

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE: 25 FEBRUARY 2005

04/0957/FL: PROPOSED CHANGE OF USE OF ATTIC SPACE OF EXISTING GARAGE TO FORM NEW FLATTED DWELLINGHOUSE AT SORN STABLES, SORN ESTATE

APPLICATION BY THE TRUSTEES OF THE LATE R W MCINTYRE

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 Full planning permission is sought to convert the existing wing, currently housing a garage and attic space above, to form a flatted dwellinghouse. The unit proposed would consist of two bedrooms with a modestly proportioned living space and retaining the garage below. There is an existing door opening in the south west elevation and it is proposed to amend this door to install a tongue and groove vertically lined timber unit of more traditional appearance. Three windows to the first floor of the southwest elevation are also proposed. True sash and case units are to be installed to match those which exist on the already converted dwellinghouses. Conservation grade roof lights are also proposed in this elevation which overlooks the wooded area to the southwest of the site.

2. RECOMMENDATION

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

3. SUMMARY OF ANALYSIS

3.1 As indicated in section 5 of the report, the application is considered to be in accordance with the development plan. Therefore, given the terms of Section 25 and Section 37(2) of the Town and Country Planning (Scotland) Act 1997, the application should be approved unless material considerations indicate otherwise. As is indicated at Section 6 of the report, there are material considerations relevant to this application, however it is considered that these have been thoroughly addressed and are not of sufficient weight or materiality in the determination of the application to indicate that it should be refused.

3.2 Full planning permission is being sought for the conversion of an existing traditional building to form a flatted dwelling. Sorn Stables comprise buildings which display excellent architectural merit especially given their apparent high level of maintenance. The conversion of this attic space to form a flatted development makes good use of the building while incorporating a sympathetic design scheme which is not considered to detrimentally affect the integrity of the structure or the character of the Category A Listed Building.

3.3 The objections which have been raised are not deemed to be material in the consideration of the application. Noise, disturbance and safety are inherent in any development works and in this particular instance are not likely to be so extensive as to indicate the recommendation should be one of refusal. In any case, it is for the developer to appropriately secure and regulate his works on site.

3.4 There are no residential, amenity or infrastructure/service implications arising and the recommendation is therefore one of approval.

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 because it would not represent a significant departure from the development plan.

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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APPLICATION BY THE TRUSTEES OF THE LATE R W MCINTYRE

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 as the proposal is the subject of a letter of objection.

2. APPLICATION DETAILS

2.1 **Site Description:** The site is an existing unit contained within the former stables buildings at Sorn Estate near Sorn. The stables building, which is Category A Listed, is on a courtyard floor plan and is of a classical symmetrical style of the early Nineteenth century. Constructed of uncoursed red sandstone the roof configuration of the building is dual pitched and clad in natural grey slate.

2.2 The stables are located just south west of the entrance to Sorn Castle and are accessed by a vehicular access from the main drive. This access serves the two existing dwellinghouses which have been formed from the conversion of the east wing of the stables building. An archway opening is located in the centre of the front elevation and the wing proposed for conversion presently accommodates a garage unit to the west side of the opening. The existing dwellinghouses are fine examples of sympathetic conversion schemes displaying true sash and case timber units painted in white and depicting a horn detail. The inner north facing elevation of the west wing has been altered to incorporate a glazed and green painted steel overhang.

2.3 Sorn Castle lies approximately 264 metres south east of the stables building and manicured lawns lie in between. Wooded areas lie to the immediate south and west of the stables forming part of the Estate.

2.4 **Proposed Development:** Full planning permission is sought to convert the existing wing, currently housing a garage and attic space above, to form a

flatted dwellinghouse. The unit proposed would consist of two bedrooms with a modestly proportioned living space and retaining the garage below. There is an existing door opening in the south west elevation and it is proposed to amend this door to install a tongue and groove vertically lined timber unit of more traditional appearance. Three windows to the first floor of the southwest elevation are also proposed. True sash and case units are to be installed to match those which exist on the already converted dwellinghouses. Conservation grade roof lights are also proposed in this elevation which overlooks the wooded area to the southwest of the site.

3. CONSULTATIONS AND ISSUES RAISED

3.1 The Scottish Environment Protection Agency has no objection in principle to the proposed development provided the drainage arrangements are to its satisfaction. The existing septic tank effluent has consent from them but the applicant is required to ensure that the tank has capacity to cope with the increase in foul drainage resulting from new development. Surface water must be excluded from the tank and should be discharged to the burn via a suitably designed Sustainable Urban Drainage system, such as a trench or French drain.

A note can be attached to any consent granted for the proposed development to advise the applicant to make early contact with SEPA regarding the drainage of the site.

3.2 Sorn Community Council has no comment to make regarding the proposed development.

Noted.

4. REPRESENTATIONS

4.1 This planning application has attracted one letter of representation from two third parties. The points of objection can be summarised as follows:

4.2 The noise as a result of this development will be unacceptable in light of the fact that I (the writer) work nights and am not often in until 3am.

Whilst it may be appropriate to impose a condition on the consent to restrict the hours of building works this would reflect a normal working day and would not necessarily therefore alleviate the objector's concerns. In any case it is not considered that this objection would be of sufficient weight to indicate the application should be refused as such potential disturbance would be of a temporary nature only.

4.3 I have no wish to live in a building site and I feel that with this work going on my children will have to be supervised at all times as I am well aware of the safety aspects of the building trade.

Whilst it is recognised that building works of any nature can pose a risk to safety, particularly for children, it is reasonable that their guardians take measures to protect them. Provided the developer also undertakes appropriate measures in accordance with Health and Safety Regulations (a Building Standards matter in any case) this does not constitute a material planning consideration which has any weight in the determination of this planning application.

4.4 Last but not least I have been given a raw deal by the applicants. I was not informed by anyone prior to the Neighbour Notification that any development was planned even though I have since spoken to my neighbours who have told me the proposed plans had actually been talked about for some time before I moved to Bentley Cottage.

In this regard it is the Neighbour Notification procedures only which are of concern to the Planning Authority. Any prior indication of works is a matter for the applicant and therefore the point raised is of no materiality in the consideration of this planning application.

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 There are no policies contained within the Structure Plan which are especially relevant to the proposed development.

East Ayrshire Local Plan

5.3 Policy RES7 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 with the structural condition of the building is suitable for its conversion to residential use;

The applicant has submitted a structural survey which demonstrates that the building is suitable for the purposes of conversion to a flatted dwelling.

- (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 proposed development converts the property in its entirety and there are no extensions or rebuilding of external walls proposed thereby complying with this element of the policy.

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

The proposed development is acceptable in terms of implications on services and infrastructure.

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

The proposed conversion scheme does retain the existing façade of the building and the fenestration as proposed is considered to be in keeping with that already installed for the existing dwellinghouses.

- (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

The design scheme is a sympathetic use of the existing building which retains the style and character of the existing building.

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

The proposed scheme is a straightforward conversion making use of the building as it exists and thus complies with this element of the policy.

5.4 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 and have due regard to the architectural and historic qualities of the area or building concerned.

The design scheme as proposed is a sympathetic use of the Category A Listed Building and the alterations proposed to enable modern living accommodation in terms of window openings are of an appropriate style. It is therefore considered that the proposed development complies with Policy ENV4.

6. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

6.1 The principal material considerations relevant to the determination of the application are the consultation responses, third party representations and the planning history of the site.

Consultations Responses

6.2 None of the consultation responses have raised any issues which would indicate the application should be refused.

Representations

6.3 The letter of representation as submitted is objecting to the proposed development on the basis that the building works will be a source of noise and disturbance and also that these works will put the safety of the writer's children at risk. It is not considered that these concerns are of materiality which would indicate the application should be refused.

Planning History

6.4 The former stables building at Sorn has previously been the subject of an application for the renovation of and alterations to the building and then also the roofs of the stables (Ref: 97/0369/LB and 97/0574/FL both of which were approved on 12 March 1998). Full planning permission was subsequently granted on 22 October 1999 for the conversion of part of the stables building to form two dwellinghouses (Ref: 99/0278/FL). The current planning application has been submitted at the same time as an associated application for listed building consent (Ref: 04/0923/LB) for alterations to the building to form the flatted dwelling. The listed building application for these works was approved with Historic Scotland clearance on 22 November 2004.

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, the application is considered to be in accordance with the development plan. Therefore, given the terms of Section 25 and Section 37(2) of the Town and Country Planning (Scotland) Act 1997, the application should be approved unless material considerations indicate otherwise. As is indicated at Section 6 of the report, there are material considerations relevant to this application, however it is considered that these have been thoroughly addressed and are not of sufficient weight or materiality in the determination of the application to indicate that it should be refused.

8.2 Full planning permission is being sought for the conversion of an existing traditional building to form a flatted dwelling. Sorn Stables comprise buildings which display excellent architectural merit especially given their apparent high level of maintenance. The conversion of this attic space to form a flatted development makes good use of the building while incorporating a sympathetic design scheme which is not considered to detrimentally affect the integrity of the structure or the character of the Category A Listed Building.

8.3 The objections which have been raised are not deemed to be material in the consideration of the application. Noise, disturbance and safety are inherent in any development works and in this particular instance are not likely to be so extensive as to indicate the recommendation should be one of refusal. In any case, it is for the developer to appropriately secure and regulate his works on site.

8.4 There are no residential, amenity or infrastructure/service implications arising and the recommendation is therefore one of approval.

9. RECOMMENDATION

9.1 It is recommended that the application be approved subject to the conditions listed 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 because it would not represent a significant departure from the development plan.

Alan Neish
Head of Planning, Development and Building Standards

NM/NM/SMB
FV/DVM
13 February 2005

LIST OF BACKGROUND PAPERS

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

Anyone wishing to inspect the above background papers should contact Nicola Monroe on 01563 555485.

Implementation Officer: Dave Morris

Application No: 04/0957/FL

Location	Sorn Stables Sorn Estate SORN KA5 6HR
Nature of Proposal:	Proposed change of use of attic space of existing garage to form new flatted dwellinghouse
Name and Address of Applicant:	The Trustees of the Late R W McIntyre Sorn Castle Sorn Estate SORN KA5 6HR
Name and Address of Agent	Mr R W Alexander Barnweil CRAIGIE KA1 5NE

DPO's Ref: Nicola Monroe
PPO's Ref: Hugh Melvin

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

1. The flatted dwellinghouse hereby approved is to be formed by altering and renovating the former stables building and this shall be done in accordance with the structural survey report as prepared by John W Hay and dated 22 November 2004 and also with the plans submitted to this office on 13 September 2004. All of the walls shall be retained to at least eaves level as confirmed in a letter from R W Alexander to the Planning Division dated 10 November 2004. Any variations identified in the course of development should be notified to the Planning Authority immediately and all works shall be ceased until further approval is received.

REASON – The dwellinghouse hereby approved is to be formed from alterations and renovations to the former stables building and would not be approved as a new build house.

Note to Applicant

1. Prior to the commencement of development the developer should contact the Scottish Environment Protection Agency with respect to the suitability of the existing septic tank to meet with additional capacity requirements and in respect of surface water drainage arrangements.

DUE TO ORDNANCE SURVEY REGULATIONS AND COPYRIGHT

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PLANNING OFFICE IN LUGAR. FOR INFORMATION ON
VIEWING PLEASE CONTACT (01563) 555320.**