

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE: 28 JANUARY 2005

**04/0827/FL & 04/0875/LB: FULL PLANNING PERMISSION AND LISTED
BUILDING CONSENT FOR PROPOSED CHANGE OF USE ALTERATIONS
AND EXTENSIONS FORMING NINE HOUSES
AT HIGH BARBETH FARM, DRONGAN**

APPLICATION BY PRESTWICK BUILDING PROJECTS LIMITED.

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 Full planning and listed building consent is sought for the change of use of and alterations to the farmhouse and existing outbuildings to form nine dwellinghouses. The farmhouse would remain as a full two storey unit and the outbuildings to either side would also be two storey with the first floor being accommodated in the roof space and served by traditionally styled gablet dormers. The remaining outbuildings would also be two storey dwellings with dormers installed in the roof plane to serve the first floor. Natural grey slate is proposed for the roof cladding and a white painted wet dash render for the external wall finish. The fenestration is shown as vertically proportioned windows installed with sash and case look alike units of timber construction and painted white.

1.2 The existing courtyard area would function as a communal open space area with parking for the dwellings, including visitor spaces, to the rear of the courtyard. The detached outbuilding in the north-west corner would be served by separate parking spaces. It is proposed to create a new junction to the south side of the site to provide a vehicular access which would wrap around the south side to the parking area at the rear. A stob and wire fence is proposed to form the boundary of the site and a connection to the public mains is proposed with a soakaway for surface water drainage.

2. RECOMMENDATION

2.1 It is recommended that the full planning application 04/0827/FL be approved subject to the conditions on the attached sheet and that the decision notice not be issued until the Solicitor to the Council has concluded a formal legal agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 with the applicants in respect of the matter addressed in Paragraph 7.1 of the report.

2.2 It is also recommended that Listed Building Consent application 04/0875/LB 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 addressed sufficiently and would not indicate the application should be refused.

3.2 The scheme is to reinstate the farmhouse to one dwellinghouse and to convert and undertake alterations to the existing buildings to form a further eight dwellinghouses.

3.3 The building, although listed, is in a poor state of repair and the applicant has submitted a structural survey to demonstrate that the buildings are fit for the purposes of conversion to form dwellinghouses. It is considered that the proposed design scheme will not have a detrimental impact on this character in that the farmhouse remains the principal building as seen from the road elevation. The style of the dormers proposed is appropriate to the building and the fenestration is also in keeping with the vernacular of the area in terms of the proportions. The external finishes as proposed are entirely sympathetic to the vernacular and will enhance the building in terms of visual amenity.

3.4 The proposed development has been found to be acceptable in road safety terms and there are no issues arising with regard to service provision. Overall the scheme, which is essentially a revised design scheme from that previously approved, is considered to be acceptable and indeed one which shall bring this redundant building back into use and add to the rural environment in which it is located.

CONTRARY DECISION NOTE

Should the Committee agree that the applications be refused contrary to the recommendation of the Head of Planning, Development and Building Standards, the applications will not require to be referred to the Development Services Committee because it would not represent significant departures 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 PRESTWICK BUILDING PROJECTS LIMITED.

Report by Head of Planning, Development and Building Standards

1. PURPOSE OF REPORT

1.1 The purpose of this report is to jointly present for determination a full planning application and listed building consent application, which are to be considered by the Local Planning Committee under the scheme of delegation, due to them having attracted letters of objection.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site is located off the west side of the B730 road from Drongan to Coalhall. It comprises a traditional two storey farmhouse with adjoining single storey outbuildings on a U plan to form a courtyard to the rear. There is a detached single storey outbuilding in the north-west corner of the site and a similar building to the rear of the courtyard. The buildings, which are now roofless, are primarily of a grey render finish.

2.2 Beyond the site to the north, west and south is agricultural land pertaining to the farm unit. A native hedgerow forms the boundary along the roadside and on the opposite side of the road is also agricultural land. The site is level and, other than the main farmhouse which is a Category C Listed Building, there are no other significant features on it.

2.3 **Proposed Development:** Full planning and listed building consent is sought for the change of use of and alterations to the farmhouse and existing outbuildings to form nine dwellinghouses. The farmhouse would remain as a full two storey unit and the outbuildings to either side would also be two storey with the first floor being accommodated in the roof space and served by traditionally styled gablet dormers. The remaining outbuildings would also be two storey dwellings with dormers installed in the roof plane to serve the first floor. Natural

grey slate is proposed for the roof cladding and a white painted wet dash render for the external wall finish. The fenestration is shown as vertically proportioned windows installed with sash and case look alike units of timber construction and painted white.

2.4 The existing courtyard area would function as a communal open space area with parking for the dwellings, including visitor spaces, to the rear of the courtyard. The detached outbuilding in the north-west corner would be served by separate parking spaces. It is proposed to create a new junction to the south side of the site to provide a vehicular access which would wrap around the south side to the parking area at the rear. A stob and wire fence is proposed to form the boundary of the site and a connection to the public mains is proposed with a soakaway for surface water drainage.

3. CONSULTATIONS AND ISSUES RAISED

3.1 East Ayrshire Roads and Transportation Division has no objection to the proposed development subject to the following conditions:

- (i) access to the site must be taken via a road which complies with the Roads Development Guide 1996 and will require Construction Consent from East Ayrshire Roads Department.
- (ii) the developer is required to provide a 2m footway across the B730 frontage of the plot;
- (iii) junction visibilities of 2.5m by 160m are required at the junction of the B730 and no fencing, buildings etc over 1m in height will be allowed within these areas. This will require a Section 75 legal agreement as the splay areas are over land outwith the developer's control;
- (iv) any existing public utility apparatus located in the verge will require to be protected beneath the proposed access;
- (v) the 22 car parking spaces within a non-adoptable car parking area should be provided as indicated.

The developer has submitted a revised site plan which demonstrates that the above road safety requirements can be met and it is appropriate to impose the above as conditions on the planning consent and to secure sight lines through a Legal Agreement should the Committee be minded to approve the application.

3.2 The Scottish Environment Protection Agency has no objections in principle to the proposed development provided the drainage arrangements are to its satisfaction. In this regard all foul drainage must be connected to the public sewerage system in accordance with Scottish Water requirements. SEPA has

requested a condition requiring the applicant to install a surface water treatment system in accordance with Sustainable Urban Drainage systems.

The applicant proposes to connect to the public sewer and an appropriate condition regarding surface water treatment may be imposed on the planning consent should the Committee be minded to approve the applications.

3.3 Drongan, Rankinston and Stair Community Council has been consulted but no response had been received at the time of writing this report.

Noted.

3.4 Historic Scotland has advised that while they are pleased that the building, which is on the Buildings at Risk register, may be returned to viable use they have a number of concerns. These concerns relate to:

- the openings on the front elevation of the steading remain unaltered and the proposal to convert the two small windows of the house into doors or to drop the cills to ground should be firmly resisted and likewise the central door should remain;
- they strongly advise against the introduction of dormers to the flanking wings;
- advise that the use of uPVC for windows and doors is strongly resisted by the Council;
- slates should be salvaged from the site for reuse and second hand slates should not be used for the new build as these are a finite resource;
- would prefer cast iron gutters fixed to the rafters rather than uPVC fixed to fascia boards which are not traditional to the area.

The concerns raised by Historic Scotland have been taken into account and it is considered that the proposed alterations are acceptable, particularly given the building's present state. The developer has agreed to the use of white painted timber for the external window frames. Should the Committee be minded to approve the applications, it is considered reasonable to impose a condition to require this and also the use of cast iron or aluminium in an ogee profile for the rainwater goods.

3.5 The Scottish Civic Trust has advised that they are anxious that a new use is found to secure the future survival of this steading and welcomes the reduction in the footprint of each of the units proposed but believes that the proposals still have some way to go to result in an appropriate re-use that would be sensitive. The Trust subsequently advised it wished to formally object to the proposed

development on the basis that it cannot support the proposed dormers or the use of uPVC.

The concerns regarding the dormer windows raised by Scottish Civic Trust have been considered. The dormers proposed are of an appropriate style in terms of their design and proportions and it is considered therefore that they are acceptable.

3.6 The Architectural Heritage Society of Scotland has stated that it is pleased to see the restoration and adaptive reuse of this steading and advise that attention to detail and preservation of character are important. One of the factors that could help to preserve this character would be to reduce the number of dormers.

It is considered that the dormers proposed are of an appropriate style in terms of their design and proportions and it is considered therefore that they are acceptable.

4. REPRESENTATIONS

4.1 Other than the letter of objection from the Scottish Civic Trust the application has not attracted any third party letters of representation.

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 these applications 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 these applications.

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 that the structural condition of the building is suitable for its conversion to residential use;

The applicant has submitted a structural survey report which demonstrates that the buildings are suitable for the purposes of conversions to form dwellinghouses.

- (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 steading extension is less than 50% of the existing ground floor area and more than 50% of the completed wall space is formed from existing walls. This part of the proposal therefore complies with (ii) above. No extensions are proposed to the second building on the site which is also proposed for conversion.

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

The Council's Roads Division and other service providers have been consulted and no objections have been raised.

- (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 proposal is in keeping with the character and appearance of the area in which it is located.

- (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 is generally acceptable and meets the standards as set out in Design Guidance 4: Listed Buildings and Buildings in the Conservation Areas.

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

It is considered that this criterion is met by this proposal.

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.

The policy also allows those standards quoted to be relaxed in respect of the conversion of existing properties to flats where this can be fully justified by the developer and where considered appropriate by the Planning Authority.

It is considered that the communal open space in the courtyard area and individual amenity areas for each dwelling are sufficient to meet the requirements of this policy.

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

The property is a Category C(s) listed building. The proposed alterations and extensions are sympathetic to, and in keeping with, the character and appearance of the listed building. The proposed design scheme will indeed enable the retention of this building which is in danger of becoming beyond repair.

6. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

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

Consultations Responses

6.2 The amenity bodies in relation to the integrity of the Listed Building have raised concerns regarding the use of dormers in the proposed design scheme. The Scottish Civic Trust has made a formal objection and it is considered that this has been addressed and is not of sufficient weight to indicate the application should be refused.

Planning History

6.3 This site has previously been the subject of full planning permission (Ref: 03/1024/FL) and listed building consent (Ref: 03/1021/LB) for the change of use, alterations and extension of existing farm steading and outbuildings to form nine dwellinghouses. The current application is to address a revised design scheme incorporating changes which were too significant to be addressed through the Non-Material Variation process.

7. FINANCIAL AND LEGAL IMPLICATIONS

7.1 There are no financial implications for the Council in the determination of the application. The developer would require to enter into a Section 75 legal agreement with the Council to secure the requisite 2.5 metre by 160 metres visibility splay area and its future maintenance; both in the interests of road safety.

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 addressed sufficiently and would not indicate the application should be refused.

8.2 The scheme is to reinstate the farmhouse to one dwellinghouse and to convert and undertake alterations to the existing buildings to form a further eight dwellinghouses.

8.3 The building, although listed, is in a poor state of repair and the applicant has submitted a structural survey to demonstrate that the buildings are fit for the purposes of conversion to form dwellinghouses. It is considered that the proposed design scheme will not have a detrimental impact on this character in that the farmhouse remains the principal building as seen from the road elevation. The style of the dormers proposed is appropriate to the building and the fenestration is also in keeping with the vernacular of the area in terms of the proportions. The external finishes as proposed are entirely sympathetic to the vernacular and will enhance the building in terms of visual amenity.

8.4 The proposed development has been found to be acceptable in road safety terms and there are no issues arising with regard to service provision. Overall the scheme, which is essentially a revised design scheme from that previously approved, is considered to be acceptable and indeed one which shall bring this redundant building back into use and add to the rural environment in which it is located.

9. RECOMMENDATION

9.1 It is recommended that the full planning application 04/0827/FL be approved subject to the conditions on the attached sheet and that the decision notice not be issued until the Solicitor to the Council has concluded a formal legal agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 with the applicants in respect of the matter addressed in Paragraph 7.1 of the report.

9.2 It is also recommended that Listed Building Consent application 04/0875/LB be approved subject to the conditions listed on the attached sheet.

CONTRARY DECISION NOTE

Should the Committee agree that the applications be refused contrary to the recommendation of the Head of Planning, Development and Building Standards, the applications will not require to be referred to the Development Services Committee because it would not represent significant departures from the development plan.

Alan Neish
Head of Planning, Development and Building Standards

16 January 2005
NM/HM/NM
FV/DVM

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. Approved Ayrshire Joint Structure Plan (1999).
7. Previous applications 03/1024/FL and 03/1021/LB.

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

Implementation Officer: Dave Morris

Form TP24A

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application No: 04/0827/FL

Location	High Barbeth Farm DRONGAN KA6 6NG
Nature of Proposal:	Proposed change of use alterations and extensions forming nine houses
Name and Address of Applicant:	Prestwick Building Projects Ltd 8 Barns Street AYR
Name and Address of Agent	Architecture Design and Development Solutions 14A Beresford Terrace AYR KA7 2EG

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

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

1. The proposed development shall be carried out in accordance with the application form received on 12 August 2004; location plan (Drawing No.C04.19.01) received on 12 August 2004; proposed road layout (Drawing No.01) received on 22 November 2004; proposed plans and elevation (Drawing No. C04.19.11B; 04.19.10C and C04.19.12C) received by the Planning Authority on 07 December 2004.

REASON – To ensure that development is carried out in accordance with the approved details.

2. The dwellinghouses hereby approved are to be formed by altering and renovating redundant farm buildings and this shall be done in accordance with the structural survey report as prepared by Forbes Leslie Network and dated October 2004. The walls shall be retained to at least eaves level and any variations identified in the course of development should be notified to the Planning Authority immediately and all works shall be ceased until further appropriate approval is received from the Planning Authority.

REASON – The dwellinghouses hereby formed are approved as alterations and renovations to existing farm buildings only and would not be approved as new build houses.

3. Notwithstanding the details on the plans hereby approved any slates from the existing buildings shall be retained and salvaged for reuse on the proposed development.

REASON – In the interests of the character of the building.

4. Notwithstanding the details on the plans hereby approved the windows to be installed shall have a 50mm stepped transom at the mid rail and shall be constructed of timber and painted or stained white to the satisfaction of the Planning Authority.

REASON – In the interests of the character of the building.

5. Notwithstanding the details on the plans hereby approved the rainwater goods shall be black painted cast iron or aluminium and of an ogee profile to the satisfaction of the Planning Authority.

REASON – In the interests of the character of the building.

6. The sidelights as shown on the plans are not approved and shall be omitted from the design scheme to the satisfaction of the Planning Authority.

REASON – In the interests of the character of the building.

7. All of the roof lights to be installed shall be Conservation Grade so they are flush with the roof plane and vertically proportioned.

REASON – In the interests of the character of the building.

8. Access to the site must be taken via a road which complies with the Roads Development Guide 1996 and will require Construction Consent from East Ayrshire Roads Department.

REASON – In the interests of road safety.

9. Prior to the commencement of development the developer is required to provide a 2m footway across the B730 frontage of the plot.

REASON – In the interests of road safety.

10. Prior to the commencement of development of the any of the dwellinghouses hereby approved junction visibilities of 2.5m by 160m shall be formed at the junction with the B730. No fencing, buildings etc over 1m in height will be allowed within these areas and they shall be maintained in perpetuity to the satisfaction of the Planning Authority.

REASON – In the interests of road safety.

11. Any existing public utility apparatus located in the verge will require to be protected beneath the proposed access.

REASON – In the interests of road safety.

12. Prior to the occupation of any of the dwellinghouses the 22 car parking spaces as indicated on the plans hereby approved shall be formed in a non-adoptable parking area to the satisfaction of the Planning Authority.

REASON – To ensure sufficient off road parking for the development in the interests of road safety.

13. Prior to the commencement of development the developer shall have submitted to and received approval from the Planning Authority for, a programme for the future maintenance and management of the car parking area. This programme shall thereafter be implemented as approved.

REASON – To ensure that the car parking area is maintained in perpetuity.

14. Prior to the commencement of development the developer shall submit a detailed landscaping scheme for the communal areas of the development for the further written approval of the Planning Authority. This scheme shall include details of a programme for the future maintenance and management of the area which shall be retained in perpetuity. The scheme shall be implemented during the next available planting season following completion of the houses hereby approved.

REASON – To ensure an appropriate level of landscaping for the approved development.

15. Prior to the commencement of development the developer shall submit details of the proposed method of Sustainable Urban Drainage System to be installed. This shall have received the further written approval of the Planning Authority prior to its implementation.

REASON – In the interests of public health and safety.

16. Prior to the commencement of development the developer shall submit details of the proposed future management and maintenance of the approved surface water drainage scheme which shall thereafter be installed and retained in perpetuity to the satisfaction of the Planning Authority.

REASON – In the interests of public health and safety.

Notes to Applicant

1. The developer should make early contact with Scottish Water and the Scottish Environment Protection Agency regarding drainage of the site and to confirm the request to utilise a Sustainable Urban Drainage System (SUDS) with regard to surface water. These Authorities require this development to be drained in accordance with the recommendations contained in the CIRIA manual on SUDS.
2. The Council does not currently have a general agreement with Scottish Water in relation to the maintenance of public SUDS. Proposals for site specific agreements which may require to involve the developer or other third parties will be considered within the overall framework recommended in the design manual for SUDS published by CIRIA.

Form TP24A

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application No: 04/0875/LB

Location	High Barbeth Farm DRONGAN KA6 6NG
Nature of Proposal:	Proposed change of use alterations and extensions forming nine houses
Name and Address of Applicant:	Prestwick Building Projects Ltd 8 Barns Street AYR
Name and Address of Agent	Architecture Design and Development Solutions 14A Beresford Terrace AYR KA7 2EG

DPO's Ref: Nicola Monroe

PPO's Ref: Hugh Melvin

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

1. The proposed development shall be carried out in accordance with the application form received on 12 August 2004; location plan (Drawing No.C04.19.01) received on 12 August 2004; proposed road layout (Drawing No.01) received on 22 November 2004; proposed plans and elevation (Drawing No. C04.19.11B; 04.19.10C and C04.19.12C) received by the Planning Authority on 07 December 2004.

REASON – To ensure that development is carried out in accordance with the approved details.

2. Notwithstanding the details on the plans hereby approved any slates from the existing buildings shall be retained and salvaged for reuse on the proposed development.

REASON – In the interests of the character of the building.

3. Notwithstanding the details on the plans hereby approved the windows to be installed shall have a 50mm stepped transom at the mid rail and shall be constructed of timber and painted or stained white to the satisfaction of the Planning Authority.

REASON – In the interests of the character of the building.

4. Notwithstanding the details on the plans hereby approved the rainwater goods shall be black painted cast iron or aluminium and of an ogee profile to the satisfaction of the Planning Authority.

REASON – In the interests of the character of the building.

5. The sidelights as shown on the plans are not approved and shall be omitted from the design scheme to the satisfaction of the Planning Authority.

REASON – In the interests of the character of the building.

6. All of the roof lights to be installed shall be Conservation Grade so they are flush with the plane of the roof and vertically proportioned.

REASON – In the interests of the character of the building.

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