

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE: 27 NOVEMBER 2009

**09/0645/LB: PROPOSED GENERAL REPAIRS AND REINSTATEMENT
TO STONEMWORK, ROOF AND RAINWATER GOODS AT BOSWELL
MUSEUM MAUSOLEUM, CHURCH HILL, AUCHINLECK**

**APPLICATION BY EAST AYRSHIRE COUNCIL
DIRECTOR OF NEIGHBOURHOOD SERVICES**

EXECUTIVE SUMMARY

1. DEVELOPMENT DESCRIPTION

1.1 Listed Building Consent is sought for repairs to the stonework and roof comprising raking out vegetation growth, re-pointing and repairing stonework, re-slating the roof, repairing or replacing flashings, gutters and down pipes, stripping and painting doors and windows and re-glazing where necessary. Any internal damage due to water ingress will also be made good

2. RECOMMENDATION

2.1 It is recommended that this application for Listed Building Consent be approved but the issue of the decision notice be withheld until the application has been formally cleared by Historic Scotland.

3. SUMMARY OF ANALYSIS

3.1 As indicated in Section 5 of the report 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 indicated in Section 6 there are material considerations relevant to this application however it is considered that these are supportive of the application. There have been no representations.

3.2 The proposed development will make a listed building wind and water tight and improve its appearance in accordance with policy.

CONTRARY DECISION NOTE

Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning and Economic Development the application would not require to be referred to the Full Council as this would not constitute a significant breach of policy.

Alan Neish
Head of Planning and Economic Development

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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DIRECTOR OF NEIGHBOURHOOD SERVICES

Report by Head of Planning and Economic Development

1. PURPOSE OF REPORT

1.1 The purpose of this report is to present for determination a Listed Building Application which is to be considered by the Local Planning Committee under the scheme of delegation because the application is made by the Planning Authority.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site lies within the church yard to the rear of the Barony Church, a Category C(S) listed building, which is situated on Church Hill and within the settlement boundary of Auchinleck. The mausoleum building itself comprises the sandstone walls of a 'kirk' dating from 1683, partly reconstructed in 1754 and is Category B listed. The building has been recently used as a museum.

2.2 **Proposed Development:** Listed Building Consent is sought for repairs to the stonework and roof comprising raking out vegetation growth, repointing and repairing stonework, re-slatting the roof, repairing or replacing flashings, gutters and down pipes, stripping and painting doors and windows and re-glazing where necessary. Any internal damage due to water ingress will also be made good.

3. CONSULTATIONS AND ISSUES RAISED

3.1 Historic Scotland has no objection but recommends that the specification for any replacement stonework includes an assessment of all new stonework to ensure a match with the existing stonework in terms of colour, texture and porosity.

An appropriate condition can be added to any approval granted to meet the requirements of Historic Scotland.

3.2 The Architectural Heritage Society of Scotland finds the proposals very acceptable.

Noted.

3.3 Auchinleck Community Council has not responded to the letter of consultation.

Noted.

4. REPRESENTATIONS

4.1 No third party representations have been received.

Noted.

5. ASSESSMENT AGAINST DEVELOPMENT PLAN

Ayrshire Joint Structure Plan

5.1 There are no specific policies in the Structure Plan or Adopted Local Plan that are relevant and thus greater weight should therefore be afforded to other material considerations.

East Ayrshire Local Plan

5.2 As stated in Policy ENV4, the Council will seek to ensure that all development within or affecting the setting of a Conservation Area or affecting the appearance or setting of a Listed Building, is sympathetic to the area or building concerned in terms of its layout, size, scale, design, siting, materials and colour of finish. Wherever possible, all proposals should seek to preserve, enhance or incorporate features, which contribute positively to the character or appearance of the area and have due regard to the architectural and historic qualities of the area or building concerned.

It is considered that the works to the listed building will make it wind and water tight and improve its visual appearance while repairing it to a high standard. It is further considered that conditions should be imposed to satisfy the requirements of Historic Scotland and ensure that materials used will match the originals.

6. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

Alteration to the East Ayrshire Local Plan (finalised version with modifications)

6.1 Comments are as per 5.2 above.

Consultation Responses

6.2 The consultation responses are detailed in the report and support the proposed development.

7. FINANCIAL AND LEGAL IMPLICATIONS

7.1 The Council has an ownership interest in the site and therefore financial implications will arise through in the implementation of the works by the Client Department of the Council.

7.2 The application will require to be referred to Historic Scotland for formal clearance should the Committee be minded to approve the application.

8. CONCLUSIONS

8.1 As indicated in Section 5 of the report 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 indicated in Section 6 there are material considerations relevant to this application however it is considered that these are supportive of the application. There have been no representations.

8.2 The proposed development will make a listed building wind and water tight and improve its appearance in accordance with policy.

9. RECOMMENDATION

9.1 It is recommended that this application for Listed Building Consent be approved but the issue of the decision notice be withheld until the application has been formally cleared by Historic Scotland.

CONTRARY DECISION NOTE

Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning and Economic Development the application would not require to be referred to the Full Council as this would not constitute a significant breach of policy.

Alan Neish
Head of Planning and Economic Development

03 November 2009
SMcD/SMcD
FV/AN

LIST OF BACKGROUND PAPERS

1. Application Form and Plans.
2. Statutory Notices and Certificates.
3. Consultation responses.
4. Approved Ayrshire Joint Structure Plan (1999).
5. Adopted East Ayrshire Local Plan (2003).
6. Alteration to the East Ayrshire Local Plan (Finalised Version with Modifications 2009)

Anyone wishing to inspect the above background papers should contact Stephen McDermott on 01563 555485.

Implementation Officer: Dave Morris

Form TP24

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application No: 09/0645/LB

Location	Boswell Museum Mausoleum, Church Hill, Auchinleck
Nature of Proposal:	General Repairs and Reinstatement to Stonework, Roofs and Rainwater Goods
Name and Address of Applicant:	Director of Neighbourhood Services, Council HQ, London Road, Kilmarnock, KA3 7BU
Name and Address of Agent	Asset Improvement Service, Council Offices, Lugar KA18 3JQ

DPO's Ref: Stephen McDermott
PPO's Ref: Hugh Melvin

The above Listed Building application should be granted subject to the following conditions:-

1. All repairs to the stonework shall be done in natural sandstone to match the original in all aspects of colour, texture and module size.

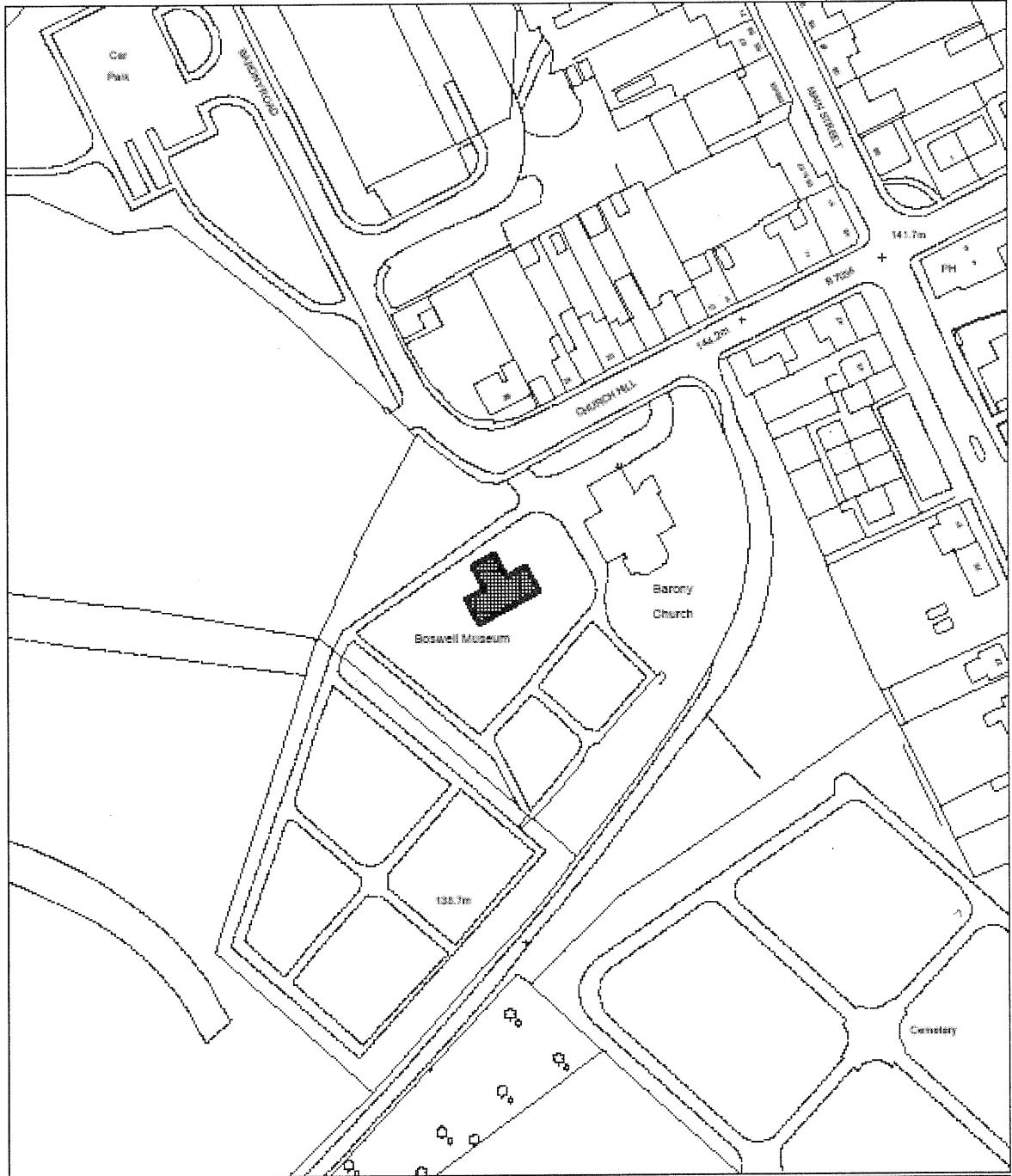
REASON – To ensure that the replacement stone closely matches the original, in the interest of protecting the appearance of the Category B listed building.



2. Samples of replacement stonework shall be made available on site for the inspection and written approval of the Planning Authority. Thereafter the stone repairs shall be carried out in the approved manner.

REASON - To ensure that the replacement stone closely matches the original, in the interest of protecting the appearance of the Category B listed building.

3. A detailed specification for all replacement stonework shall be submitted to and approved by the Planning Authority prior to the commencement of works on this aspect. This shall include an assessment of all new stone to ensure a match with the existing stonework in terms of colour, texture and porosity.

REASON – To ensure that the replacement stone closely matches the original, in the interest of protecting the appearance of the Category B listed building.



<p>Title/Location Boswell Museum Church Hill, Auchinleck Application No. 09/0645/LB</p>	<p>East Ayrshire Council Planning & Economic Development Division. 6 Craft Street Kilmarnock KA1 1JB Tel: (01563) 576790 Fax: (01563) 576774 E-Mail : Planning@east-ayrshire.gov.uk Com Date: 27/11/2009 Checked By</p>
<p>Key</p> <p> Application Site</p>	<p style="text-align: center;"></p>

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