

**EAST AYRSHIRE COUNCIL**

**SOUTHERN LOCAL PLANNING COMMITTEE: 28 MAY 2004**

**04/0199/FL: PROPOSED CONVERSION OF OUTBUILDINGS TO FORM 3  
DWELLINGHOUSES AT TRABBOCH MAINS FARM, STAIR**

**APPLICATION BY MR H WALLACE**

**EXECUTIVE SUMMARY SHEET**

**1. DEVELOPMENT DESCRIPTION**

1.1 The current proposal is to convert the outbuildings to form three dwellinghouses. The proposed dwellings would be two storey (dormer) and display traditional features. The building at present has gable ends to the southeast and southwest elevations and these have been retained in the design scheme. Gable ends are also proposed on the north west and north east elevations to improve the flat roof structure which is there at present. A glazed feature is shown on the north west elevation. It is proposed to finish the external walls in render and to clad the roof in Marley Marquess tiles.

1.2 The existing access would be extended to go through a pend in the northwest elevation so that it leads to a courtyard at the rear for the provision of parking and garages to serve the proposed dwellings. There would be garden space to the front as well as to the south side and rear of the units. Drainage would be to a septic tank and soakaway arrangement.

**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 satisfactorily addressed and are not of sufficient weight to merit refusal of the application.

3.2 Full planning permission is being sought for the conversion and rehabilitation of a group of redundant farm buildings to form three dwellinghouses. The buildings proposed for development are not considered to have great architectural merit as they are functional dairy buildings which are believed to have been built around 1950. They have been found to be structurally sound as reported in the structural survey submitted for the existing planning permission and as updated for the current submission.

3.3 The proposed design scheme is one which incorporates traditional features such as coping and gablet style dormers. The fenestration as shown is all vertically emphasised and the external doors are all shown as a mock stable door in a vertically lined finish. The rooflights are shown as vertically proportioned and being flush with the plane of the roof. The glazed feature on the northwest elevation of House B successfully introduces a modern element to the scheme whilst remaining sympathetic to the overall traditional style. The external walls are to be finished in render and the roof is to be clad in a Marley Marquess tile which is an acceptable slate substitute.

3.4 It is proposed to use the existing vehicular access into the farmyard. This access will be extended to go through a pend leading to a courtyard formation with the garages and parking spaces for the proposed dwellings. The access onto the public C123 road has been found to be acceptable to East Ayrshire Roads Division. The proposed method of drainage, including SUDs, will require to be the subject of further approval from SEPA and this will remain the developer's responsibility.

3.5 The proposed development is acceptable in principle, the design scheme will enhance the existing buildings, there are no amenity issues and the material planning considerations raised by the objectors can be satisfactorily resolved. The proposal is therefore found to be acceptable and the recommendation is 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 documents 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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**SOUTHERN LOCAL PLANNING COMMITTEE: 28 MAY 2004**

**04/0199/FL: PROPOSED CONVERSION OF OUTBUILDINGS TO FORM 3  
DWELLINGHOUSES AT TRABBOCH MAINS FARM, STAIR**

**APPLICATION BY MR H WALLACE**

**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 it having attracted letters of objection.

**2. APPLICATION DETAILS**

2.1 **Site Description:** The application site comprises a group of disused buildings within the farmyard at Trabboch Mains Farm. The buildings which, previously housed a dairy, are of brick and render construction partially comprising a flat roof and are utilitarian in appearance. The site is accessed from Stair and the A70 via the C123 public road.

2.2 Trabboch Mains farmhouse sits on the east side of the access to the yard and is a traditional two storey dwelling. A newer single storey house is situated on the west side of the same access and agricultural land lies to the east, south and west of the site.

2.3 **Proposed Development:** The current proposal is to convert the outbuildings to form three dwellinghouses. The proposed dwellings would be two storey (dormer) and display traditional features. The building at present has gable ends to the southeast and southwest elevations and these have been retained in the design scheme. Gable ends are also proposed on the north west and north east elevations to improve the flat roof structure which is there at present. A glazed feature is shown on the north west elevation. It is proposed to finish the external walls in render and to clad the roof in Marley Marquess tiles.

2.4 The existing access would be extended to go through a pend in the northwest elevation so that it leads to a courtyard at the rear for the provision of parking and garages to serve the proposed dwellings. There would be garden

space to the front as well as to the south side and rear of the units. Drainage would be to a septic tank and soakaway arrangement.

### 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 minor commercial access crossing to East Ayrshire Roads standards and the junction with the public road should be bituminously surfaced or block paved for a minimum distance of 10m from the edge of the carriageway;
- (ii) visibility sightline splay areas of 2.5m by 35m will require to be formed and maintained at the access with no obstruction greater than one metre in height allowed within these areas;
- (iii) the access road to the courtyard must be a shared surface and a minimum of 4.5m wide;
- (iv) the existing public road at the access point to the site will require to be widened to 5.5m in accordance with East Ayrshire Council specification and a construction consent will be required for this work;
- (v) 3 no. passing places will require to be constructed on the public road (C123) between the site and the crossroads at the C82 and locations will be agreed on site with East Ayrshire Council;
- (vi) a minimum of 10 off road parking spaces (2.5m by 5m) must be provided to serve the development;
- (vii) a servicing area in close proximity to the public road must be provided for the collection of wheelie bins;
- (viii) access to and egress from the site will require to be taken in forward gear;
- (ix) no surface water must be allowed to discharge onto the public road;
- (x) the new field access crossing should be constructed to East Ayrshire Council standards.

***All of these road safety requirements can be met and can therefore be imposed as conditions on the consent if the Committee are minded to approve the application.***

3.2 Scottish Water has advised the developer should contact them to discuss how the proposed development would be best served with a public water supply.

***Noted.***

3.3 Scottish Environment Protection Agency has no objections in principle to the proposed development but recommend that a sub-soil soakaway system is

used for effluent disposal and surface water should be discharged to a burn via a suitably designed Sustainable Urban Drainage system.

***Noted.***

3.4 The Coal Authority has no objections to the proposed development and no adverse comments to make.

***Noted.***

3.5 PowerSystems has no objection to the proposed development.

***Noted.***

3.6 Drongan, Rankinston and Stair Community Council had not responded to their consultation letter at the time of writing this report.

***Noted.***

#### **4. REPRESENTATIONS**

4.1 Two letters of objection, with three signatories, have been received in respect of the application and the grounds of objection can be summarised as follows.

4.2 The proposed plans impede my existing legal access to the land that I own surrounding the proposed development. No formal approach has been made to myself regarding this and no formal agreement as to site, construction and width of new proposed access. I note from the plans that no planning application has been proposed regarding this matter and am concerned as to the legality of the proposed new access road where it enters the existing public road. The said new access road would have to be easily accessible to today's large goods vehicles i.e. up to 44 ton arctic, wide enough to enable two tractors with machines to pass which is essential especially at silage making and slurry spreading and that any cost of construction the responsibility of the developer.

***The applicant has certified that they are the lessee of the site and have formally served notification to every other person who owns land to which the application relates. In the presence of this certification submitted to the Planning Division any dispute regarding land ownership and access, or right of access, remains a civil matter and is therefore not a material planning consideration in the determination of this application. The Council's Roads Division has considered the proposed development and has recommended several conditions in the interests of road safety. It is considered***

***that where the Roads Engineer finds the proposal acceptable subject to the measures, as stipulated in the consultation response, then the matter of access is resolved so that the application is not deemed to be unacceptable on road safety grounds. Planning consent is not required for the formation of an agricultural access or track.***

4.3 Noting that the new boundaries are proposed to be hedges I object to the use of any hedge plant deemed poisonous to farm animals. Such boundaries must also be completely stock proof to a suitable standard for both cattle and sheep, which are kept in surrounding fields.

***Provided it is visually acceptable to the rural location the specific type of hedge to be planted is not normally considered by the Planning Division. However, in the interests of animal welfare it would be reasonable to impose a condition on the consent to address these concerns if the Committee are minded to approve the application.***

4.4 I would also like to raise my concerns about drainage as the present system draining my fields runs through the proposed development site. At times throughout the year there can be considerable surface water running off fields and present access road.

***The proposed development is a conversion rather than new build and therefore it is unlikely to have any affect on existing drainage systems pertaining to another property. In any case it is only the drainage associated with the proposed development which forms a material planning consideration in the determination of this application.***

4.5 I also object to the extra traffic on a C class public road, which will be created by this development having noted from the plan provision for 10 cars. At present vehicles regularly have to reverse to obtain suitable places to pass. The road condition at present could hardly be regarded as reaching minimum standard. Since buying our house here thirty years ago we have seen the standard of maintenance on the roads deteriorate to the extent that several sections of the road past our property (C123) are now suffering damage in the foundation layers. The section between the bridge at Trabboch Mains and Quarryhead Cottages is showing signs of subsidence on the south side. Holes of 400mm width are not unusual nowadays and a lamentable system of repair makes regular travel on this road less than pleasurable. Persistent notification to the Roads Department by the various householders barely maintains a safe surface on the road.

Between Trabboch Mains Farm and Lawhill Farm there is a bad bend and narrow bridge over the Trabboch Burn. This part of the road has seen several accidents

over the years with part of the corner being blind from the Lawhill direction. In the opposite direction from Trabboch Mains Farm to the junction with the B730 near Stair there is a series of three bad bends, including one blind corner at Meadowbank Farm, each having witnessed several vehicular accidents over the past years with drivers lacking care in the approaches to corners. Regular farm traffic on this road along with the occasional misdirected driver looking for Nurseries Direct, makes both vehicular and pedestrian movement on sections of the road hazardous, especially during the summer months.

***The Council's Roads Division has considered the likely impact of the proposed development on the local road network and has not found it to be unacceptable in terms of road safety. This is subject to the imposition of appropriate conditions if the Committee are minded to approve the application. The actual condition of the road surface is a separate matter which requires to be addressed through East Ayrshire Roads and Transportation Division directly, rather than through the consideration of a planning application. It is the responsibility of individual drivers to pay due care and attention when driving, particularly on C class roads where there is likely to be more farm traffic et cetera and hence this is not a material planning consideration in the determination of this application.***

4.6 The current water supply to the eight existing dwellings on the road to the east of Trabboch Mains is via a privately maintained pipe with a new section (sized for the eight properties) from the crossroads near Trabboch Burn Farm to Lawhill Farm, and an old asbestos pipe from there to Trabboch Mains Farm. As the old pipe has suffered bursts in the past a pressure regulating valve is now installed at the crossroads junction with the water main. We feel that if a further three properties (as per the current application) are now to be built at Trabboch Mains Farm then either the existing water main will require to be completely renewed from the crossroads to Trabboch Mains Farm, or a separate and completely new line should be installed to the new houses.

***The application does not indicate that the proposed development will be served by this existing water pipe. If this was to be the case the developer would require to liaise with the owners/users of the privately maintained pipe to reach a satisfactory position regarding the usage and maintenance of the pipe. This is not a material planning consideration and therefore has no weight in the determination of this 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 this application.

### 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;

***an updated structural survey has been submitted to demonstrate that the buildings are sound for the purpose of 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;

***it is considered the proposal meets the above criterion.***

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

***none of the statutory consultees has raised any objections to the proposed development and hence the proposal meets the above criterion.***

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

***the proposal is considered to be 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 scheme is considered to be acceptable and does meet the Council's Design Guidance in full.***

- (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 development does not damage the integrity of the existing buildings and it is proposed to use materials which are sympathetic to the original character of the building.***

- 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 proposal meets the Council's minimum private open space standards and in doing so complies with this policy.***

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

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

### Consultations Responses

- 6.2 None of the consultation responses have objected to the proposed development and no adverse comments have been made.

### Representations

- 6.3 The letters of objection received do raise some material planning considerations, primarily based on how the proposed development will impact on the local road network and road safety. It is considered that these concerns can be satisfactorily addressed through the imposition of appropriate conditions on the consent, as recommended by East Ayrshire Council's Roads Division and they would therefore not be of sufficient weight to indicate the application should be refused.

### Planning History

6.4 This site was the subject of an application for full planning permission (Ref : 02/0017/FL) for the conversion of the buildings to form eight terraced dwellinghouses. This application was subsequently approved on 09 August 2002 but has not yet been implemented. It is understood that it is intended to sell the site to the current applicant who has amended the scheme to three larger executive style dwellings.

## **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 satisfactorily addressed and are not of sufficient weight to merit refusal of the application.

8.2 Full planning permission is being sought for the conversion and rehabilitation of a group of redundant farm buildings to form three dwellinghouses. The buildings proposed for development are not considered to have great architectural merit as they are functional dairy buildings which are believed to have been built around 1950. They have been found to be structurally sound as reported in the structural survey submitted for the existing planning permission and as updated for the current submission.

8.3 The proposed design scheme is one which incorporates traditional features such as coping and gablet style dormers. The fenestration as shown is all vertically emphasised and the external doors are all shown as a mock stable door in a vertically lined finish. The rooflights are shown as vertically proportioned and being flush with the plane of the roof. The glazed feature on the northwest elevation of House B successfully introduces a modern element to the scheme whilst remaining sympathetic to the overall traditional style. The external walls are to be finished in render and the roof is to be clad in a Marley Marquess tile which is an acceptable slate substitute.

8.4 It is proposed to use the existing vehicular access into the farmyard. This access will be extended to go through a pend leading to a courtyard formation with the garages and parking spaces for the proposed dwellings. The

access onto the public C123 road has been found to be acceptable to East Ayrshire Roads Division. The proposed method of drainage, including SUDs, will require to be the subject of further approval from SEPA and this will remain the developer's responsibility.

8.5 The proposed development is acceptable in principle, the design scheme will enhance the existing buildings, there are no amenity issues and the material planning considerations raised by the objectors can be satisfactorily resolved. The proposal is therefore found to be acceptable and the recommendation is 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**

17 May 2004  
NM/NM/SMB  
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).

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: 04/0199/FL

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Location	Trabboch Mains Farm STAIR KA5 5JE
Nature of Proposal:	Proposed conversion of outbuildings to form 3 dwellinghouses
Name and Address of Applicant:	Mr H Wallace 9 Barbadoes Road KILMARNOCK KA1 1ST
Name and Address of Agent	Houston Harper Architects 2 Schoolwynd KILBIRNIE KA25 7AY

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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 and plans submitted on 16 February 2004 and the amended site layout as received by the Planning Authority on 06 May 2004.

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

2. A professionally prepared construction method statement shall be submitted to and approved by the Planning Authority prior to the commencement of development. This shall indicate that the existing walls to be retained shall be retained to at least eaves level.

REASON – To ensure that the development relates to the rehabilitation rather than the construction of new dwellinghouses.

3. Notwithstanding the details on the plans hereby approved the roof shall be clad in a Marley Marquess tile unless a suitable alternative receives the prior written approval of the Planning Authority.

REASON – In the interests of visual amenity.

4. Prior to the commencement of wall rendering works the developer shall prepare a one metre square sample panel of the render to be used for inspection and written approval by an official of the Planning Authority.

REASON – To ensure the render is suitable to the building in the interests of visual amenity.

5. Notwithstanding the details on the plans hereby approved the windows to be installed shall be a sash and case look alike and shall have a stepped transom at the mid rail to the satisfaction of the Planning Authority.

REASON- In the interests of visual amenity.

6. Notwithstanding the details on the plans hereby approved all bipartite windows shall have a masonry mullion which shall be painted in a colour to match the smooth cement bands around the windows.

REASON- In the interests of visual amenity.

7. Prior to the commencement of any of the garages shown on the approved plans the developer shall submit elevational details of the garages for the further written approval of the Planning Authority.

REASON – To ensure the garages are in keeping with the design scheme hereby approved for the dwellinghouses.

8. Notwithstanding the details on the plans hereby approved the boundary shall be formed using a stock proof fence and a native hedgerow which shall be deemed to not be poisonous to livestock and retained in perpetuity to the satisfaction of the Planning Authority.

REASON – To ensure the boundary is appropriate to the rural location of the site.

9. Prior to the commencement of development the developer shall ensure a satisfactory means of both foul and surface water drainage has received formal written approval from both Scottish Water and Scottish Environment Protection Agency. These systems shall be maintained in perpetuity through a programme of future management and maintenance which shall be submitted for the written approval of the Planning Authority prior to the commencement of development.

REASON – In the interests of public health and safety.

10. Access to the site must be taken via a minor commercial access crossing to East Ayrshire Roads standards and the junction with the public road should be bituminously surfaced or block paved for a minimum distance of 10m from the edge of the carriageway to the satisfaction of the Planning Authority.

REASON – In the interests of road safety.

11. Prior to the commencement of development the developer will form visibility sightline splay areas of 2.5m by 35m at the access with no obstruction greater than one metre in

height allowed within these areas and these splay areas shall be maintained in perpetuity to the satisfaction of the Planning Authority.

REASON – In the interests of road safety.

12. The access road to the courtyard must be a shared surface and a minimum of 4.5m wide to the satisfaction of the Planning Authority.

REASON – In the interests of road safety.

13. Prior to the occupation of any of the dwellinghouses hereby approved the existing public road at the access point to the site shall be widened to 5.5m in accordance with East Ayrshire Council specification and the developer shall secure a Roads Construction Consent for this work prior to the commencement of development.

REASON – In the interests of road safety.

14. Prior to the occupation of any of the dwellinghouses hereby approved 3 no. passing places shall be constructed on the public road (C123) between the site and the crossroads at the C82 and locations will be agreed on site with East Ayrshire Council prior to the commencement of development.

REASON- In the interests of road safety.

15. Prior to the occupation of the dwellinghouses hereby approved a minimum of 10 off road parking spaces (2.5m by 5m) shall be formed within the curtilage of the site to the satisfaction of the Planning Authority.

REASON – To ensure the provision of sufficient off road parking for the development hereby approved.

16. Prior to the occupation of the dwellinghouses hereby approved the developer shall provide a servicing area in close proximity to the public road for the collection of wheelie bins to the satisfaction of the Planning Authority.

REASON – In the interests of road safety.

17. No surface water shall be allowed to discharge onto the public road.

REASON – To ensure a secure road surface in the interests of road safety.

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