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**Report to:**                      **Planning Committee**

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**Date of Meeting:**            **26<sup>th</sup> January 2017**

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**Subject:**                      **Planning Application Ref: 16/00232/FULL - Alterations, Extension, Change Of Use And Conversion Of Factory Building To Form Dwelling House at Buildings And Yard - McEwan, Drummie Road, Devonside, Tillicoultry, Clackmannanshire**

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**Report by:**                    **Grant Baxter, Principal Planner**

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**1.0 Purpose**

- 1.1. The purpose of this report is to provide an assessment of and recommendations on the development proposals for alterations, extension, change of use and conversion of factory building to form a house at a former factory buildings and yard off Drummie Road, Devonside, Tillicoultry.
- 1.2. This planning application is for a local development, but in accordance with the terms of the Scheme of Delegation, it requires to be determined by Committee because some of the land within the application site is owned by the Council and there are objections to the proposal.

**2.0 Recommendations**

- 2.1. The application is recommended for APPROVAL subject to the following conditions and reasons:

**2.2. Conditions**

- 1. Before any works commence on site, details of all hard and soft landscaping and boundary enclosures shall have been submitted to and approved in writing by the Council. Once approved, all landscaping and boundary enclosures shall be completed prior to first occupation of the proposed house.
- 2. Before any works commence on site, details, including elevations and sectional drawings of all retaining walls and structures required within the proposed site, shall have been submitted and approved in writing by the Council. Once approved, all retaining walls and structures shall be completed prior to first occupation of the proposed house.
- 3. Before any works commence on site, exact design details of the scheme

for the sustainable control and discharge of surface water from the site and surrounding land shall have been submitted to and approved in writing by the Council. Thereafter, the scheme shall be implemented in accordance with such approved details prior to first occupation of the proposed house.

4. Before any works commence on site, details of all external finishing materials of the proposed house shall have been submitted to and approved in writing by the Council. Such details shall include the following:

- a) Exact details and drawings showing existing external walls to be retained and rebuilt.
- b) Samples of any new stone required to construct external walls.
- c) Natural slates and matching ridges to the roof.
- d) Window surround and eaves finish and colour.
- e) Timber window and door style and finish.
- e) Cast aluminium rainwater goods finish.

Once approved, the house shall be completed in accordance with such materials, unless otherwise approved in writing by the Council.

5. Before any works commence on site a detailed site plan showing delineation of access, parking and turning arrangements serving the proposed house, and the adjacent existing house (Kuranda), shall have been submitted to and approved in writing by the Council. The proposals for vehicle turning arrangements shall be designed to allow vehicles to enter and leave the site in a forward gear at all times, and shall include evidence of the land identified for such purposes being in the control of the householder in perpetuity. Once approved, such arrangements shall be implemented prior to first occupation of the proposed house.

6. Before any works commence on site, details, including sectional drawings through the building and the adjacent houses immediately to the east and north, showing existing and proposed ground, finished floor and roof ridge levels in relation to a fixed datum, preferably Ordnance Survey, shall have been submitted to and approved in writing by the Council. Thereafter, the development shall be completed in accordance with such approved details and levels.

7. Before any works commence on site, exact details of sustainable practices and use of low and zero carbon generating technologies in the design and construction of the proposed house shall have been submitted to and approved in writing by the Council. Thereafter, the development shall be completed in accordance with such approved details.

8. Before any works commence on site a construction management plan, including details of construction vehicle access and parking arrangements and ensuring that all demolition/construction operations on the site take place between the hours of 8am-6pm, Monday to Friday and 8am-1pm on Saturdays, and at no time on a Sunday, shall have been submitted to and approved in writing by the Council.

Thereafter, the demolition and construction works shall be carried out in accordance with such approved plan.

9. Within one month of the date of this Planning Permission, arrangements for payment of the following contributions shall have been submitted to and approved in writing by the Council:

- a) £8,500 to the Council towards secondary education provision.
- b) £250 towards public art provision.

Such arrangements shall include timing of the payment. The contributions shall be made in accordance with such approved arrangements, unless otherwise approved in writing by the Council.

### 2.3. Reason for Conditions

- 1. In the interests of residential amenity and local environmental quality.
- 2. In the interests of residential amenity and local environmental quality.
- 3. In the interests of residential amenity and local environmental quality.
- 4. In the interests of residential amenity and local environmental quality.
- 5. In the interests of residential amenity.
- 6. In the interests of residential amenity and local environmental quality.
- 7. In order to ensure the incorporation of sustainable practices in the design and construction of the proposed new house.
- 8. In the interests of residential amenity.
- 9. In order to ensure provision of appropriate infrastructure to support the proposed development.

### 2.4 Reasons for Decision

- 2.4 The application involves alterations, extension, change of use and conversion of a former factory building to form a house, within a predominantly residential area in Devonside. The proposals would be sensitive to the existing building, which has some heritage value, and to the amenity of surrounding households. The proposals would comply with the relevant provisions of the adopted LDP and there are no material considerations to indicate that planning permission should be withheld.

### 2.5 Plan Numbers Relating to the Decision

<u>Plan No</u>	<u>Title</u>
DRG 001	Location Plan
DRG 002	Proposed Site Plan
DRG 003	Elevations as Existing

DRG 004	Floor Plans as Existing
DRG 005	Elevations as Proposed
DRG 006	Floor Plans as Proposed
DRG 009	Sections AA & BB
DRG 011	First Floor Plan

### **3.0 Considerations**

#### **3.1. Background**

- 3.2. The proposal relates to an existing two-storey building located in the grounds of a dwellinghouse off Drummie Road, Devonside. The building, although formerly used as a factory, is currently used as a domestic store, associated with the adjacent house. It is of a simple two storey pitched roofed industrial appearance, with the upper floor appearing to have been a later addition to an original single storey stone building. The land around the apron of the building is largely hardstanding, and includes an open-sided slate roofed outbuilding.
- 3.3. Its proposed change of use to a house would involve a reduction in height to single storey and minor extensions to form a five-bedroomed house. Access would be via a shared driveway, also serving Kuranda, the house owned and occupied by the applicant, served off Drummie Road, Devonside.
- 3.4. The building sits to the rear of existing houses on Drummie Road, with Kuranda to its east, and another dwelling to its west, sitting on elevated land. A steeply sloping embankment separates the site from woodland and farmland to the south.
- 3.5. The proposal would alter and convert the building to create a five bedroomed cottage, within the footprint of the original building, and including small extensions to front and rear. The house would re-use existing random rubble walls (rebuilt where required) with the roof finished in slates, salvaged from the existing roof if possible.
- 3.6. Planning Permission was granted for conversion to a house in April 2013, but lapsed in April 2016. This application seeks to re-establish that consent.

#### **3.7. Consultations**

- 3.8. Roads: Reiterate comments from previous application - Recommend refusal. Drummie Road serves 15No. houses, but is a private road, with sub-standard road, footway, lighting and no turning area. The proposal could set an undesirable precedent for more development off sub-standard private roads. *Comment: There has been no material change to circumstances in relation to Drummie Road since the original grant of planning permission, and therefore the comments made in response to Roads' objection still stand - Whilst the unadopted status of Drummie Road is noted, the proposal represents conversion of a former factory/workshop to form one house, and therefore constitutes redevelopment of brownfield land and a derelict building for a*

single house development. Given 15No. houses are already served off Drummie Road, the issue of precedent is not a significant consideration in this case, particularly as there appear to be very limited opportunities for other infill developments to be served off it, and there are no other known examples of former industrial premises. Although unadopted, the road appears to be in relatively good condition. It has a footway along its southern edge, and street lighting. The lack of a turning area at its end would not be a particular problem in relation to this proposed development as vehicle turning space would be provided within the proposed house plot.

3.9. Environmental Health: No objections, but comments on management of construction to reduce impact on neighbouring proprietors. Comment: *These matters can be addressed in planning conditions where necessary.*

3.10. The Coal Authority: No objection as the proposal will largely re-use an existing building with only limited areas of extension requiring foundations or earthworks. It is, however suggested that an informative note is added to any planning permission regarding potential risks. Comment: *Such an informative note can be added to a planning permission.*

### 3.11. Neighbour Notification, Publicity and Representations

3.12. A total of 12No. neighbouring properties were notified of the planning application and a Neighbour Notification Advert was placed in the Alloa Advertiser on 2nd November 2016.

3.13. In response, 2No. representations have been received from the following parties:

Mr Fraser Allan, Roughknowes, 2 Drummie Road, Devonside, Tillicoultry

Mr & Mrs Snaddon, 14 Drummie Road, Devonside, Tillicoultry

The representations can be summarised as follows:

Query regarding land ownership within the site; alleging that the Council own part of the application site. Comment: *The Council is in the process of selling a small portion of land within the site to the applicant. As such, a revised Site Ownership Certificate has been submitted, correctly identifying the Council as currently a part-owner.*

The proposed house would represent piecemeal over-development, setting a precedent for further development to the rear of houses on Drummie Road. Comment: *The application proposes the partial conversion of an existing derelict building, and as such is specific to the site in question and is not a situation that could be replicated elsewhere on Drummie Road. Each planning application requires to be considered on its own individual merits, so no precedent would be set by approval of this application.*

Drummie Road a private road, in poor condition, with poor street lighting and with no surfaced footway. The additional traffic, including construction vehicles, from the proposed development will cause further damage to the road which co-owners will be responsible to repair. A planning condition should be applied requiring the worst section of road to be repaired before works start, and thereafter maintained. Comment: *The proposals involve*

conversion of a former factory/workshop to form one house, and therefore constitute redevelopment of a derelict building for one house. Although unadopted, the road appears to be in overall relatively good condition, with a footway along its southern edge, and street lighting. Overall, the proposal can be regarded as a de-intensification of the lawful use and an elimination of potential land use conflict. In those circumstances, the access is deemed acceptable. The Council could not reasonably impose a planning condition requiring upgrading works to the section of private road where this is not in the reasonable control of the applicant.

Concern at lack of parking and turning space for the existing and proposed houses. Comment: The applicant's land and site has space for vehicle turning as part of the shared access.

Question over the applicant's intentions in respect of a small outbuilding and retaining wall on/close to boundary. Comment: The proposed site plan indicates removal of a small outbuilding in the NW corner of the site, however, it should be noted that such works, or any alterations to the retaining wall mentioned would not require planning permission.

Concern that the proposed house could cause/exacerbate drainage problems. Comment: The site is not identified as at risk from flooding in SEPA's Indicative Flood Map. The Council is aware of localised flooding/drainage issues, however, there is no evidence that the proposed development is at a significant risk of flooding or that it would create or exacerbate flood risk to adjacent properties.

Concern about use of the building and adjacent house as a bed and breakfast. Comment: There are no planning permissions in place for use of either the building subject of the application, or the applicant's adjacent house as a bed and breakfast establishment, although it should be noted that an existing house could have up to two rooms let to guests without any change of use in planning terms occurring. Neither properties are licenced as Houses in Multiple Occupancy (HMOs). Planning permission is not required for occupation of a house by a family or up to five people living together, including where care is provided.

- 3.14. One representation has been received from Mr R & E Wilson, Muircot Farm, Coalsnaughton, raising the following matter, also raised by Mr Allan:

Question over neighbour notification in respect of adjoining farmland and Drummie Road itself. Comment: The Council notifies all properties with a postal address that adjoin planning application sites and those within 20m of them. Where there is land with no premises, eg agricultural land, or a private road, then the Council will also advertise the application in the local newspaper, as has been done in this case. Such arrangement comply with relevant planning regulations.

### **Planning Assessment**

- 3.15. **Development Plan Position**

- 3.16. Clackmannanshire Local Development Plan, adopted August 2016

### 3.17. **Policies**

Policy SC5 – Layout and Design Principles

Policy SC7 – Energy Efficiency and Low Carbon Development

Policy EP4 – Non-employment Generating Uses on Existing or Allocated Business Sites

3.18. Taking account of the provisions of these policies, the following conclusions can be drawn:

- The proposed use would integrate well with the neighbourhood, being a compatible use with adjacent houses.
- The proposed house plot serving the new development would provide adequate garden ground and parking provision, with a turning area shared by the adjacent house.
- There would be no detrimental loss of garden/parking/amenity suffered by the adjacent house, as a result of the proposals.
- The relationship of the proposed house with existing surrounding houses is such that there is not considered to be any detrimental impact on residential amenity arising from the proposed development, given the change from industrial to residential, the relative distances between buildings, boundary enclosures, and the reduced single storey height of the building.
- The physical works to the building to create the house would preserve and re-use existing stonework and provide a new roof, window and door openings and other details in a sympathetic manner. The proposed development would contribute to the enhancement of the character of the area, through the form and quality of the proposed development, which would replace a semi-derelict industrial building with a traditionally styled stone cottage in a predominantly residential area.
- It is noted that the development will re-use much of an existing structure. Whilst details of energy efficiency elements of the proposed development have not yet been submitted, these can be required by condition.
- Whilst the building was a former factory, it has been vacant for many years, given its age, condition and location amongst houses, it would not appear to have a viable economic future, and the proposed use would be more compatible with the surrounding houses.

3.19. Taking account of the above provisions, the application is considered to comply with the Local Development Plan.

### 3.20. **Developer Contributions**

3.21. Whilst the development previously had planning permission, this lapsed in April 2016. The application must therefore be assessed against Policy SC9 –

Developer Contributions of the LDP and the related Supplementary Guidance (SG1). In accordance with the provisions of the policy and SG, the development would require to provide contributions towards secondary education and public art.

3.22. The proposed house would have 5No. bedrooms, and in accordance with the SG would require a contribution of £8,500. Public art contributions for one house would be £250.

### 3.23. **Other Material Considerations**

3.24. The comments and concerns of objectors and matters raised by consultees have been considered and assessed and do not indicate that planning permission should be withheld.

## 4.0 **Sustainability Implications**

4.1. The proposal would re-use a vacant and derelict building of heritage value and a brownfield site for a small scale, sensitively designed dwellinghouse.

## 5.0 **Resource Implications**

### 5.1. *Financial Details*

5.2. The full financial implications of the recommendations are set out in the report. This includes a reference to full life cycle costs where appropriate. Yes

5.3. Finance have been consulted and have agreed the financial implications as set out in the report. Yes

### 5.4. *Staffing*

## 6.0 **Exempt Reports**

6.1. Is this report exempt? Yes  (please detail the reasons for exemption below) No

## 7.0 **Declarations**

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities** (Please double click on the check box )

- The area has a positive image and attracts people and businesses
- Our communities are more cohesive and inclusive
- People are better skilled, trained and ready for learning and employment
- Our communities are safer
- Vulnerable people and families are supported



- Substance misuse and its effects are reduced
- Health is improving and health inequalities are reducing
- The environment is protected and enhanced for all
- The Council is effective, efficient and recognised for excellence

(2) **Council Policies** (Please detail)

**8.0 Equalities Impact**

8.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?  
 Yes  No

**9.0 Legality**

9.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes

**10.0 Appendices**

10.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

None.


**11.0 Background Papers**

11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)  
 Yes  (please list the documents below) No

**Author(s)**

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**Approved by**

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