

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE: 09 AUGUST 2002

**02/0017/FL : PROPOSED CONVERSION, ALTERATIONS AND
EXTENSION OF OUTBUILDING TO FORM 6 TERRACED
DWELLINGHOUSES AT TRABBOCH MAINS FARM, TRABBOCH**

APPLICATION BY MR AND MRS HALL

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 Full planning permission is sought for the conversion of the buildings to from six one and a half storey dwellinghouses. The applicant proposes to re-roof the entire building using a dual pitch roof finished with natural slate or slate substitute tiles. The walls are proposed to be painted render. The proposal incorporates a number of other features traditional to the rural area, including windows with vertical emphasis and banding around the windows and doors. The applicant has submitted a structural engineer's report, indicating that the buildings are capable of beneficial conversion.

2. RECOMMENDATION

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

3. CONCLUSIONS

3.1 As indicated in Section 5 of the report, the application is considered to accord with the development plan. Therefore, given the terms 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 other material considerations relevant to the determination of the application. In this regard, the provisions of the East Ayrshire Local Plan (Finalised Version with Modifications) also presume in favour of the application.

3.2 No consultation replies have been received which would indicate that the application should be refused.

3.3 The points of objection addressed in Section 4 of the report have not been substantiated through the consultation process or are not considered to be of sufficient weight to justify a refusal of the application.

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 would not require to be referred to the Development Services Committee as it would not be a significant departure from the East Ayrshire Local Plan.

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 a larger application which is subject to objections.

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 **Proposed Development:** Full planning permission is sought for the conversion of the buildings to form six one and a half storey dwellinghouses. The applicant proposes to re-roof the entire building using a dual pitch roof finished with natural slate or slate substitute tiles. The walls are proposed to be painted render. The proposal incorporates a number of other features traditional to the rural area, including windows with vertical emphasis and banding around the windows and doors. The applicant has submitted a structural engineer's report, indicating that the buildings are capable of beneficial conversion.

3. CONSULTATIONS AND ISSUES RAISED

3.1 East Ayrshire Council Roads and Transportation Division has no objection to the proposal subject to conditions in respect of the standard and formation of the access to the site, the standard and formation of the internal road, the formation of passing places on the C123 public road and the provision of on-site car parking and a servicing area.

Should the application be approved, appropriate conditions in respect of the above can be included on the planning permission.

3.2 Scottish Water has no objection to the proposal provided any septic tank is located such that it can be easily emptied by tanker.

Should the application be approved, an appropriate condition in respect of the above can be included on the planning permission.

3.3 The Scottish Environment Protection Agency has no objection to the proposal provided drainage arrangements are to its satisfaction. In that regard, SEPA states that foul drainage from the development will require full biological treatment within a septic tank and reed bed. SEPA adds that surface water should be treated via filter trenches and a porous car parking surface.

Should the application be approved, an appropriate condition and note in respect of the above matter can be included on the planning permission.

3.4 Scottish Power has no objection to the proposal provided its apparatus is safeguarded during the construction/conversion phase.

Should the application be approved, an appropriate note in respect of the above can be attached to the planning permission.

3.5 The Coal Authority advises that the site lies within an area where reserves of coal exist which may be worked at some time in the future.

Should the application be approved an appropriate note in respect of the above can be attached to the planning permission.

3.6 West of Scotland Archaeology Service has advised that the proposal raises no substantive archaeological issues.

Noted.

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

Noted.

4. REPRESENTATIONS

4.1 Three letters of objection with five signatories have been received. The grounds of objection can be summarised as follows:-

4.2 Further development in the area would have a detrimental effect on the pressure of the water supply which is supplied via a private pipe.

This point has not been substantiated by Scottish Water. Furthermore, the agreement of the co-owners of any private water supply would have to be secured before any supply could be taken from it regardless of any grant of planning permission. This is therefore considered to be a legal matter and is not a material consideration in the determination of this application.

4.3 The access road (the C123) is in a poor condition and is narrow with poor forward visibility and no passing places.

See response to 3.1 of the report. The Roads and Transportation Division has not objected to the proposal but has requested that the applicant improve the C123 by the provision of passing places.

4.4 Sewerage from the existing premises at Trabboch Mains Farm runs straight into a nearby watercourse. Any further dwellings proposed on the site would exacerbate this problem.

See response to 3.2 and 3.3. A condition can be included on any planning permission granted requiring the use of a septic tank and reed bed.

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 (1999) and the Adopted Mauchline/Drongan/Ochiltree Local Plan (1993). The Adopted Local Plan was prepared in the context of the then emerging Strathclyde Structure Plan.

5.2 Notwithstanding the age of the Adopted Local Plan, the proposal falls to be determined with regard to Policy RES 14. Policy RES 14 provides that conversion of buildings in the countryside which are of some architectural local interest will be encouraged where the buildings are clearly redundant in terms of their original use.

Whilst the existing buildings are not considered to be of particular architectural merit, they are clearly redundant in terms of their original use. Furthermore, the proposed conversion is considered to incorporate rural design features. It is therefore considered that the proposal generally complies with Policy RES 14.

6. ASSESSMENT AGAINST OTHER MATERIAL CONSIDERATIONS

6.1 The other principal considerations relevant to the determination of the application are the East Ayrshire Local Plan (Finalised Version with Modifications) 2001, the consultation responses and the letters of objection.
East Ayrshire Local Plan

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 East Ayrshire Local Plan (Finalised Version with Modifications) (EALP) should be considered as a prime material consideration.

6.3 Policy RES 7 is of relevance and states:-

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.

It is considered that the proposal meets the terms of Policy RES 7.

Consultations

6.4 No consultation replies have been received which would indicate that the application should be refused.

Objections

6.5 The terms of the objections have been assessed in Section 4 above.

7. FINANCIAL AND LEGAL IMPLICATIONS

7.1 There are no financial or legal implications for the Council in the determination of the application.

8. CONCLUSIONS

8.1 As indicated in Section 5 of the report, the application is considered to accord with the development plan. Therefore, given the terms 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 other material considerations relevant to the determination of the application. In this regard, the provisions of the East Ayrshire Local Plan (Finalised Version with Modifications) also presume in favour of the application.

8.2 No consultation replies have been received which would indicate that the application should be refused.

8.3 The points of objection addressed in Section 4 of the report have not been substantiated through the consultation process or are not considered to be of sufficient weight to justify a refusal of the application.

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 and Building Control, the application would not require to be referred to the Development Services Committee as it would not be a significant departure from the East Ayrshire Local Plan.

Alan Neish
Head of Planning and Building Control

DS/SMB
21 June 2002
FV/DVM

LIST OF BACKGROUND PAPERS

1. Application form and plans.
2. Statutory Notices/Certificates.
3. Letters of objection.
4. Consultation replies.
5. East Ayrshire Local Plan (Finalised Version with modifications).
6. Adopted Mauchline-Drongan-Ochiltree Local Plan.
7. Approved Ayrshire Joint Structure Plan
8. Approved Strathclyde Structure Plan

Any person wishing to inspect the background papers listed above should contact Mr. Derek Scott on 01563 555483.

Implementation Officer: Dave Morris

Location	Trabbochmains Farm STAIR KA5 5JE
Nature of Proposal:	Proposed conversion, alterations and extensions of outbuildings to form 6 terraced dwellinghouses
Name and Address of Applicant:	Mr & Mrs Hall Trabbochmains Farm STAIR KA5 5JE
Name and Address of Agent	Nicoll Design 184 Main Street PRESTWICK KA8 1PG

DPO's Ref: [Derek Scott]
PPO's Ref: []

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 10 January 2002 as revised by the amended scheme showing six dwellinghouses, received by the Planning Authority on 14 May 2002 and the amended site layout and car parking layout, received by the Planning Authority on 14 May 2002.

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 those existing walls identified for retention on the approved plans 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 any specification on the approved plans or application form, the access to the site shall be by means of a minor commercial access crossing which shall be formed in accordance with the East Ayrshire Council Roads Development Guide 1996, prior to the occupation of any of the dwellinghouses.

REASON – In the interests of public road safety.

4. Prior to the occupation of any of the dwellinghouses, the access road to the site shall be bituminously surfaced for a distance of 10 metres from the edge of the public road carriageway (C123) such that no surface water discharges or loose material is carried out onto the public road.

REASON – In the interests of public road safety.

5. Prior to the occupation of any of the dwellinghouses, visibility splay areas shall be formed and thereafter maintained such that there shall be no obstruction to visibility over 1 metre in height within a visibility splay of 2.5 metres by 35 metres in both directions at the proposed access to the site from the C123 public road.

REASON – In the interests of public road safety.

6. Notwithstanding any specification on the approved plans or application form, the access to the courtyard shall be a shared surface and shall be formed to a minimum width of 4.5 metres prior to the occupation of any of the dwellinghouses.

REASON – In the interests of public road safety.

7. Notwithstanding any specification on the approved plans or application form, the carriageway of the C123 public road shall be widened to 5.5 metres, opposite the access to the site, in accordance with the East Ayrshire Council Roads Development Guide 1996, prior to the occupation of any of the dwellinghouses.

REASON – In the interests of public road safety.

8. Notwithstanding any specification on the approved plans or application form, a minimum of 16 off-road car parking spaces shall be provided within the site prior to the occupation of any of the dwellinghouses. The car parking spaces shall be maintained within the site, free from obstruction at all times thereafter.

REASON – To ensure that adequate car parking is provided in the interests of public road safety.

9. Prior to the commencement of any work on site, details of the form and location of the servicing area, for the collection of wheeled bins shall be submitted to and approved by the Planning Authority. Thereafter, the servicing area shall be formed in the approved location prior to the occupation of any of the dwellinghouses.

REASON – In the interests of residential amenity and public road safety.

10. Notwithstanding any specification on the approved plans or application form, the car parking area shall be formed such that vehicles can enter and exit the site in a forward gear.

REASON – In the interests of public road safety.

11. The junction of the proposed field access track with the C123 public road, to the north west of the application site shall be formed in accordance with the East Ayrshire Council Roads Development Guide 1996 such that no surface water discharges or loose material is carried out onto the public road.

REASON – In the interests of public road safety.

12. Notwithstanding any specification on the approved plans or application form, details of the form and location on the C123 public road, of 10 no. passing places (5 no. on each approach to the access to the site) shall be submitted to and approved by the Planning Authority prior to the commencement of any work on site. The passing places shall be formed in the approved locations prior to the occupation of any of the dwellinghouses.

REASON – In the interests of public road safety.

13. Notwithstanding any specification on the approved plans or application form, samples of all external materials to be used in the conversion shall be submitted to and approved by the Planning Authority prior to the commencement of any work on site.

REASON – In the interests of visual amenity.

14. Notwithstanding any specification on the approved plans or application form, details of the design and location of all fences, walls and other means of enclosure to be erected within the site shall be submitted to and approved by the Planning Authority prior to the commencement of any work on site.

REASON – In the interests of visual amenity.

15. Notwithstanding any specification on the approved plans or application form, details of a full biological treatment system for foul drainage which shall include a septic tank and reed bed, and its location within the site, shall be submitted to and approved by the Planning Authority prior to the commencement of any work on site. The approved system shall be installed and operational within the site prior to the occupation of any of the dwellinghouses.

REASON – In the interests of public safety and residential amenity.

16. Notwithstanding any specification on the approved plans or application form, or the provisions of Condition 15 above, the septic tank shall be located in such a position so as to facilitate emptying by tanker.

REASON – In the interests of public safety.

➤ **NOTES TO APPLICANT**

1. The applicant is advised to make early contact with Scottish Water, 35 Glenburn Road, Prestwick, with regard to water supply and drainage.
2. The applicant is advised to make early contact with Scottish Environment Protection Agency, 2 Alloway Place, Ayr, with regard to the drainage arrangements.
3. All drainage shall be to the complete satisfaction of Scottish Water and the Scottish Environment Protection Agency.
4. The applicant is advised to make early contact with Scottish Power, St Vincent Crescent, Glasgow, with regard to the location and protection of its apparatus during the construction phase.
5. The applicant is advised to make early contact with The Coal Authority, 200 Lichfield Lane, Mansfield, Nottinghamshire, with regard to future mineral activity adjacent to the site.

**DUE TO ORDNANCE SURVEY REGULATIONS AND COPYRIGHT
THE MAP IS AVAILABLE FOR VIEWING AT THE COUNCIL'S
PLANNING OFFICE IN LUGAR. FOR INFORMATION ON
VIEWING PLEASE CONTACT (01563) 555320.**

AGENDA