

EAST AYRSHIRE COUNCIL

NORTHERN AREA LOCAL PLANNING COMMITTEE: 21 DECEMBER 2001

**01/0692/LB: PROPOSED INTERNAL ALTERATIONS AND PROPOSED
EXTERNAL ALTERATIONS AND PAINTING OF PORTICO AT TURF
HOTEL,
30 MAIN STREET, KILMAURS
FOR PLANET (TURF HOTEL) LTD**

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 Listed Building Consent is sought for external alterations to the premises which are being undertaken in respect of a change of use of the former hotel to a restaurant on the ground floor and a flat on the first floor (an associated application for full planning permission has recently been considered by the Planning and Building Control Division and approved under delegated powers). The external alterations to the building involve the replacement of the steel framed windows on the principal elevation with timber, six-pane sash and case windows and the replacement of the steel framed windows on the rear and side elevations with two-pane UPVC windows. It is proposed that one window on the side (south) elevation and three windows on the rear elevation (all at ground floor level) are to be removed and infilled. The applicant also proposes to repaint the portico with masonry paint and repair and make good the stonework and render as required.

2. RECOMMENDATION

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

3. CONTRARY DECISION

3.1 Should the Committee agree that the application be refused 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 as it would not be a significant departure in principle from policy.

4. SUMMARY OF ANALYSIS

4.1 As indicated at paragraph 5.1 of the report, there are no policies contained within the development plan relevant to the determination of this application. However, as is indicated at paragraphs 6.1 to 6.4 of the report,

there are other material considerations relevant to the determination of the application. In that regard, the East Ayrshire Local Plan (Finalised Version with Modifications) and the Council's Design Guidance are generally supportive of the development, particularly given that the appearance of the replacement windows on the rear elevation can be controlled with the use of an appropriate condition.

4.2 The objections received relate to the use of UPVC on the side and rear elevations. However, as noted, the use of UPVC is not considered inappropriate in the given circumstances on a Category C (S) Listed Building. Furthermore, the proportions of the proposed windows on the rear elevation can be controlled by conditions, should the application be approved.

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 to the Local Planning Committee an application for Listed Building Consent for determination under the Scheme of Delegation as the application is subject to an objection.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site occupies a prominent location on the west side of Main Street, adjacent to the junction with Irvine Road. It comprises the Turf Hotel which is a vacant Category C (S) Listed Building. The former hotel is a two storey, stone fronted structure, rendered to the side and rear with a slate roof and classical window and door proportions. The principal elevation, fronting Main Street, is characterised by a classically columned portico and six window openings with steel frames, each comprising two glazed panes. The rear elevation is characterised by modern flat-roofed extensions and further steel framed window openings. A car parking and yard area is located to the rear of the building, accessed via Irvine Road.

2.2 **Proposed Development:** Listed Building Consent is sought for external alterations to the premises which are being undertaken in respect of a change of use of the former hotel to a restaurant on the ground floor and a flat on the first floor (an associated application for full planning permission has recently been considered by the Planning and Building Control Division and approved under delegated powers). The external alterations to the building involve the replacement of the steel framed windows on the principal elevation with timber, six-pane sash and case windows and the replacement of the steel framed windows on the rear and side elevations with two-pane UPVC windows. It is proposed that one window on the side (south) elevation and three windows on the rear elevation (all at ground floor level) are to be removed and infilled. The applicant also proposes to repaint the portico with masonry paint and repair and make good the stonework and render as required.

3. CONSULTATIONS AND ISSUES RAISED

3.1 The Scottish Civic Trust has objected to the use of UPVC replacement windows in the rear and side elevations.

The Council's Design Guidance does not presume against the use of UPVC replacement windows in Category C (S) Listed Buildings. Therefore, in principle, the use of UPVC on this elevation is acceptable. Nevertheless, it is considered that the proposed arrangement of glazing and glazing bars is not acceptable. Should the application be approved, a condition can be included on the planning permission to ensure that the proposed UPVC windows on the rear and side elevations match the proportions of the timber sash and case windows on the principal elevation.

3.2 The Architectural Heritage Society of Scotland has objected to the use of UPVC replacement windows on the south elevation.

See response to 3.1 above

3.3 Kilmaurs Community Council have not replied at the time of writing this report.

Noted.

3.4 Historic Scotland have not replied at the time of writing this report.

Noted.

4. REPRESENTATIONS

4.1 No representations have been received.

5. ASSESSMENT AGAINST DEVELOPMENT PLAN

5.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that 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 Adopted Kilmarnock Local Plan 1986 and the Approved Ayrshire Joint Structure Plan. However, in this instance there are no policies contained within the Adopted Kilmarnock Local Plan relevant to the determination of this application.

6. ASSESSMENT AGAINST OTHER MATERIAL CONSIDERATIONS

6.1 The other principal material considerations relevant to the determination of this application are the East Ayrshire Local Plan, Finalised Version with Modifications, the Council's Design Guidance and the objections detailed above.

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 The application falls to be determined with regard to Policy ENV4 of the East Ayrshire Local Plan (Finalised Version with Modifications). Policy ENV4 states:-

“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.”

Notwithstanding the proposed UPVC replacement windows on the rear and side elevations, it is considered that the proposed alterations are generally in accordance with the provisions within Policy ENV4. However, as noted in 4.1 above, a condition can be included on the planning permission to ensure that the UPVC windows on the rear and side elevations match the proportions and appearance of the proposed timber sash and case windows on the front elevation.

6.4 The Council's Design Guidance provides that, in respect of Category C(S) Listed Buildings, consideration will be given to the use of high quality UPVC windows, exactly replicating timber sash and case, preferably with traditional methods of opening.

See response to 4.1 and 6.3 above. Given that the rear elevation is not readily visible from Main Street or any other public place, it is not considered necessary to insist the applicant replicates traditional methods of opening.

6.5 The Committee should note that an associated application for full planning permission 01/0667/FL in respect of the development was approved on 16 November 2001 under delegated powers as that application was not subject to objections and was in accordance with policy.

Noted

6.6 The objections of the amenity bodies have been noted, however, given the terms of the Council's Design Guidance, it is considered that the use of UPVC windows in the circumstances proposed is acceptable.

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

8.2 As indicated at paragraph 5.1 above, there are no policies contained within the development plan relevant to the determination of this application. However, as is indicated at paragraphs 6.1 to 6.4 above, there are other material considerations relevant to the determination of the application. In that regard, the East Ayrshire Local Plan (Finalised Version with Modifications) and the Council's Design Guidance are generally supportive of the development, particularly given that the appearance of the replacement windows on the rear elevation can be controlled with the use of an appropriate condition.

8.2 The objections received relate to the use of UPVC on the side and rear elevations. However, as noted, the use of UPVC is not considered inappropriate in the given circumstances on a Category C (S) Listed Building. Furthermore, the proportions of the proposed windows on the rear elevation can be controlled by conditions, should the application be approved.

9. RECOMMENDATION

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

Alan Neish
Head of Planning and Building Control

4 December 2001 (DS/MLS)

FV/DVM

LIST OF BACKGROUND PAPERS

1. Application form and plans.
2. Statutory Notices and Certificates.
3. Consultation Replies.
4. EALP (Finalised Version with Modifications).
5. Adopted Kilmarnock Local Plan.
6. Approved Ayrshire Joint Structure Plan.
7. Approved Strathclyde Structure Plan.
8. East Ayrshire Council Design Guidance.

Any person wishing to inspect the above background papers listed above should contact Derek Scott on (01563) 576769.

Implementation Officer: Dave Morris

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

01/0692/LB

Site of Proposal:	Turf Hotel 30 Main Street KILMAURS
Nature of Proposal:	Proposed Internal Alterations and Proposed External Alterations, Replacement of Windows, Painting of Portico and Internal Alterations
Name & Address of Applicant:	Planet (Turf Hotel) Ltd Per Agent
Name & Address of Agent:	ARP Lorimer Associates 11 Wellington Square AYR KA7 1ET

DPOs Reference: DS/MLS

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

1. Notwithstanding any specification on the approved plans or application form, further details and samples of all external materials, including the replacement windows and colour of masonry paint to be used in the renovation and repair of the building shall be submitted to and approved by the Planning Authority, prior to the commencement of any work on site.

REASON: In the interest of visual amenity and to safeguard the character of the Listed Building.

2. Notwithstanding the provisions of Condition 1 above or any specification on the approved plans or application form, the arrangement of the glazing and glazing bars of the proposed replacement windows to be installed on the west and south elevations (with the exception of the four small ground floor windows) shall match the appearance of the windows on the east elevation.

REASON: In the interest of visual amenity and to safeguard the character of the Listed Building.

**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