

## **EAST AYRSHIRE COUNCIL**

### **DEVELOPMENT SERVICES COMMITTEE - SPECIAL MEETING: 16 JUNE 2000**

#### **99/0447/FL: PROPOSED ERECTION OF DWELLINGHOUSE AT 46 MAIN ROAD, FENWICK BY DR AND MRS J BEITH**

#### **EXECUTIVE SUMMARY SHEET**

### **1. DEVELOPMENT DESCRIPTION**

1.1 **Proposed Development:** It is proposed to erect a two storey dwellinghouse with basement the front elevation of which incorporates features common to the existing Conservation Area and is to be finished in traditional materials. To the rear a single storey wing extends from the main body of the house. Along the immediate boundary to the north of the house the proposal incorporates a pend access to parking facilities at the rear. Two parking spaces are detailed at the rear of the site.

1.2 It should be noted at this stage that this proposal is in many respects similar to an approval that is currently in place on the site (Application No 97/0040/FL refers) but that consent involved a separation distance of approximately 1.2m between the proposed house and the single storey cottage immediately to the north. This new proposal has no such gap and literally straddles the full width of the site.

### **2. RECOMMENDATION**

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

### **3. SUMMARY OF ANALYSIS**

3.1 It is considered that the erection of the proposed dwellinghouse can be supported as improving the Conservation Area through the infilling of the gap site and the erection of a house appropriately designed and finished to match the neighbouring properties.

**Alan Neigh**  
**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 has been the subject of objections.

### 2. APPLICATION DETAILS

2.1 **Site Description:** The application site lies on the east side of Main Road within the Laigh Fenwick Conservation Area, and comprises a gap site in the middle of a terraced row of traditional properties. Currently the front of the site is formed by a 2m high white wet dash rendered wall with a gated vehicular access.

2.2 **Proposed Development:** It is proposed to erect a two storey dwellinghouse with basement, the front elevation of which incorporates features common to the existing Conservation Area and is to be finished in traditional materials. To the rear a single storey wing extends from the main body of the house. Along the immediate boundary to the north of the house the proposal incorporates a pend access to parking facilities at the rear. Two parking spaces are detailed at the rear of the site.

2.3 It should be noted at this stage that this proposal is in many respects similar to an approval that is currently in place on the site (Application No 97/0040/FL refers) but that consent involved a separation distance of approximately 1.2m between the proposed house and the single storey cottage immediately to the north. This new proposal has no such gap and literally straddles the full width of the site.

### 3. CONSULTATION AND ISSUES RAISED

3.1 SEPA has confirmed that they have no objection to the proposed works.

***Noted.***

3.2 West of Scotland Water have advised their normal requirements and confirmed that there are connections for both sewerage and water.

***Noted***

3.3 The Scottish Civic Trust have objected to the proposal.

***Noted (see Section 4).***

3.4 The Architectural Heritage Society for Scotland have lodged a similar objection.

***Noted (see Section 4).***

3.5 Fenwick Community Council have also objected to the proposed development.

***Noted (see Section 4).***

3.6 Historic Scotland have recorded an objection to the proposed development.

***Noted (see Section 4).***

#### **4. REPRESENTATIONS**

As referred to above.

4.1 The Scottish Civic Trust maintain that the two storey proposal is inappropriate and considers a single or 1½ storey cottage will best improve the Conservation Area.

***Noted. However the principle of a 2 storey house on this site has already been determined and approved by Committee in April 1997.***

4.2 The Architectural Heritage Society for Scotland have confirmed no objection to the principle of the two storey house but have raised a number of points on the general detailing of the house relative to design of rooflights, window arrangements and finishes.

***Noted. It is considered that these items can be appropriately addressed by conditions if the Committee is of a mind to approve the application.***

4.3 Historic Scotland have confirmed that the two storey proposal is not appropriate for the site and have advised of various shortcomings of the proposed development relative to indicated design of windows, floor height and gables. In short they have advised that the combination of the above results in a proposal which will neither preserve nor enhance the character of the Conservation Area.

***Noted. Again as stated above the principle of a similarly detailed two storey proposal has been determined as acceptable with no significant detrimental impact on the Conservation Area. Certain more minor detailed aspects and treatments will be subject to conditions.***

4.4 Fenwick Community Council have raised a number of issues the more material of which are addressed below. They have confirmed that they consider that a two storey house at this site is in their view out of keeping with the neighbouring properties and is therefore unacceptable.

***Noted. However there is currently a two storey house approved for the same site.***

They consider the pend access to parking at the rear is unnecessary and will lead to disruption of the existing quite rear gardens of the properties currently on Main Road.

***Noted. The pend access is a device used to satisfy the requirement of the Council's Roads and Transportation Division and has already been considered acceptable as part of the earlier proposal. The impact its use would have on the amenity of existing rear garden is considered to be minimal.***

The two storey design results in a gable arrangement that would inhibit the utilisation of existing flues on the exposed single storey gable of the houses to the immediate north and south of the application site.

***Noted. This aspect has been brought to the applicants' attention who have confirmed that constructional arrangements will be put in place to ensure that these flues can be used as required.***

4.5 In addition to the representations listed above letters of objection have been submitted by the owner of the house to the immediate north of the application site. The grounds on which they have objected relate to several matters the majority of which are of a civil nature; these can be summarised as follows:-

The proposal will result in a high level south facing gable window requiring to be blocked-up, to the detriment of the room it serves.

***Noted. This particular matter has been the subject of separate investigation by the Council's Building Control Section and it transpires that this gable window is unauthorised and is required to be built up in any event, to comply with Building Regulations.***

The proposed two storey development will be incompatible with the streetscape with a consequent adverse affect on this particular area of the village.

***Noted. However, as mentioned above the principle of two store development has been approved for this gap site. It is considered that it could be accommodated with no significant detrimental impact on the streetscape and the Conservation Area.***

Any access required to any property for construction purposes will be denied.

***Noted. This matter is of a civil nature and has no bearing on the planning assessment of the proposal.***

Further details of the proposed treatment to any gable are required to clarify the position in respect of the function of an existing chimney.

***Specific details have not been provided on this aspect nor would they be under normal circumstances. The applicant has confirmed that it would be his intention to arrange additional augmenting flue provision which would be scrutinised under the Building (Scotland) Acts.***

## **5. DEVELOPMENT PLAN STATUS**

5.1 It is the policies contained in the East Ayrshire Local Plan (Finalised Version) which have been agreed for determination purposes by the Council and to which the greatest weight should be attached.

5.2 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 this proposal, which is an altered arrangement from that currently valid still remains particularly in respect of the front elevation the necessary elements to comply with the relevant policies.*

**6. OTHER PLANNING CONSIDERATIONS.**

6.1 None.

**7. FINANCIAL AND LEGAL IMPLICATIONS**

7.1 There are no financial or legal implications for the Council in determining this application.

**8. CONCLUSION**

8.1 It is considered that the erection of the proposed dwellinghouse can be supported as improving the Conservation area through the infilling of the gap site and the erection of a house appropriately designed and finished to match the neighbouring properties.

**9. RECOMMENDATION**

**9.1 It is recommended that the application be approved subject to the conditions on the attached sheet.**

**Alan Neish  
Head of Planning and Building Control**

05 April 2000  
IW/MMM

FV/DVM

## LIST OF BACKGROUND PAPERS

1. Application Form and plans.
2. Statutory Certificates.
3. Consultation Replies.
4. Representations.
5. Finalised East Ayrshire Local Plan

Anyone wishing to inspect the above papers please contact Ian Walker on 01563 576769.

***Implementation Officer: Dave Morris***

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

99/0447/FL

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Site of Proposal	46 Main Road, FENWICK
Nature of Proposal	Proposed Erection of Single Dwellinghouse
Name & Address of Applicant	Dr & Mrs Jason G Beith 6 Boydston Way KILMARNOCK KA3 6BF

Name & Address of Agent

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DPO's Reference IW/MMM

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 16 June 1999, as revised by the elevations and house plans received by the Planning Authority on 30 March 2000.

REASON To ensure that the development is carried out in accordance with the approved details.

2. Notwithstanding the plans hereby approved, all external walls shall be wet-dash harled and painted white, with the exception of the banding around windows, which shall be painted in a contrasting colour to be agreed in advance by the Planning Authority.

REASON To ensure the development is compatible with the character and appearance of the nearby properties and the Conservation Area in which it is located.

3. Notwithstanding the submitted details, the dwellinghouse shall be roofed in natural slate.

REASON To ensure the development is compatible with the character and appearance of the nearby properties and the Conservation Area in which it is located.

4. All windows shall be of timber sash and case construction unless otherwise agreed by the Planning Authority and shall be painted white.

REASON To ensure the development is compatible with the character and appearance of the nearby properties and the Conservation Area in which it is located.

5. The parking facilities hereby approved shall be provided prior to the first occupation of the dwelling.

REASON In the interest of road safety.

6. The footway fronting the site shall be reconstructed to the Council's standard with the new access crossing formed to appropriately serve the pend.

REASON In the interest of road safety.

**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.**

**AGENDA**