

## **EAST AYRSHIRE COUNCIL**

**NORTHERN AREA LOCAL PLANNING COMMITTEE: 03 AUGUST 2001**

**00/0387/FL AND 00/0396/LB: PROPOSED CONVERSION AND ALTERATIONS TO FORM 5 HOUSES IN EXISTING FARMHOUSE AND OUTBUILDINGS AND IMPROVED ACCESS TO HOUSES AND FISHERIES AT WATERSIDE FARM, GALSTON BY MR & MRS C THOMSON**

### **EXECUTIVE SUMMARY SHEET**

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

1.2 The application is to convert and alter the existing buildings to form 5 houses and to improve the access to both the houses and fisheries. The existing farmhouse will be incorporated within the proposed 5 units. The original plans submitted have been amended to delete any proposed extensions to the development. The 5 units will be formed solely within the existing buildings. The roofs will remain slate with cast iron gutters and downpipes. The existing red sandstone corner stonework at gutter, window and door surrounds will remain with the walls to be textured render.

#### **2. RECOMMENDATION**

2.1 It is recommended that the listed building application, 00/0396/LB, be approved subject to the notification of Historic Scotland under the Listed Buildings and Buildings in Conservation Areas (Scotland) Regulations 1987 and subject to the conditions indicated on the attached sheet.

2.2 It is further recommended that planning consent, 00/0387/FL, be approved subject to the conditions on the attached sheet.

#### **3. SUMMARY OF ANALYSIS**

3.1 Given the negligible relevance of the very elderly adopted plan it is considered that in the determination of the application, greater weight should be placed on the East Ayrshire Local Plan (as Modified) and the other material considerations. It is considered that the applications are in accordance with the EALP and there would be no detriment to the community arising from a planning consent suitably conditioned.

**Alan Neish**  
**Head of Planning and Building Control**

**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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**00/0387/FL AND 00/0396/LB: PROPOSED CONVERSION AND  
ALTERATIONS TO FORM 5 HOUSES IN EXISTING FARMHOUSE AND  
OUTBUILDINGS AND IMPROVED ACCESS TO HOUSES AND FISHERIES  
AT WATERSIDE FARM, GALSTON  
BY MR & MRS C THOMSON**

### **Report by Head of Planning and Building Control**

#### **1. PURPOSE OF REPORT**

1.1 The purpose of this report is to present for determination a full planning application and a listed building application which are to be considered by the Local Planning Committee under the scheme of delegation because the listed building application is subject to objection and the proposal is a larger application which accords with the Finalised East Ayrshire Local Plan (as Modified) and is of area significance.

#### **2. APPLICATION DETAILS**

2.1 **Site Description:** The application site is located to the north of Galston and to the north-west of Galston roundabout. The site currently comprises a 'B' listed farm building and a number of outbuildings. To the north and west of the site is Waterside Fisheries.

2.2 **Proposed Development:** The application is to convert and alter the existing buildings to form 5 houses and to improve the access to both the houses and fisheries. The existing farmhouse will be incorporated within the proposed 5 units. The original plans submitted have been amended to delete any proposed extensions to the development. The 5 units will be formed solely within the existing buildings. The roofs will remain slate with cast iron gutters and downpipes. The existing red sandstone corner stonework at gutter, window and door surrounds will remain with the walls to be textured render.

#### **3. CONSULTATIONS AND ISSUES RAISED**

3.1 The Scottish Environment Protection Agency (SEPA) have no objection to the proposal provided the foul drainage from the development receives the equivalent of full biological treatment prior to discharge to a watercourse. The

discharge will require SEPA's consent in terms of the Control of Pollution Act 1974.

***Noted.***

3.2 West of Scotland Water Authority have stated that there are no known sewers to which a connection may be made. If a septic tank is utilised it must be sited in such a manner as to allow easy access for emptying by a tanker. A development of the type and size proposed can be serviced from an existing public water main located in the street adjacent to the site location.

***Noted. A condition regarding the siting of a septic tank can be attached to any grant of planning permission.***

3.3 The Coal Authority have stated that the property is within the likely zone of influence on the surface from workings in 6 seams of coal at shallow to 110 metres depth, the last date of working being 1924. The property is not within the zone of likely physical influence on the surface from any present underground coal workings.

In view of the mining circumstances a prudent developer would seek appropriate technical advice before works are undertaken on site.

***Noted, however, the application does not now involve any new buildings.***

3.4 The Roads and Transportation Division have advised that because of previous flooding incidents at the location, the applicant must give careful considerations to any proposals that may increase the flood potential or place any part of the development at risk of flooding.

In particular, the level of the new road must be constructed above the potential flood level of the burn, and adequate provision must be made to ensure the road and house drainage will not increase the risk of flooding at the critical points along the watercourse. Details of the applicant's proposals in relation to the flooding issue will require to be submitted as part of the Construction Consent application for the new road.

The sightline standard of  $x = 2.5$  m and  $y = 160$  m can be achieved provided the existing pedestrian barrier to the right of the junction is replaced with a high visibility barrier to allow vehicles to be seen approaching the junction. In addition, sections of the barrier to the left may require to be removed to allow the correct junction radius to be formed. The new junction will also require street lighting to a standard acceptable to the Roads Division.

The access to the fishery over the burn will not be included in the public road and hence the structural capacity of the culvert will not be part of the construction

consent. There will however be matters arising from flooding implications and the adequacy of the culvert will have to be demonstrated for this purpose.

***Noted. The Roads Division have discussed their requirements in detail with the applicant's agent who has raised no concerns regarding the necessary conditions being attached to any grant of planning permission.***

3.5 Historic Scotland are pleased with the agent's efforts in pursuing an amended, more sensitive scheme than was originally submitted. The Historic Buildings Inspectorate have confirmed that the proposals are now acceptable in terms of listed building consent. Two small points of detail should still be addressed:

- (i) The windows of the farmhouse should be overhauled, rather than replaced. In accordance with Government policy on windows the applicant must demonstrate that the existing windows are beyond repair before replacement can be considered. If this is the case, replacement would be strictly on a like-for-like basis.
- (ii) All external timber work should be painted rather than stained or varnished.

In addition, consideration should be given to the view of the building from the road from Waterside, and whether the planting proposals across the north of the courtyard might compromise this.

***Noted. Conditions relating to the windows and timber work can be attached to any grant of planning permission. It is considered that, as is the opinion of Historic Scotland, the planting proposals north of the courtyard will compromise the view of this area and should be deleted from any approval.***

3.6 The Scottish Civic Trust is satisfied that the application responds to the existing qualities of the farmhouse and its outbuildings in a sensitive manner and therefore recommend that planning permission be granted.

***Noted.***

3.7 The Architectural Heritage Society of Scotland object in principle to this proposal and also to its effect on the listed building. The amended plans show only minor amendments to one elevation. Patio doors and timber panelling seem quite inappropriate for a 'B' listed farmhouse. The Society is concerned that the application is still proposing a 'textured rendered' finish to this development, with only sandstone remaining exposed at wall-head, window and door surrounds. Such a cheap and easy solution is not worthy on a 'B' listed building.

***Both Historic Scotland and the Scottish Civic Trust are satisfied that the amended proposals result in a sensitive scheme that responds to the existing qualities of the farmhouse. The Planning Division endorse this view and do not agree that the conversion, in this manner, of these buildings into residential use should be refused.***

3.8 Galston Community Council have not responded at the time of writing this report.

***Noted.***

#### **4. REPRESENTATIONS**

One letter of objection was received from the Architectural Heritage Society of Scotland which is reported in para 3.7 above.

#### **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 other material considerations indicate otherwise. For the purposes of this planning application, the development plan comprises the Adopted Ayrshire Joint Structure Plan and the Ayr County Development Plan (1953) and the Galston Town Map (1965).

5.2 However, the Adopted Ayr County Development Plan is now almost 50 years out of date. Given the age of this plan, its relevance to the planning application is negligible. Nevertheless, within this Plan the site is identified as agricultural land. There are no references in the Plan to conversion of buildings.

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

6.1 The other principal material considerations relevant to the determination of these applications are the Finalised East Ayrshire Local Plan (as Modified), the Government guidance on listed buildings contained within the Memorandum of Guidance on Listed Buildings and Conservation Areas, consultations and objections detailed above.

6.2 The Adopted Local Plan is considerably out of date and therefore it is considered appropriate that greater weight should be attached to more recent expressions of policy. The Council has agreed that the Finalised East Ayrshire Local Plan (as Modified) should be considered a prime material consideration.

6.3 Policy RES 7 of the EALP encourages rehabilitation or conversion to residential use of existing and traditionally designed and constructed buildings subject to a number of criteria.

***It is considered that the current application accords with Policy RES 7 since the proposal is fully in keeping with the character and appearance of the area, meets the Council's design requirements, does not damage the architectural integrity of the building, can be serviced and the buildings are of a structural condition that is capable of conversion.***

6.4 Policy ENV 4 of the EALP draws upon the guidance contained in the Memorandum on Listed Buildings and Conservation Areas and states that "the Council will seek to ensure that all development ..... affecting the appearance or setting of a Listed Building, is sympathetic to the .... building concerned in terms of its layout, size, scale, design, siting, materials and colour of finish. Wherever possible, all proposals should seek to preserve, enhance or incorporate features which contribute positively to the character or appearance of the area and have due regard to the architectural and historic qualities of the area or building concerned". The reason for this policy is to ensure that new development is sympathetic to the character of existing buildings.

***The application has been amended significantly to take account of consultation responses from Historic Scotland and other amenity bodies. It is therefore considered that the overall design and materials now comply with both the wording and purpose of the policy.***

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

7.1 There are no financial or legal implications for the Council in determining these applications.

## **8. CONCLUSIONS**

8.1 Given the negligible relevance of the very elderly adopted plan it is considered that in the determination of the application, greater weight should be placed on the East Ayrshire Local Plan (as Modified) and the other material considerations. It is considered that the applications are in accordance with the EALP and there would be no detriment to the community arising from a planning consent suitably conditioned.

## **9. RECOMMENDATION**

**9.1 It is recommended that the listed building application, 00/0396/LB, be approved subject to the notification of Historic Scotland under the Listed Buildings and Buildings in Conservation Areas (Scotland) Regulations 1987 and subject to the conditions indicated on the attached sheet.**

**9.2 It is further recommended that planning consent, 00/0387/FL, be approved subject to the conditions on the attached sheet.**

**Alan Neish  
Head of Planning and Building Control**

24 July 2001  
(YN/MMM)

FV/DVM

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

1. Application Form/Plans.
2. Statutory Notice/Certificates.
3. Letters of Representation.
4. Finalised EALP (as Modified).
5. Ayr County Development Plan and Galston Town Map.
6. Adopted Ayrshire Joint Structure Plan.
7. Memorandum of Guidance on Listed Buildings and Conservation Areas.

Anyone wishing to inspect the above papers please contact Yvonne Nisbet on 01563 576771.

***Implementation Officer: Dave Morris***

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## EAST AYRSHIRE COUNCIL

## TOWN &amp; COUNTRY PLANNING (SCOTLAND) ACT 1997

00/0387/FL

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Site of Proposal:	Waterside Farm Glasgow Road GALSTON KA4 8PB
Nature of Proposal:	Proposed Conversion and Alterations to Form 5 Houses in Existing Farmhouse and Outbuildings and Improved Access to Houses and Fisheries
Name & Address of Applicant:	Mr & Mrs C Thomson Waterside Farm Glasgow Road GALSTON KA4 8PB
Name & Address of Agent:	Keir & Fraser Architects Unit 38 6 Harmony Row GLASGOW G513BA

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DPOs Reference: YN/MMM

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 location plan received 19 May 2000 and the amended plans (Drawing Nos 209/01, 209/02B, 209/03B, 209/04A) received by the Planning Authority on 04 April 2001 and 23 May 2001.

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

2. This approval relates to the extension, alteration and conversion of a farmhouse and outbuildings to form dwellinghouses and not to the erection of new dwellinghouses in the countryside.

REASON To ensure that the development relates to the conversion, rather than the new construction of dwellinghouses.

3. The formation of windows and doors shall be undertaken in such a manner as to ensure the retention of the remainder of the existing walls to at least eaves level.

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

4. Notwithstanding the plans hereby approved, any septic tank provided to serve the development shall be sited in such a position as will enable it to be emptied by the tanker.

REASON In the interests of public safety.

5. The developer shall contact the Head of Planning and Building Control immediately upon completion of all down takings and PRIOR to the commencement of any new building works; this is to enable an inspection of the site. Further works shall re-commence only once this inspection has taken place.

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

6. Notwithstanding the plans hereby approved the roof shall be covered in natural slates.

REASON In the interests of visual amenity.

7. Notwithstanding the submitted plans the visibility splay areas of 2.5 metres by 160 metres shall be provided at the junction of the access to the development with the public road with no obstruction to visibility greater than 1 metre in height being allowed within these areas. This will involve replacing the existing pedestrian barrier to the south with a high visibility barrier and may also require removal of sections of the existing barrier to the north of the junction. These sightlines shall be provided prior to occupation of any of the dwellinghouses and shall be maintained thereafter.

REASON To enable drivers of vehicles leaving the site to have a clear view over a length of road sufficient to allow safe exit.

8. The new junction will require street lighting to be provided to a standard acceptable to the Roads Division. This lighting shall be provided prior to occupation of any of the dwellinghouses.

REASON In the interests of road safety.

9. The level of the new road shall be constructed above the potential flood level of the burn, and adequate provision shall be made to ensure the road and house drainage will not increase the risk of flooding at the critical points along the watercourse. Prior to the commencement of development, details confirming the above points shall be submitted to and approved by the Planning Authority. Included within these details shall be an appropriate, technical demonstration that the structural capacity of the culvert, over which access is taken to the fishery car park, is adequate in relation to future flood events.

REASON In the interests of public and road safety.

10. Notwithstanding the submitted plans the existing windows of the farmhouse shall be overhauled rather than replaced unless the applicant can demonstrate to the Planning Division's satisfaction that the existing windows are beyond repair. (If this is the case, replacement shall be strictly on a like-for-like basis).

REASON In the interests of visual amenity and in accordance with Government policy on windows in listed buildings.

11. Notwithstanding the submitted plans all external timber work shall be painted and not stained or varnished.

REASON In the interests of visual amenity and in accordance with Government policy on listed buildings.

12. Notwithstanding the submitted plans the planting identified on the plans across the north of the courtyard is not hereby approved. No planting shall take place in this area.

REASON To ensure the setting and visual appearance of the listed building is not compromised.

13. Notwithstanding the provision of the Town and Country Planning (General Permitted Development)(Scotland) Order 1992, or any order or enactment replacing this, no extensions or garages shall be erected on the site unless a further specific planning application is submitted to and approved by the Planning Authority.

REASON To enable the Planning Authority to ensure that such structures are provided in a manner compatible with the visual amenity of the area.

Note:

1. Details of the applicant's proposals in relation to flooding implications will require to be submitted to and be approved as part of the Construction Consent application for the new road.

## EAST AYRSHIRE COUNCIL

## TOWN &amp; COUNTRY PLANNING (SCOTLAND) ACT 1997

00/0396/LB

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Site of Proposal:	Waterside Farm Glasgow Road GALSTON KA4 8PB
Nature of Proposal:	Proposed Conversion and Alterations to Form 5 Houses in Existing Farmhouse and Outbuildings and Improved Access to Houses and Fisheries
Name & Address of Applicant:	Mr & Mrs C Thomson Waterside Farm Glasgow Road GALSTON KA4 8PB
Name & Address of Agent:	Keir & Fraser Architects Unit 38 6 Harmony Row GLASGOW G513BA

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DPOs Reference: YN/MMM

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 and location plan received 06 June 2000 and the amended plans (Drawing Nos 209/01, 209/02B, 209/03B, 209/04A) received by the Planning Authority on 04 April 2001 and 23 May 2001.

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

2. The formation of windows and doors shall be undertaken in such a manner as to ensure the retention of the remainder of the existing walls to at least eaves level.

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

3. The developer shall contact the Head of Planning and Building Control immediately upon completion of all downtakings and PRIOR to the commencement of any new building works; this is to enable an inspection of the site. Further works shall re-commence only once this inspection has taken place.

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

4. Notwithstanding the plans hereby approved the roof shall be covered in natural slates.

REASON In the interests of visual amenity.

5. Notwithstanding the submitted plans the existing windows of the farmhouse shall be overhauled rather than replaced unless the applicant can demonstrate to the Planning Division's satisfaction that the existing windows are beyond repair. (If this is the case, replacement shall be strictly on a like-for-like basis).

REASON In the interests of visual amenity and in accordance with Government policy on windows in listed buildings.

6. Notwithstanding the submitted plans all external timber work shall be painted and not stained or varnished.

REASON In the interests of visual amenity and in accordance with Government policy on listed buildings.

**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.**

**AGENDA**