

EAST AYRSHIRE COUNCIL

NORTHERN AREA LOCAL PLANNING COMMITTEE: 15 JUNE 2001

99/0571/FL: CHANGE OF USE AND ALTERATION OF EXISTING REDUNDANT FARM BUILDINGS TO RESIDENTIAL DEVELOPMENT AT WEST LANGTON FARM, BY DUNLOP BY MR J GEMMELL

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 It is proposed to convert the redundant wings of the steading to form two houses in each wing and convert the separate two storey building to form a detached villa.

Off street parking is detailed for the houses in several areas which will also improve and co-ordinate the parking accommodation for existing houses on site. In providing this accommodation there are effectively three new accesses proposed onto the public road. Additionally the proposal involves the establishment of access improvements and passing places on the minor road in an easterly direction extending to the A735 Dunlop - Lugton Road.

It should be noted that an application very similar to this was approved in November 1994; (Kilmarnock and Loudoun Application No KL/W/FL/86/243A). This new application is effectively an attempt to authorise afresh the earlier proposal.

2. RECOMMENDATION

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

3. SUMMARY OF ANALYSIS

3.1 As is 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 37(2) of the Town and Country Planning (Scotland) Act 1997, the

application should be approved unless material considerations indicate otherwise. As is indicated in Section 6 of the report, there are material considerations relevant to this application and it is considered that these are generally supportive of the application.

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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99/0571/FL: CHANGE OF USE AND ALTERATION OF EXISTING REDUNDANT FARM BUILDINGS TO RESIDENTIAL DEVELOPMENT AT WEST LANGTON FARM, BY DUNLOP BY MR J GEMMELL

Report by Head of Planning and Building Control

1. PURPOSE OF REPORT

1.1 The purpose of this report is to present for determination an application which is to be considered by the Local Planning Committee under the scheme of delegation because it is a larger application which accords with the East Ayrshire Local Plan, finalised version with modifications, and is of area significance.

2. APPLICATION DETAILS

2.1 **Site Description:** West Langton is a former farm situated off a minor road north of Dunlop. Currently it comprises 2 houses based in the central area with two wings extending off this area in a "u" shaped steading arrangement. There are other former sheds also in existence on site and a larger two storey stone built building divorced from the steading on its east side; this building fronts the road.

2.2 **Proposed Development:** It is proposed to convert the redundant wings of the steading to form two houses in each wing and convert the separate two storey building to form a detached villa.

Off street parking is detailed for the houses in several areas which will also improve and co-ordinate the parking accommodation for existing houses on site. In providing this accommodation there are effectively three new accesses proposed onto the public road. Additionally the proposal involves the establishment of access improvements and passing places on the minor road in an easterly direction extending to the A735 Dunlop -Lugton Road.

It should be noted that an application very similar to this was approved in November 1994; (Kilmarnock and Loudoun Application No KL/W/FL/86/243A).

This new application is effectively an attempt to authorise afresh the earlier proposal.

3. CONSULTATIONS AND ISSUES RAISED

3.1 East Ayrshire Council Roads Division had initially confirmed a number of issues relating to off street parking areas, adequate access sightlines and off site road improvements.

Noted. Over the period the application has been under consideration, these issues have been addressed and incorporated in the submission and the Council's Roads Division have now confirmed that the proposal is acceptable.

3.2 West of Scotland Water have confirmed that there is a public water main available for the proposed development but there are no sewers in the area to which a connection could be made. Therefore a septic tank arrangement will be necessary for the servicing of the proposal and any such tank will require to be sited in such a manner as to allow for ease of access for emptying by a tanker .

Noted, an appropriate condition can be attached to any consent.

3.3 Scottish Environment Protection Agency have confirmed that the proposal can be serviced by use of septic tank and partial soakaway as detailed.

Noted.

3.4 The Coal Authority have advised of no ground stability issues which should impact on the proposal.

Noted.

3.5 Dunlop and Lugton Community Council have not responded to the proposal at the time of writing this report.

Noted.

4. REPRESENTATIONS

4.1 No letters of objection have been submitted in respect of the proposal.

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 Adopted Ayrshire Joint Structure Plan and the Adopted Stewarton Local Plan, (1985). The Adopted Local Plan was prepared within the context of the then emerging Strathclyde Structure Plan.

5.2 Notwithstanding the age of the Adopted Local Plan, the proposal would fall to be considered against policy 5.3.6 which states the following:

"The District Council shall favourably consider the rehabilitation or enlargement of derelict buildings for a maximum of five residential units in the open countryside, where all the following conditions are fulfilled:-

(1) The District Council is satisfied that the building is suitable for conversion to a dwellinghouse, and this will significantly improve the amenity of the surrounding countryside.

(2) The cubic content of the original building is not exceeded by an extension of 125 cubic metres or half whichever is the greater.

(3) The building has suitable access to a public road.

(4) The proposed development and design in materials uses is in accordance with the rural character of the area".

In terms of the above policy the proposal is considered to be generally in accordance with the criteria listed and hence the development plan, and this accounts for the previous approval referred to above.

6. ASSESSMENT AGAINST OTHER MATERIAL CONSIDERATIONS

6.1 The other principal material considerations relevant to the determination of the application are the East Ayrshire Local Plan Finalised Version with Modifications (EALP), the planning history and the impact on the amenity of the area.

6.2 East Ayrshire Local Plan, Finalised Version with Modifications

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 EALP should be considered a prime material consideration.

The relevant policy in this document is RES7 which states the following:

"The rehabilitation or conversion to residential use of existing, and traditionally designed and constructed buildings both within settlements and the rural area, will be encouraged. The proposed development will require to meet all of the following criteria:

- (i) the Council will require to be satisfied that the structural condition of the building is suitable for its conversion to residential use;
- (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;
- (iii) the development meets the service requirements of all appropriate statutory undertakers and the Council as Roads Authority;
- (iv) the proposal is fully in keeping with the character and appearance of the area within 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
- (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 Council may consider a relaxation of criteria (ii) above with regard to the conversion of traditionally designed and constructed outbuildings forming an integral part of an existing farm courtyard grouping where the proposal would preserve and enhance the integrity of the group of buildings concerned".

The proposal has been assessed against the listed criteria and found to be policy compliant; there being information confirming the structural condition of the buildings, the extensions being restricted to the thresholds detailed, and the additional updated requirements of the Councils Roads and Transport Division being met both internally to the site and externally along the minor road. It should be noted that the external road works will require securing by means of a suspensive condition if the Committee is of a mind to approve the application.

6.3 Planning History

As stated in para 2.2 above the main elements of this application are identical to that of a planning consent issued in 1994; (KL/W/FL/86/243A). The only new issues are the updated requirements of the Council's Roads and Transportation Division.

6.4 Impact on the amenity of the area

It is anticipated that this proposal will contribute to an improvement of the amenity of the area in generating the removal of the agricultural debris/redundant buildings and achieving the sympathetic reuse of the buildings involved.

7. FINANCIAL AND LEGAL IMPLICATIONS

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

8. CONCLUSIONS

8.1 As is indicated in Section 5 above, the application is considered to be in accordance with the development plan. Therefore, given the terms of Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997, the application should be approved unless material considerations indicate otherwise. As is indicated in Section 6 above, there are material considerations relevant to this application and it is considered that these are generally supportive of the application.

9. RECOMMENDATION

9.1 **It is recommended that the application be approved subject to the conditions on the attached sheet.**

Alan Neish
Head of Planning and Building Control

6 June 2001 (IW/MS)

FV/DVM

LIST OF BACKGROUND PAPERS

1. Application form and plans.
2. Statutory Notices/Certificates.
3. Correspondent to/from the applicant.
4. Adopted Stewarton Local Plan.
5. East Ayrshire Local Plan Finalised Version with Modifications.
6. Strathclyde Structure Plan.
7. Adopted Ayrshire Joint Structure Plan.
8. Planning Consent No: KL/W/FL/86/243A.

Anyone wishing to inspect the above papers please contact Ian Walker on (01563) 576769.

Implementation Officer: Dave Morris

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application No: 99/0571/FL

Site of Proposal	West Langton Farm By DUNLOP
Nature of Proposal	Proposed Change of Use and Alterations of Existing Farm Buildings to Residential Development
Name & Address of Applicant	James Gemmell Turnerhill Farm By MAUCHLINE

Name & Address of Agent

DPO's Ref: IW/MS

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 received 11 August 1999 and the amended location/site plans received by the Planning Authority on 13 October 2000 and 22 November 2000 respectively, the existing ground floor plan received 20 October 2000, the existing elevations received 21 November 2000 and the amended block plan received 6 March 2001.

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

2. This approval relates to the change of use and rehabilitation of farm buildings to form single dwellinghouses and not to the erection of new dwelling houses in the countryside.

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

3. Prior to the commencement of development on site the road improvements detailed on the amended site plan dated 13 October 2000 shall be completed. Such work will require a construction consent and full details should be submitted for the approval of the Planning Authority.

REASON In the interests of road safety.

4. Notwithstanding the plan(s) hereby approved details/samples of external finishing materials including windows and doors shall be submitted to and approved by the Planning Authority before any development commences on the site.

REASON In the interest of visual amenity.

5. A landscaping scheme including the treatment of the site outwith any allocated garden areas shall be submitted to and approved by the Planning Authority prior to commencement of any development, and shall be implemented not later than the next appropriate planting season after the development has been carried out. The scheme shall include details of the provision to be made for the maintenance of soft and hard landscaped areas, and shall be maintained thereafter in accordance with these details.

REASON To ensure that adequate provision of open space is provided, to an adequate standard, and that it is subsequently maintained, in the interest of residential and visual amenity .

6. Details submitted further to Condition No 5 above shall include the existing and proposed ground levels for the areas to the east of houses No 3 & 4.

REASON In the interests of visual/residential amenity.

7. The developer shall contact the Planning Authority immediately upon the completion of all duntakings and PRIOR to the commencement of any new building works to enable an inspection of the site. Further works shall recommence only once this inspection has taken place.

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

8. Sightlines at each access to the site of 2.5m x 70m, free from obstruction greater than 1 m in height, shall be provided prior to the first occupation of any dwelling hereby approved and shall be maintained thereafter.

REASON In the interests of road safety .

9. The first 2m of each access shall be surfaced in an impermeable material prior to the first occupation of the dwellings hereby approved.

REASON In the interests of road safety.

10. Notwithstanding the plans hereby approved, revised details of boundary treatment shall be submitted to and approved by the Planning Authority prior to the commencement of development and shall be constructed in accordance with such details prior to the first occupation of the dwellings hereby approved.

REASON In the interests of visual amenity and the appearance of the area, and because insufficient information has been submitted upon which to determine this element of the application.

11. Details/samples of all proposed hard surfacing material shall be submitted to and approved by the Planning Authority before any development commences on the site.

REASON In the interests of amenity and of the character and appearance of the area.

12. Notwithstanding the details on the plans hereby approved, the upper floor windows on house No 7 are not approved. Further details of these windows shall be submitted to and approved by the Planning Authority prior to the commencement of works on site.

REASON In the interests of visual amenity.

13. Notwithstanding the plan(s) 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 interest of public safety

Note to Applicant

The Developer should contact SEPA prior the commencement of the development to discuss whether any upgrading of the existing septic tank and soakaway arrangement is required.

Consultation with West of Scotland Water regarding compliance with current byelaws and use of water for building purposes is advised.

**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