

## **EAST AYRSHIRE COUNCIL**

**SPECIAL NORTHERN AREA LOCAL PLANNING COMMITTEE: 01 JULY  
2005**

**05/0366/LB: PROPOSED ALTERATIONS TO OUTHOUSE INCLUDING  
NEW ROOF AND VELUX WINDOWS  
AT 116 LOUDOUN ROAD, NEWMILNS  
BY MR B McCLUSKIE**

### **EXECUTIVE SUMMARY SHEET**

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

1.1 This application for Listed Building Consent proposes to convert part the outhouse of a Category B Listed residential property for use as a games room. The applicant proposes to install 8 No velux windows on the roof, fit a new window into an existing opening on the west elevation, and reopen a previously built-up opening on the north elevation, and insert a window. On the west elevation, the door lintel height is to be slightly raised. Internally, the outhouse is divided into parts, including a garage in the southern section. This division will remain, with only the northern section being converted into a games room.

#### **2. RECOMMENDATION**

**2.1 It is recommended that the Listed Building Application be approved subject to the notification of Historic Scotland under the Listed Buildings and Buildings in Conservation Areas (Scotland) Regulations 1997 and subject to the conditions indicated on the enclosed sheet.**

#### **3. CONCLUSIONS**

3.1 As indicated in Section 5 of this report, the proposal is in accordance with the Development Plan. Given therefore 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.

3.2 As indicated in Section 6 of the report there are relevant material considerations and they are largely supportive of the development. Both NPPG18 and the Memorandum of Guidance support the proposal whilst none of the statutory consultation responses or letters of objection raise issues that are of such significance that would warrant the refusal of this application.

3.3 The proposal comprises a sympathetic conversion of the outhouse a Category B Listed Building

### **CONTRARY DECISION NOTE**

Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning, Development and Building Standards, the application would 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, Development and Building Standards**

**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, Development and Building Standards**

**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 it is subject to objections.

**2. APPLICATION DETAILS**

2.1 **Site Description:** The application site is within the curtilage of a Category B Listed residential property, located just outwith Loudoun Road Conservation Area. The house is two-storey with white wet dash render, timber windows and green painted window sills, and has a natural slate roof. The property is elevated above Loudoun Road, with a chipped driveway leading to the house and outhouse, and screening provided from several trees with TPO status to the north, south and east of the outhouse. The outhouse is also white wet dash render, but is falling into slight disrepair; the garage door is hanging off, and there is no roof covering except the underlay. To the east and west of the site are other residential properties; to the south is Loudoun Road which leads into Newmilns town centre, and to the north are fields; with the rear boundary of the site marking the edge of the settlement boundary.

2.2 **Proposed Development:** This application for Listed Building Consent proposes to convert part the outhouse of a Category B Listed residential property for use as a games room. The applicant proposes to install 8 no. velux windows on the roof and re-roof the outhouse. It is also proposed to fit a new window into an existing opening on the west elevation, and reopen a previously built-up opening on the north elevation, and insert a window. On the west elevation, the door lintel height is to be slightly raised. Internally, the outhouse is divided into parts, including a garage in the southern section. This division will remain, with only the northern section being converted into a games room.

### 3. CONSULTATIONS AND ISSUES RAISED

3.1 Transco have raised no objections to the proposed development.

***Noted.***

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

***Noted.***

3.3 Historic Scotland have raised no objections to the proposal, but have advised that the Council sets a condition specifying single (not paired) conservation type rooflights.

***Noted. This may be addressed by way of condition, should consent be granted.***

### 4. REPRESENTATIONS RECEIVED

4.1 There are 2 objectors to the development, and the points raised are detailed below. Additionally, one letter has been received expressing concerns about the development, however the sender did not respond to a letter requesting whether the letter was an objection, and as such has not been treated as a formal objection for the purposes of this report. The points of objection are as follows:-

4.2 The property is a B Listed Building which has renowned historical links with the poet Robert Burns who frequently visited the Lawrie family when Dr George Lawrie was minister of Loudoun Parish church. It is well known historical fact that one of the house windows bears an inscription which was written by the bard during an overnight stay. The building which is subject of this application was formerly the stables and it is considered completely inappropriate to have 8 velux windows on the roof as this will detract from its historical authenticity.

***It is considered that the extent of external alterations proposed is limited, and as such does not detract from the visual amenity or historical authenticity of the outhouse, and has no impact on the main building. No alterations are visible from Loudoun Road due to the elevation of the site, the location of the outhouse to the rear of the main building, and screening from trees along the driveway. With regard to the velux windows, it is considered that single conservation style rooflights would be more appropriate, and this may be resolved by way of condition, should consent be granted.***

4.3 The velux windows shown on the rear elevation would only be 3.7 metres from the conservatory at 114 Loudoun Road.

***Rooflights or velux windows are generally used to provide more light into a building, and their location above eye level means that they would not cause any overlooking issues; as such the proximity to a conservatory is not considered to be detrimental to the amenity of the neighbouring property.***

## **5. ASSESSMENT AGAINST THE 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 and Adopted East Ayrshire Local Plan (2003).

### Approved Ayrshire Joint Structure Plan

5.2 There are no relevant policies within the Approved Ayrshire Joint Structure Plan.

### Adopted East Ayrshire Local Plan

5.3 The proposed development requires to be assessed against Policies, ENV1, ENV4 and ENV7.

5.4 Policies ENV1 and ENV4 state that the Council will seek to ensure that all development within or affecting the setting of a listed building is sympathetic in terms of layout, size, scale, design, siting, materials and colour of finish. There will be a presumption in favour of protecting such heritage resources and against the demolition (partial and whole) of such properties. Any redevelopment proposals must have due regard to the architectural and historic qualities of the area/building concerned.

***The proposal is considered to be in keeping with these policies, since the external wall material is unaffected. The proposed roof tiles are Marley Monarch or similar. Marley Monarch tiles are considered acceptable on sites adjacent to existing slate roofed properties, and their use can be prescribed by way of condition. The work represents an opportunity to improve the appearance of the outbuilding, which is in disrepair, and the external alterations are minimal and considered to be sympathetic to the existing building and the dwellinghouse.***

5.5 Policy ENV 7 is also relevant and advises that all developers will be expected to fully comply with the Council's Design Guidance. All redevelopment proposals shall reflect the overall design and appearance of the building. Whenever possible, the proposal shall seek to preserve, enhance or incorporate features which positively contribute to the character or appearance of the listed building. Works shall be appropriate in terms of

size, scale, fenestration, finish and materials used. Alterations must be subordinate to the original building and in terms of design and finish must reflect and enhance the existing listed buildings. Roof lights should be of traditional design in terms of proportion, size and materials and not projecting unduly above the plane of the roof; rooflights of non-traditional design and materials will not be considered acceptable.

***The proposal is considered to comply with the Council's Design Guidance and as such, the terms of Policy ENV7. It is not considered to have any impact on the main residential dwellinghouse and the drawings indicate that the proposed windows will be located within existing, or previously bricked up, openings. With regard to the rooflights, single conservation style rooflights would be considered more appropriate, and this may be resolved by way of condition, should consent be granted.***

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

6.1 The principal material considerations relevant in the consideration of this application are the Historic Scotland Memorandum of Guidance on Listed Buildings and Conservation Areas (1998), NPPG 18 "Planning and the Historic Environment", the consultation responses, letters of objection detailed in Sections 3 and 4 of the report and planning history of the site.

### Memorandum of Guidance

6.2 Advice in the Memorandum of Guidance states that roofs should retain their original form and pitch, and states in general that all architectural detailing should be respected.

***It is considered that the proposal meets the provisions of the Memorandum of Guidance. The roof pitch is unaltered, and the alterations are minimal, and are considered to be sensitive to the outhouse itself, and to the dwellinghouse to which it relates.***

### NPPG 18 Planning and Historic Environment

6.3 NPPG states that in determining applications for Listed Building Consent, the Planning Authority must have special regard to preserving features of the building, or its setting, or any features of special architectural or historic interest which it possesses, and also to the buildings setting and its contribution to the townscape, having particular regard to the impact of the development upon the views to and from the listed building.

***This application is considered to be consistent with the advice of NPPG 18. It is not considered that the minor alterations are detrimental to the appearance or architectural value of the***

***property; and it is not considered to have any impact on the streetscape as the alterations will not be visible from the road.***

### Consultation Responses and Representations Received

6.4 The consultation responses are detailed in Section 3 of this report and it is not considered that these raise any negative issues that would warrant the refusal of this application.

6.5 The objections raised are detailed in Section 4 of this report and are not considered to raise any issues that would warrant the refusal of this application.

### Planning History

6.6 A Tree Preservation Order (TPO) application (ref: 00/0352/TP) to trim all trees under the TPO, was approved with conditions on 04 July 2000. It is not considered that this relates to the current Listed Building application.

6.7 A separate planning application in respect of these works is required; the applicant has been made aware of this and of the need for consent in that regard prior to the commencement of works on site.

## **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 indicated in Section 5 of this report, the proposal is in accordance with the Development Plan. Given therefore 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.

8.2 As indicated in Section 6 of the report there are relevant material considerations and they are largely supportive of the development. Both NPPG18 and the Memorandum of Guidance support the proposal whilst none of the statutory consultation responses or letters of objection raise issues that are of such significance that would warrant the refusal of this application.

8.3 The proposal comprises a sympathetic alteration to an outhouse of a dwellinghouse, the purpose of which is ancillary to the enjoyment of that house. The materials are as existing, or an acceptable alternative and the style of rooflights may be resolved by condition. It is not considered that the proposal would have any impact on the dwellinghouse and as such it is not considered that the proposal would be in any way detrimental to the Listed Building, nor to the setting of adjacent properties, none of which are Listed or in a Conservation Area.

## **9. RECOMMENDATION**

**9.1 It is recommended that the Listed Building Application be approved subject to the notification of Historic Scotland under the Listed Buildings and Buildings in Conservation Areas (Scotland) Regulations 1997 and subject to the conditions indicated on the enclosed sheet.**

### **CONTRARY DECISION NOTE**

Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning, Development and Building Standards, the application would 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, Development and Building Standards**

20 June 2005  
(CP/MMM)

FV/DVM

### **LIST OF BACKGROUND PAPERS**

1. Application Form and Plans.
2. Statutory Notices/Certificates.
3. Consultations.
4. Letter of Objection.
5. Approved Ayrshire Joint Structure Plan.
6. Adopted East Ayrshire Local Plan.
7. Historic Scotland Memorandum of Guidance.
8. National Planning Policy Guidance 18.

Anyone wishing to inspect the above papers please contact Claire Peters on 01563 576779.

***Implementation Officer: Dave Morris***

050366LB

## EAST AYRSHIRE COUNCIL

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

05/0366/LB

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Site of Proposal: 116 Loudoun Road  
NEWMILNS  
KA16 9HH

Nature of Proposal: Proposed Alterations to Outhouse including  
New roof and Velux Windows

Name & Address of Applicant: Brian McLuskie  
116 Loudoun Road  
NEWMILNS  
KA16 9HH

Name & Address of Agent:

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DPOs Reference: CP/MMM

Subject to Notification to the Scottish Ministers

The above LISTED BUILDING application should be granted subject to the following conditions:-

1. Notwithstanding the submitted details, the roof covering shall be Marley Monarch slate grey concrete tiles.

REASON In the interests of visual amenity and to maintain the visual quality of the area.

2. Notwithstanding the plans hereby approved, the proposed velux windows should be single conservation style veluxes with central astragals and they shall sit flush with the roof plane. The precise details of location of the velux windows shall be submitted to and approved in writing by the Planning Authority prior to work commencing on site, and thereafter maintained as approved.

REASON In the interests of visual amenity.

3. Notwithstanding the plans hereby approved, the proposed window on the north elevation shall match the proposed window in the west elevation, in design, size and materials and shall thereafter be maintained as approved.

REASON In the interests of visual amenity.

NOTE TO APPLICANT:- The works subject of this consent will require a separate planning permission prior to their implementation on site.

**DUE TO ORDNANCE SURVEY REGULATIONS AND COPYRIGHT  
THE MAP IS AVAILABLE FOR VIEWING AT THE COUNCIL'S  
PLANNING OFFICE IN KILMARNOCK. FOR INFORMATION ON  
VIEWING PLEASE CONTACT (01563) 576790.**