached sheet.

3. CONCLUSIONS

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

3.2 As per Section 6 of the report there are material considerations relevant to the application however it is not considered that these are of sufficient weight to merit the approval of the application.

CONTRARY DECISION NOTE

Should the Committee agree that the application be approved 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 be not be considered as 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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NORTHERN AREA LOCAL PLANNING COMMITTEE: 21 APRIL 2006

06/0044/LB & 06/0063/FL: CHANGE OF USE AND EXTENSION TO FORMER MILKING SHEDS TO FORM DWELLINGHOUSE AND GARAGE AT FULSHAW FARM, OLD GLASGOW ROAD, STEWARTON, KILMARNOCK, KA3 5JR BY MR ELLIOT NOUILLAN

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 an objection has been submitted in respect of the application.

2. APPLICATION DETAILS

2.1 **Site Description:** The site comprises category B listed outbuildings. The buildings were formerly used as milking sheds. The existing milking sheds are single storey formed with pitched roofs and cover a floor area of some 245 sq metres. The application site is bounded by the existing dwellinghouses at Fulshaw Farm and Fulshaw Farm Cottage to the south west and agricultural land to the north, east and south.

2.2 **Proposed Development:** Planning permission and Listed Building consent are sought to convert the existing milking sheds to form residential accommodation and associated garaging with the addition of a two storey extension forming additional living accommodation to the north-east of the milking shed. The existing milking sheds are finished in natural random stone, slate and brick only on the east elevation of the milking shed. It is proposed to retain the existing stone wall finish to the northwest and southeast elevations and face the existing brick east elevation in stone to match. The two storey extension will be linked by a single storey glazed link structure covering a footprint area of some 13 sq metres. The ground floor of the two storey extension covers a footprint area of some 60 sq metres. It is proposed to finish the two storey extension in wet dash render and natural slate.

2.3 It is proposed to convert the former milking parlours to accommodate a kitchen, dining and living areas and a garage/ workshop which is of a scale able to accommodate four cars. The proposed two storey extension accommodates

three bedrooms and en-suite facilities. The height of the proposed two storey building is some 7 metres in height to the roof ridge (the architect has advised that the scale of the plans submitted is 1:100, however the plans do not scale accurately to this therefore this dimension is not precise).

3. CONSULTATIONS AND ISSUES RAISED

3.1 East Ayrshire Council Roads and Transportation Division have no objections to the proposal subject to the imposition of conditions on any planning consent pertaining to the formation of a service lay by, provision of sightline visibility splay areas, the requirement for a road opening permit and removal of fencing and hedging over the frontage of the courtyard to improve sightlines for the proposed garaging at the existing courtyard.

Should the Committee be minded to approve the proposal contrary to the recommendation of the Head of Planning, Development and Building Standards conditions can be attached relating to these matters and a note requiring the developer to obtain a road opening permit. The applicant has submitted amended plans removing the garaging element for the existing dwellinghouse in response to the comments received from the Roads and Transportation Division.

3.2 Scottish Water have not commented on the proposal.

Noted.

3.3 Scottish Environment Protection Agency (SEPA) have not commented on the proposal.

Noted.

3.4 Stewarton and District Community Council have objected to the application on the grounds that the proposed two storey building is not in keeping with the existing B listed buildings. The size and depth of the windows in the proposed new extension have no bearing or relationship to the existing buildings given it is of a scale which is alien to those other buildings. The overall elevation treatment of the new two storey wing is incongruous with the existing in terms of external finish. It appears that little or no attempt has been made to try to reflect the character and robustness of the listed buildings in the proposed extension.

It is considered that the scale and design of the proposed two storey extension element of the proposal detracts from the character of the existing listed buildings on site. The applicant was advised of the divisions concerns regarding the scale and appearance of two storey extension element which essentially is considered tantamount to a

new dwellinghouse, however the applicant confirmed that he wishes the applications be determined as submitted.

3.5 Scottish Civic Trust does not object to the proposal.

Noted.

3.6 The Architectural Heritage Society of Scotland comment that they find the proposed conversions generally appropriate in retaining the character of the original steading, however they have reservations about the new two storey building. Whilst they have no objections to the different idiom used they find the unit scale and height to be over dominating and find it to be in visual conflict with the farmhouse which should remain the positive focus of the group of buildings. It is suggested that the compositional balance could be reached if the new building was lowered to one storey, or if well designed one and half storeys.

As detailed in section 3.4 it is considered that the proposed two storey extension, which given the scale and height is considered tantamount to a new dwellinghouse and detrimental to the character and appearance of the listed buildings. The Council's concerns in this regard were conveyed to the applicant however he confirmed he wished the application be determined as submitted.

3.7 Historic Scotland offered informal comments on the proposal. They support the principle of a contemporary intervention allied with the sensitive re-use of existing buildings, however they consider that the proposed new building, being equal in size, height and bulk to the main farmhouse, would blur the relationship between the farmhouse and its subsidiary buildings. They comment that the U-plan farm steading is an important traditional feature in the Ayrshire landscape and the view from the road is important to their understanding. They advise that a reduction of the height to single storey or one and half storey would be more likely to respect the original layout and less likely to compromise the historic buildings. The new building could also be set further to the southwest, resulting in less disruption to the views of the existing buildings.

3.8 Historic Scotland appreciates the use of materials such as lime mortar in the proposed conversion of the existing milking sheds, however they question the need for double garages for both the original house and new build as this would involve substantial demolition of parts of the milking sheds where there appears to be adequate parking space available. The existing rooflights should be either retained or replaced with flush conservation rooflights and the roof covering of the new build should match that on the existing building where the existing slate should be reused on the reconstructed milking sheds with all roof ventilation hidden.

3.9 Ancillary details will also be important for the success of this scheme i.e the surface and treatment of the roadside courtyard for the new building needs to be carefully considered and a continuation of the existing hedge should be considered instead of the proposed white fence along the roadside.

The concerns/ issues of Historic Scotland and the Division, as detailed above were conveyed to the applicant who confirmed he did not wish to amend the proposal to reflect these concerns and requested that the application be determined as submitted.

4. REPRESENTATIONS

The applications were advertised in the Kilmarnock Standard on 9th February 2006. With the exception of the letter of objection from the Community Council as detailed in section 3.4 no additional letters of representation were received in relation to the proposal.

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 With regard to the Structure Plan there are no specific policies that relate to the proposal.

East Ayrshire Local Plan

5.3 Policy RES 7 indicates that the rehabilitation or conversion to residential use of existing, and traditionally designed and constructed buildings both within settlements and the rural area, will be encouraged. The proposed development will require to meet all of the following criteria:

- (i) the Council will require to be satisfied that the structural condition of the building is suitable for its conversion to residential use;

With the exception of some visible damage to part of the existing roof structure on the south east elevation it is considered that the building on site is capable of being reused to provide residential accommodation.

- (ii) the proposal is capable of being implemented while retaining, to at least eaves level, the existing external walls of the building. Any extension shall be limited to a maximum of 50% of the ground floor area of the existing building and a minimum 50% of the external wall area in the completed conversion/ rehabilitation shall be formed from the external walls of the original building.

Whilst the footprint of the extension measure just under 50% of the existing ground floor area, the two storey scale is considered to dominate the existing buildings on site less than 50 % of the external walls will be formed from original walls given that the extension is two storey. Essentially it appears that the majority of the dwellinghouse will be formed from the two storey new build element, which has the appearance of a new house. The applicant was advised to consider utilising the space, as proposed for garaging to provide further living accommodation and consider a smaller single storey extension to address the concerns raised by the Division and Historic Scotland.

- (iii) the development meets the service requirements of all appropriate statutory undertakers and the Council as Roads Authority;

As detailed in section 3 the proposal meets the service requirements of all appropriate statutory undertakers and the Council as Roads Authority subject to the imposition of conditions on any grant of planning consent.

- (iv) the proposal is fully in keeping with the character and appearance of the area within which it is located;

Whilst the proposed residential use is compatible to the adjoining residential land use the scale and design of the two storey element of the proposal dominates and detracts from the character of the existing listed buildings and is therefore considered tantamount to a new dwellinghouse in the rural area.

- (v) the proposal meets all the design requirements of the Council and reflects the style and design of the original building located on the site; and

Design Guidance 4 'Listed Buildings and Buildings within Conservation Areas 3b states that "all development, redevelopment and extension of Listed buildings or buildings within Conservation Areas shall reflect the overall design and appearance of the building concerned within its setting in terms of size, scale, fenestration, finish and materials used. Wherever possible, all proposals shall seek to preserve, enhance or incorporate features, which contribute positively to the character or appearance of the area. It is considered that the design and scale of the proposed two storey

extension element of the proposal are overdominant, do not respect or reflect the scale of the adjoining listed buildings and therefore result in a scheme that is unsympathetic to and detracts from the style, character and proportions of the listed buildings.

- (vi) the proposal does not damage the architectural integrity of the building and reuses wherever possible, any existing traditional building materials found on site.

As detailed it is considered that the proposed two storey element of the proposal materially detracts from the character and appearance of the listed buildings thereby damaging the architectural integrity of these rural listed buildings.

5.4 Policy RES22 requires all developers to observe the minimum standards for the provision of private open space detailed in Schedule 4 of the Local Plan.

Some 520 sq metres of private rear garden ground is allocated for the proposed dwelling house therefore the standards of Schedule 4 are satisfied.

5.5 Policy ENV1 seeks to protect, preserve and enhance all heritage resources requiring conservation including Listed Buildings and Conservation Areas, together with their respective settings, Schedule Ancient Monuments and Archaeological and Industrial Archaeological sites and landscapes.

It is considered that the alterations are unsympathetic and do not preserve the character of the listed buildings, the applicant has produced a scheme that promotes a significant detrimental impact on the character of the listed building.

5.6 Policy ENV2 actively encourages the retention, restoration, renovation and re-use of listed buildings, unlisted buildings in Conservation Areas and other locally important, especially traditional older properties, throughout the area. There will be a presumption against the demolition or partial demolition of all such properties.

Part of the proposal promotes the restoration of a listed building, however it is considered that better use could be made of the former milking sheds to form more residential accommodation by reducing the requirement for a large two storey extension that detracts from the listed buildings.

5.7 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. Wherever possible, all proposals should seek to preserve, enhance or incorporate features, which contribute positively to the character or appearance of the area and have due regard to the architectural and historic qualities of the area or building concerned.

As detailed it is considered that the proposed two storey extension element of the proposal detracts from the character and appearance of the listed buildings.

5.8 Given the scale, design and separation of the two storey extension element of the proposal it is considered to be tantamount to a new dwellinghouse located within the Rural Protection Area therefore policy RES13 is considered applicable to the assessment of the application. Policy RES13 states that the Council will be supportive of residential development in the Rural Protection Area where it can be demonstrated that the houses are required on a permanent basis for; a full time agricultural or forestry worker; a worker employed in a rural enterprise or tourism related activity; as an essential integral part of an authorised proposal which requires the provision of on-site staff accommodation or an enabling development for the conversion of a large rural residential or institutional property.

The proposal does not meet any of the above requirements and is therefore considered contrary to policy RES13.

In conclusion it is considered that the proposal is contrary to 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, Historic Scotland's Memorandum of Guidance and the impact on the amenity of the area.

Consultation Responses

6.2 The consultation responses received from Historic Scotland, The Architectural Heritage Society and Community Council indicate that significant changes are required to the scheme to respect the character and amenity of the listed buildings on site the other consultation responses do not indicate that the application should be refused.

Representations

6.3 The representation received from Stewarton and District Community Council has been summarised in Section 3.4 of the Report and is consistent with the recommendation that the application should be refused.

Historic Scotland's Memorandum of Guidance 1998

6.4 The proposal is considered to be contrary to the principles set out in Historic Scotland's Memorandum of Guidance 1998 given that the proposal is considered over dominant and detracts from the character and appearance of the listed buildings.

Impact on the amenity of the area

6.5 As detailed it is considered that the scale and design of the proposed two storey building detracts from the listed buildings and therefore imposes a detrimental impact on the amenity of the area.

7. FINANCIAL AND LEGAL IMPLICATIONS

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

8. CONCLUSIONS

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

3.2 As per Section 6 of the report there are material considerations relevant to the application however it is not considered that these are of sufficient weight to merit the approval of the application.

9. RECOMMENDATION

9.1 It is recommended that the application be refused for the reasons indicated on the attached sheet.

CONTRARY DECISION NOTE

Should the Committee agree that the application be approved 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 be not be considered as a significant departure from Council policy.

Alan Neish
Head of Planning, Development and Building Standards

10 April 2006
(GC/IMB)

FV-KD

LIST OF BACKGROUND PAPERS

1. Application Form and Plans.
2. Statutory Notices and Certificates.
3. Letters of Representation.
4. Consultation responses.
5. Adopted East Ayrshire Local Plan (2003).
6. Historic Scotland's Memorandum of Guidance 1998.

Implementation Officer: Dave Morris

**Anyone wishing to inspect the above papers please contact Gillian Craig,
Senior Planning Officer on 01563 576769.**

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

06/0063/FL

Site of Proposal: Fulshaw Farm, Old Glasgow Road, Stewarton,
Kilmarnock, KA3 5JR

Nature of Proposal: Change of Use, Alterations and Extension to
Former Milking Sheds to Form Dwellinghouse
and Garage

Name & Address of Applicant: Mr Elliot Nouillan
Fulshaw Farm,
Old Glasgow Road,
Stewarton, KA3 5JR

Name & Address of Agent: Mr Alex MacGregor,
108 Arkleston Road, Paisley, PA1 3TZ

DPOs Reference: GC/IMB

The above FULL application should be refused for the following reasons:-

1. The proposal is contrary to policy RES7 of the East Ayrshire Local Plan by reason that the two storey element of the proposal dominates and detracts from the character of the existing buildings on site.
2. The application is contrary to policy RES13 of the East Ayrshire Local Plan as the proposed two storey extension is considered tantamount to a new unjustified dwellinghouse in the Rural Protection Area.

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

06/0044/LB

Site of Proposal: Fulshaw Farm, Old Glasgow Road, Stewarton,
Kilmarnock, KA3 5JR

Nature of Proposal: Change of Use, Alterations and Extension to
Former Milking Sheds to Form Dwellinghouse
and Garage

Name & Address of Applicant: Mr Elliot Nouillan
Fulshaw Farm,
Old Glasgow Road,
Stewarton, KA3 5JR

Name & Address of Agent: Mr Alex MacGregor,
108 Arkleston Road, Paisley, PA1 3TZ

DPOs Reference: GC/IMB

The above LISTED BUILDING application should be refused for the following reasons:-

1. The application is contrary to policies ENV1, ENV2 and ENV4 of the East Ayrshire Local Plan as the proposed two storey extension is considered unsympathetic to and detracts from the character and appearance of the listed buildings.
2. The proposal is contrary to the principles of Historic Scotland's Memorandum of Guidance as the proposal is considered unsympathetic and detracts from the character and appearance of the listed buildings.

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