

## **EAST AYRSHIRE COUNCIL**

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

**05/0293/FL: CONVERSION OF FORMER PIGGERY BUILDING TO FORM A  
DWELLINGHOUSE  
AT THE PIGGERY, HIGH FULWOOD, STEWARTON  
BY MR & MRS HUTCHINSON**

### **EXECUTIVE SUMMARY SHEET**

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

1.1 Full planning consent is sought for the change of use of the former piggery, now used as stables, to form a dwellinghouse. The proposal involves the conversion and extension of the single storey building into a two storey dwellinghouse containing four bedrooms, all with ensuite facilities, a kitchen, four public rooms and a feature staircase. The proposal would be finished in white render with a natural slate roof covering. The stairwell roof would be finished in lead work. The proposal would stand 7.2 m tall and have a total floor area of 306 m<sup>2</sup>.

#### **2. RECOMMENDATION**

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

#### **3. CONCLUSIONS**

3.1 As indicated in Section 5 of the report, this application fails to accord with the Development Plan. Therefore the application should be refused unless material considerations indicate otherwise.

3.2 As indicated in Section 6 there are no material considerations relevant to this application which are considered to be of such significant weight as would merit 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

it will not require to be referred to the Development Services Committee as this would not represent a significant departure from Policy.

## **CONTRARY DECISION NOTE**

**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.**

## EAST AYRSHIRE COUNCIL

NORTHERN AREA LOCAL PLANNING COMMITTEE: 21 APRIL 2006

**05/0293/FL: CONVERSION OF FORMER PIGGERY BUILDING TO FORM A  
DWELLINGHOUSE  
AT THE PIGGERY, HIGH FULWOOD, STEWARTON  
BY MR & MRS HUTCHINSON**

**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 the Chair of the Committee has requested the consideration of the application by the Local Planning Committee.

### 2. APPLICATION DETAILS

2.1 **Site Description:** The application site is the former Piggery at High Fulwood by Stewarton, the site includes farmland extending to 3.49 hectares. The application building is a single storey brick built structure 4.1 m tall with a floor area of 163 m<sup>2</sup>. The roof is covered in both profiled asbestos sheeting as well as metal sheeting.

2.2 The site is bounded to the north, south and east by farm lands. High Fulwood is on the eastern boundary of the site. The site is located adjacent to a small grouping of four houses, which over a distance of approximately one quarter mile include Midton of Fulwood, Midton of Fulwood Cottage and High Fulwood.

2.3 **Proposed Development:** Full planning consent is sought for the change of use of the former piggery, now used as stables, to form a dwellinghouse. The proposal involves the conversion and extension of the single storey building into a two storey dwellinghouse containing four bedrooms, all with ensuite facilities, a kitchen, four public rooms and a feature staircase. The proposal would be finished in white render with a natural slate roof covering. The stairwell roof would be finished in lead work. The proposal would stand 7.2 m tall and have a total floor area of 306 m<sup>2</sup>.

### 3. CONSULTATIONS AND ISSUES RAISED

3.1 East Ayrshire Council's Roads and Transportation Division do not object to the proposal provided that the private driveway to the public road is improved to adoptable standard to meet the required sightlines, road widths and the junction configuration necessary. In addition four parking spaces should be provided within the site. The road works should also be carried out prior to the commencement of the conversion works.

***The proposed road works are outwith the application site and therefore could not be attached to any grant of planning consent as appropriate notification of said works would not have been carried out. Therefore, it must be considered that the Roads Division object to the proposal as it stands.***

3.2 Scottish Environment Protection Agency does not object to the proposal provided the drainage arrangements meet their criteria, with their preferred method being a sub soil soakaway system for the disposal of septic effluent. They note that surface water should be excluded from the septic tank.

***Conditions can be attached to any grant of planning permission, requiring the submission of details and provision of the proposed drainage.***

3.3 Stewarton and District Community Council have not objected to the proposal however consider that the proposal to be a total new build rather than a conversion. The plans of the proposed two storey house do not appear to have any bearing to the plans as existing. They are doubtful if the existing structure of the piggery would be able to be retained anywhere within the parameters of the new dwellinghouse.

***The applicant has submitted a structural survey, which appears to have been done by a visual inspection of the building, which claims that the proposal can be carried out utilising the existing piggery building.***

3.4 Scotland Gas Networks have raised no objection to the proposal.

***Noted.***

### 4. REPRESENTATIONS

The proposal was advertised in the Kilmarnock Standard on 18 February 2005 as Development Contrary to the Development Plan. No letters of objection have

been received in relation to this proposal from members of the public however the applicants have submitted a letter of support for the scheme. They indicate:

- i) They are disappointed that there is no scope for variation of the relevant policy.

***The East Ayrshire Local Plan does allow for deviation from the 50% criteria of Policy RES7(ii) where the conversion of traditionally designed and constructed outbuildings forming an integral part of an existing farm courtyard grouping where the proposal would preserve and enhance the integrity of the group of buildings concerned. However this proposal does not relate to the conversion of a courtyard grouping and this proposal is significantly over the criteria set out in the policy***

- ii) We believe the design of the building will blend in with and enhance the countryside setting by way of its traditional proportions and materials.

***It is considered that the proposal does damage the architectural integrity of the original building as its scale and form do not reflect the original building. Therefore the proposal fails to accord with the criteria set out in Policy RES 7(vi).***

- iii) The objectives and forward guidance of SPP 15 Planning for Rural Development should be applicable to this application in particular Sections 9, 23, 37.

***SPP 15 Planning for Rural Development is a material consideration in the determination of this application. Paragraph 37 of said document indicates that the SPP 15 should be implemented through alterations to development plans. As a direct result of this and the ongoing review of the East Ayrshire Local Plan, an alteration to Policy RES 7 of the East Ayrshire Local Plan is currently being prepared and as part of this, SPP 15 will be taken into full consideration. Until then, the current East Ayrshire Local Plan remains the principal policy document against which all planning applications are assessed.***

## **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 (EALP).

## Ayrshire Joint Structure Plan

5.2 Policy G1 of the Structure Plan indicates that only development which accords with the Local Plan Policies is acceptable outwith settlement boundaries.

***The proposed development fails to accord with Policy RES 7 of the East Ayrshire Local Plan therefore the proposal fails to accord with Policy G1 of the Structure Plan.***

## East Ayrshire Local Plan

5.3 Policy RES 7 encourages the rehabilitation or conversion of existing and traditionally designed and constructed buildings to residential use, subject to a set of stated criteria being met, as follows:

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

***The applicant has provided a structural survey which indicates that the building is suitable for conversion.***

- 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.

***The proposal fails to meet this criteria as the proposed building is two storeys in nature with additional ground floor extensions while the existing building is single storey in nature, therefore the proposal significantly exceeds this criteria by over 50%.***

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

***The Roads Authority have no objection to the proposal subject to the attachment of appropriate conditions. However as indicated above, the road improvements would be outwith the application red line site and could not be attached as conditions, and therefore, the proposal as it stands, is contrary to these requirements.***

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

***It is considered that the scale and mass of the proposal are unacceptable in this locality as they fail to respect the single storey proportions of the original building and its ancillary nature to the donor property of High Fulwood.***

- 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.

***As the proposal results in a two storey building replacing a single storey agricultural building the scheme does not accord with the requirement of the Council's Design Guidance.***

- vi) The proposal does not damage the architectural integrity of the building and re-uses where possible, any existing traditional building materials found on site.

***The proposal will result in a single storey brick built, corrugated roofed agricultural building being replaced by a two storey, render finished, slate roofed house. The resulting structure will be more domestic in appearance than the agricultural building on site at present.***

5.4 Policy RES 22 requires all developers to observe the minimum standards for the provision of public open space detailed in Schedule 4 of the Local Plan.

***The proposal accords with the open space requirements of the Local Plan.***

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

6.1 The principal material considerations relevant to the determination of this application are the consultation responses received which are addressed in Section 3 of the report, the letter of support, SPP 15 Planning for Rural Development and the impact on the amenity of the area.

### Consultation Responses

6.2 The consultation responses are detailed in the report. The requirements of the Roads Division cannot be achieved within the red line application site and therefore they are not supportive of the application.

### Letter of Support

6.3 The contents of the applicant's letter of support are covered in Section 4 of this report and raise no issue which would warrant approval of the application.

## SPP 15 Planning for Rural Development

6.4 SPP 15 Planning for Rural Development is a material consideration in the determination of this application. Paragraph 37 of said document indicates that the SPP 15 should be implemented through alterations to development plans. As a direct result of this and the ongoing review of the East Ayrshire Local Plan, an alteration to Policy RES 7 of the East Ayrshire Local Plan is currently being prepared and as part of this, SPP 15 will be taken into full consideration. Until then, the current East Ayrshire Local Plan remains the principal policy document against which all planning applications are assessed.

### Impact on Amenity

6.5 It is considered that due to the significant change in the style and scale of the building that the proposal will have a significant impact on the visual amenity of the area.

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

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

## **8. CONCLUSIONS**

8.1 As indicated in Section 5 of the report, this application fails to accord with the Development Plan. Therefore the application should be refused unless material considerations indicate otherwise.

8.2 As indicated in Section 6 there are no material considerations relevant to this application which are considered to be of such significant weight as would merit approval of the application.

## **9. RECOMMENDATION**

**9.1 It is recommended that the application for planning permission 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

it will not require to be referred to the Development Services Committee as this would not represent a significant departure from Policy.

**Alan Neish**  
**Head of Planning, Development and Building Standards**

05 April 2006  
(CSI/MMM)

FV-KD

#### **LIST OF BACKGROUND PAPERS**

1. Application Forms/Plans.
2. Statutory Letters/Certificates.
3. Consultations.
4. Letter of Support.
5. Approved Ayrshire Joint Structure Plan.
6. Adopted East Ayrshire Local Plan.

Anyone wishing to inspect the above papers please contact Craig Iles, Senior Planning Officer, on 01563 576772.

***Implementation Officer: Dave Morris***

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

05/0293/FL

---

Site of Proposal:	The Piggery High Fulwood Stewarton KILMARNOCK KA3 5JZ
Nature of Proposal:	Proposed Conversion of Former Piggery Building to Form a Dwellinghouse
Name & Address of Applicant:	Mr & Mrs A Hutchison c/o ARP Lorimer & Associates 11 Wellington Square AYR KA7 1EN
Name & Address of Agent:	ARP Lorimer & Associates 11 Wellington Square AYR KA7 1EN

---

DPOs Reference: CSI/MMM

The above FULL application should be refused on the following grounds:

1. The proposal fails to accord with the acceptable extension and design criteria due to the two storey nature of the proposal and fails to meet the requirements of the Council's Roads Authority, therefore the proposal is contrary to Policy RES 7 of the Adopted East Ayrshire Local Plan and Policy G1 of the Ayrshire Joint Structure Plan.

**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.**