

## **EAST AYRSHIRE COUNCIL**

**SOUTHERN LOCAL PLANNING COMMITTEE: 06 SEPTEMBER 2002**

**01/0662/FL: PROPOSED CONVERSION AND REHABILITATION OF  
EXISTING FARM BUILDING TO FORM NEW DWELLINGHOUSE AT  
FRIENDLESSHEAD FARM, BY MAUCHLINE**

**APPLICATION BY MRS R MURDOCH**

### **EXECUTIVE SUMMARY SHEET**

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

1.1 Full planning permission is sought for the conversion of the cow shed to form a dwellinghouse. The applicant proposes the replacement of the existing dilapidated roof with gable ends and to demolish and rebuild parts of the structure. The resulting dwelling would consist of three bedrooms and a double garage. The applicant proposes to externally finish the roof with natural slate and the wall in a cream coloured, wet dash render. Notwithstanding this use of traditional materials, the window proportions are generally square and certain other design features give the proposed dwelling a somewhat suburban character.

#### **2. RECOMMENDATION**

**2.1 It is recommended that the application be refused for the reasons listed on the attached sheet.**

#### **3. CONCLUSIONS**

3.1 As is indicated in Section 5 of the report, the application is considered to accord with the terms of 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 of the report, there are other material considerations relevant to the determination of this application.

3.2 Given the age of the Adopted Mauchline/Drongan/Ochiltree Local Plan, the Council has agreed that the East Ayrshire Local Plan (Finalised Version with Modifications) (EALP) should be considered as a prime material consideration. In this regard, the proposal does not comply with the provisions of Policy RES 7 of the EALP in that the proposal does not reflect its rural setting. Despite several letters to the applicant and her agents, no amended plans have been submitted in response to requests to improve the design of the proposed dwellinghouse.

3.3 There have been no adverse consultation replies that would preclude the granting of planning permission.

### **CONTRARY DECISION NOTE**

Should the Committee agree that the application be approved 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 because such a decision would not represent a significant departure from adopted 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 as the application is recommended for refusal.

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

2.1 **Site Description:** The application site lies to the south of the C51 public road, approximately 1.5 km to the south east of the A76 at Crosshands and forms part of Friendlesshead Farm. The site comprises an area of land, formerly under agricultural use and a disused agricultural building, formerly a cow shed. The former cow shed is of partly rendered brick construction with a hipped natural slate valley roof. The building is generally in a dilapidated state.

2.2 **Proposed Development:** Full planning permission is sought for the conversion of the cow shed to form a dwellinghouse. The applicant proposes the replacement of the existing dilapidated roof with gable ends and to demolish and rebuild parts of the structure. The resulting dwelling would consist of three bedrooms and a double garage. The applicant proposes to externally finish the roof with natural slate and the wall in a cream coloured, wet dash render. Notwithstanding this use of traditional materials, the window proportions are generally square and certain other design features give the proposed dwelling a somewhat suburban character.

#### **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 provision of in-curtilage car parking spaces and the provision of a turning 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 its operational requirements are met and the relevant consents are secured.

***Should the application be approved, an appropriate note 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.

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

3.4 The Coal Authority advises that the site lies within the zone of influence on the surface from seams of coal last worked in 1934. The Authority adds however, that any movement should by now have ceased. The Authority also advises that a mine entry lies within 20 metres of the site and that reserves of coal may exist in the locality which may be worked at some time in the future.

***Should the application be approved, a note in respect of the above matters can be attached to the planning permission. Furthermore, a condition can be included on any planning permission granted requiring the submission to the Planning Authority of a mineral survey, which shall demonstrate that the site is safe for residential use, prior to the commencement of any work on site.***

3.5 Mauchline Community Council has not responded to the consultation letter at the time of writing this report.

***Noted.***

#### **4. REPRESENTATIONS**

4.1 No representations have been received in respect of the application.

***Noted.***

#### **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 approved 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 or 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. 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 planning history of the site.

### 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 does not meet the terms of Policy RES 7 as it fails to comply with part (v) of the policy. The proposed dwellinghouse does not pay due regard to its rural setting in terms of several significant design details. The appearance of the conversion could be greatly improved by the use of masonry mullions to divide the windows and give them a more vertical emphasis, particularly on the front elevation. The appearance of the windows themselves could be improved by the use of traditional methods of opening (or at least the appearance of having such). The garage door should be of timber, preferably using two side-hinged doors to access the double garage. The entrance porch should also be re-worked to appear more rural character. Those points have been communicated to the applicant and her agent on several occasions. To date, however, no response in that regard has been received.***

### Consultations

6.4 There are no consultation replies that would indicate that the application should not be approved.

### ***Noted***

### Site History

6.5 The site has been the subject of one previous application for planning permission 00/0425/FL for the conversion and rehabilitation of the cow shed. That application was approved with conditions on 18 October 2000.

***The previous application paid due regard to the site's rural setting and incorporated several rural design features.***

## **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 in Section 5 of the report, the application is considered to accord with the terms of 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 of the report, there are other material considerations relevant to the determination of this application.

8.2 Given the age of the Adopted Mauchline/Drongan/Ochiltree Local Plan, the Council has agreed that the East Ayrshire Local Plan (Finalised Version with Modifications) (EALP) should be considered as a prime material consideration. In this regard, the proposal does not comply with the provisions of Policy RES 7 of the EALP in that the proposal does not reflect its rural setting. Despite several letters to the applicant and her agents, no amended plans have been submitted in response to requests to improve the design of the proposed dwellinghouse.

8.3 There have been no adverse consultation replies that would preclude the granting of planning permission.

## **9. RECOMMENDATION**

**9.1 It is recommended that the application be refused for the reasons listed on the attached sheet.**

## **CONTRARY DECISION NOTE**

Should the Committee agree that the application be approved 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 because such a decision would not represent a significant departure from adopted policy.

Alan Neish  
Head of Planning and Building Control  
6 September 2002  
DS/DS  
FV/DVM

## **LIST OF BACKGROUND PAPERS**

1. Application form and plans.
2. Consultation responses.
3. East Ayrshire Local Plan (Finalised Version with Modifications).
4. Adopted Mauchline/Drongan/Ochiltree Local Plan.
5. Approved Ayrshire Joint Structure Plan.
6. Approved Strathclyde Structure Plan.
7. Previous application 00/0425/FL

Any person wishing to inspect the background papers listed above, should contact Mr Hugh Melvin on 01563 555481.

**Implementation Officer: Dave Morris**

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Location	Friendlesshead Farm Mauchline KA5 6EX
Nature of Proposal:	Proposed conversion and rehabilitation of existing farm building to form new dwellinghouse.
Name and Address of Applicant:	Mrs R Murdoch Friendlesshead Farm MAUCHLINE Ayrshire KA5 6EX
Name and Address of Agent	Ayly Homes 10 Grassmillees Way MAUCHLINE Ayrshire

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

The above **FULL** application should be refused for to the following reasons:-

1. The proposed development, which does not pay due regard to its rural setting in terms of design details, is contrary to the provisions of Policy RES 7 of the East Ayrshire Local Plan (Finalised Version with Modifications).
2. The external appearance of the proposed dwellinghouse has a generally suburban character which is not in keeping with its rural setting and which would not be in the best interest of visual amenity.

**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**