

## **EAST AYRSHIRE COUNCIL**

**NORTHERN AREA LOCAL PLANNING COMMITTEE: 08 AUGUST 2003**

**03/0413/FL: PROPOSED DWELLINGHOUSE AND AGRICULTURAL SHED  
AT BELLISLE, HURLFORD  
BY MESSRS A NEIL & SON**

### **EXECUTIVE SUMMARY SHEET**

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

1.1 Full planning permission is sought for the erection of a dwellinghouse and agricultural shed. The proposed house is a U-shaped, single storey building with a sun lounge and finished in a K 'rend' with a slate roof. The shed measures 10 metres by 7 metres and is 5.5 metres to the roof ridge. The shed has a blockwork basecourse finished to match the house with metal cladding above and on the roof. It is proposed to widen the current access to provide sightlines and space for refuse collection.

1.2 The land holding at Bellisle provides a supporting role for the main farm at Aird Farm, to the west of Crossroads, which is an expanding dairy unit. The farm unit which is being created at Bellisle will house the non-milking and calving cows, which require a high level of supervision.

#### **2. RECOMMENDATION**

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

#### **3. CONCLUSIONS**

3.1 As is indicated at Section 5 of the report the application is in accordance with the Adopted East Ayrshire Local Plan therefore, given the terms of Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997, the application should be granted unless material considerations indicate otherwise.

3.2 The proposed development complies with both Policy RES 13 and RES 15 of the EALP and it also accords with the advice detailed in the East Ayrshire Council Design Guidance. It is considered that the location and scale of the proposed dwelling will not have a detrimental impact on the existing farmhouse at Bellisle.

## **CONTRARY DECISION NOTE**

Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning and Building Control the application will not require to be referred to the Development Services Committee as there would be no significant breach of Council policy.

**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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### 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 which is to be considered by the Local Planning Committee under the scheme of delegation because it is subject to objection.

#### 2. APPLICATION DETAILS

2.1 **Site Description:** The application site is located within a field at Bellisle Farm, Hurlford. Bellisle Farm steading is in separate ownership. The field is adjacent to the A719 between Galston and Crossroads, sloping to the south west. The application site is 0.34 hectares and at its closest is 110 metres from the steading buildings at Bellisle. The field has an access track from the A719.

2.2 **Proposed Development:** Full planning permission is sought for the erection of a dwellinghouse and agricultural shed. The proposed house is a U-shaped, single storey building with a sun lounge and finished in a K 'rend' with a slate roof. The shed measures 10 metres by 7 metres and is 5.5 metres to the roof ridge. The shed has a blockwork basecourse finished to match the house with metal cladding above and on the roof. It is proposed to widen the current access to provide sightlines and space for refuse collection.

2.3 The land holding at Bellisle provides a supporting role for the main farm at Aird Farm, to the west of Crossroads, which is an expanding dairy unit. The farm unit which is being created at Bellisle will house the non-milking and calving cows, which require a high level of supervision.

#### 3. CONSULTATIONS AND ISSUES RAISED

3.1 The Coal Authority have no adverse comments regarding the proposed development.

***Noted.***

3.2 Galston Community Council have not replied to their consultation letter at the time of writing this report.

***Noted.***

3.3 The Scottish Environment Protection Agency have no objection to this proposal provided that the drainage arrangements are to SEPA's satisfaction. In view of the absence of a watercourse suitable for the acceptance of septic tank effluent, it is recommended that the possibility of providing a sub-soil soakaway system for effluent disposal is investigated. The septic tank and soakaway will require to be designed and constructed in accordance with the current Code of Practice BS 6297:1983. This will require the applicant to carry out percolation testing on site to assess the suitability of the sub-soil for effluent disposal. Surface water should be excluded from the septic tank.

***Conditions regarding the septic tank and soakaway could be attached to any grant of planning permission regarding this requirement.***

3.4 Scottish Power have no objection to the proposed development.

***Noted.***

3.5 East Ayrshire Council's Roads and Transportation Division require the 3.5 metre widening adjacent to the A719 to be constructed to an adoptable standard and completed prior to the occupation of the dwelling.

***A condition can be attached to any grant of planning permission regarding this requirement.***

#### **4. REPRESENTATIONS**

One letter of objection has been received to the proposed development. The grounds of objection are as follows:-

4.1 The size and location of the proposed house and shed is too close to the farm steading of Bellisle and the access road would run almost the full length of the field in front of the farmhouse. The proposed development is close to the common boundary.

***The application site is 110 metres away from the nearest building in the steading of Bellisle. It is considered that there are no issues of overlooking and privacy is unaffected due to the orientation of the***

***existing farmhouse and the location of its outbuildings. The proposed single storey house sits in a dip and is therefore lower than Bellisle farmhouse. In addition, its principal elevation will be away from Bellisle, towards the main A76 and the south west. The proposed location of the house and shed accords with the Council's Design Guidance, in that new agricultural dwellings should be sited as close as possible to existing buildings. It is considered that this has been achieved without compromising the setting or privacy of the existing farmhouse at Bellisle. Should the Committee be minded to approve the application, the impact of the proposed access road can be minimised by the addition of a condition requiring hedge planting along both sides of the access.***

## **5. ASSESSMENT AGAINST DEVELOPMENT PLAN**

5.1 Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 requires 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).

5.2 Policy G5 of the Ayrshire Joint Structure Plan is relevant in that development proposals outwith settlements should:

- a) have a demonstrated site specific locational need;
- b) can be justified in terms of social and economic benefit to the community;
- c) contribute to rural land diversification; or
- d) provide for the operational needs of agriculture or forestry.

5.3 Policy RES 13 of the Adopted EALP states that the Council will be supportive of residential development for a full time agricultural or forestry worker employed directly on the land to which the proposed house relates. Policy RES 15 of the EALP requires new housing to be sited close to existing groups of buildings and Policy ENV 7 requires the design of the proposed dwelling to comply with the Council's Design Guidance.

***An agricultural justification has been produced by the Scottish Agricultural College and has been submitted by the applicant. Consequently, the proposal is considered to accord with the Ayrshire Joint Structure Plan Policy G5, and Policy RES 13 of the EALP. The location, siting and design of the proposed house in the***

***vicinity of the existing buildings at Bellisle enables the proposed development to fully comply with Policies RES 15 and ENV 7 of the EALP.***

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

6.1 The principal material considerations relevant to the determination of the application are the statutory consultation responses and objection received, all as detailed in Sections 3 and 4 of this report.

6.2 It is not considered that any aspects of the consultations or representation received indicate that the application should be refused. The terms of the representation are noted however it is not considered that the issues raised outweigh the presumption in favour of the development plan.

## **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 is indicated at Section 5 of the report the application is in accordance with the Adopted East Ayrshire Local Plan therefore, given the terms of Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997, the application should be granted unless material considerations indicate otherwise.

8.2 The proposed development complies with both Policy RES 13 and RES 15 of the EALP and it also accords with the advice detailed in the East Ayrshire Council Design Guidance. It is considered that the location and scale of the proposed dwelling will not have a detrimental impact on the existing farmhouse at Bellisle.

## **9. RECOMMENDATION**

**9.1 It is recommended that the application should be approved subject to the conditions shown 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 and Building Control the application will not require to be referred to the Development Services Committee as there would be no significant breach of Council policy.

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

29 July 2003  
(AG/MMM)

FV/AN

## **LIST OF BACKGROUND PAPERS**

1. Application Form and Plans.
2. Statutory Notices/Certificates.
3. Report by SAC.
4. Consultation Replies.
5. Letter of Representation.
6. Approved Ayrshire Joint Structure Plan.
7. Adopted East Ayrshire Local Plan.
8. Correspondence with Applicant/Agent.

Anyone wishing to inspect the above papers please contact Ailsa Graham on 01563 576787.

***Implementation Officer: Dave Morris***

## EAST AYRSHIRE COUNCIL

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

03/0413/FL

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Site of Proposal:	Land at Bellisle HURLFORD
Nature of Proposal:	Proposed Dwellinghouse and Agricultural Shed
Name & Address of Applicant:	Messrs A Neil & Son Aird Farm HURLFORD Kilmarnock KA1 5JN
Name & Address of Agent:	Lawrence McPherson Associates The Atrium 6 New Road AYR KA8 8EX

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DPOs Reference: AG/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 received on 12 May 2003 and the amended plans received by the Planning Authority on 22 July 2003.

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

2. The dwelling shall only be occupied by a person locally employed or locally last employed in agriculture or in forestry on the land to which the dwelling relates; or by a dependant of such a person residing with him or her (or a widow or widower of such a person).

REASON The proposed development constitutes the construction of a dwelling house in the countryside which would otherwise be refused.

3. The 3.5m road widening adjacent to the A719 shall be constructed to East Ayrshire Council Guidelines, to an adoptable standard. Such works shall be completed to the satisfaction of the Roads and Transportation Division prior to the occupation of the dwelling.

REASON In the interests of road safety.

4. Notwithstanding any details on the submitted plans, the external surface of the walls shall be wet dash rendered and painted in an off white colour, prior to occupation of the house.

REASON In the interests of visual amenity.

5. 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.

6. Notwithstanding the plans hereby approved, details and specifications of the windows, shall be submitted to and approved by the Planning Authority prior to commencement of any development.

REASON In the interests of visual amenity.

7. Notwithstanding the plans hereby approved the mullions shall be located on the same plane and finished in the same material as the external wall to which they relate.

REASON In the interests of visual amenity.

8. Notwithstanding the plans hereby approved the roof overhang shall be a maximum of 150mm.

REASON In the interests of visual amenity.

9. Notwithstanding the plans hereby approved, details of the materials and colour of the cladding to be used in the agricultural shed, shall be submitted to and approved by the Planning Authority prior to commencement of any development.

REASON In the interests of visual amenity.

10. Notwithstanding the plans hereby approved a hedge shall be planted both sides of the access road for its entire length. Details of the hedge shall be submitted to and approved by the Planning Authority prior to the commencement of any development, and shall be implemented no later than the next appropriate planting season after the development has been carried out.

REASON In the interests of visual amenity.

11. Notwithstanding the submitted plans details of the method of opening and finishing materials of the garage/workshop doors shall be submitted to and approved by the Planning Authority prior to commencement of any development on site.

REASON In the interests of visual amenity.

#### Notes

1. The septic tank must comply with the current Code of Practice BS6297:1983. In view of the absence of a watercourse suitable for the acceptance of septic tank effluent it is recommended that the applicant investigate the possibility of using a total soakaway arrangement. This will require the applicant to carry out soil percolation tests to ensure that the soil is suitable. Surface water should be excluded from the septic tank.

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THE MAP IS AVAILABLE FOR VIEWING AT THE COUNCIL'S  
PLANNING OFFICE IN KILMARNOCK. FOR INFORMATION ON  
VIEWING PLEASE CONTACT (01563) 576790.**