

**EAST AYRSHIRE COUNCIL**

**SPECIAL NORTHERN AREA LOCAL PLANNING COMMITTEE:  
11 OCTOBER 2000**

**00/0587/FL: PROPOSED DEMOLITION OF EXISTING PROPERTY AND RE-DEVELOPMENT OF  
FORMER CAR PARK WITH ERECTION OF 12 DWELLINGS AT FORMER COVENANTERS INN  
CAR PARK KING STREET/  
MAIN STREET NEWMILNS BY HANOVER (SCOTLAND) HOUSING ASSOCIATION LTD**

**EXECUTIVE SUMMARY SHEET**

**1. DEVELOPMENT DESCRIPTION**

1.1 The proposal involves the demolition of the building fronting onto King Street and the erection of 12 no amenity units comprising 2 family units (2 storey) and 10 amenity flats for the elderly in 5 blocks (2 storeys) with 11 no. on site parking spaces. Vehicular access/egress to/from the site is from King Street with a pedestrian access onto Main Street. The 2 family houses are located at either side of the access on to King Street with one of the flatted blocks being located on the Main Street elevation. It is proposed to use white render on the external walls with natural slate on the roofs.

**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 subject to amending the elevations of Units 11/12 to accommodate design and traffic concerns the application is generally to be acceptable.

3.2 The proposal is also considered to be in accordance with Local Plan policy.

**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 for determination a full planning application which is to be considered by the Local Planning Committee under the scheme of delegation because it is a larger application which accords with the Development Plan and is of area significance.

## 2. APPLICATION DETAILS

2.1 **Site Description:** The site is a gap site within the town centre of Newmilns and it is bounded to the north by King Street and to the south by Main Street. The site is the former car park of the Covenanters Inn which has been converted to form 5 No. flats with a car park to the rear. The building proposed for demolition is located to the north east of the site fronting onto King Street and is currently derelict following extensive fire damage.

2.2 **Proposed Development:** The proposal involves the demolition of the building fronting onto King Street and the erection of 12 no amenity units comprising 2 family units (2 storey) and 10 amenity flats for the elderly in 5 blocks (2 storeys) with 11 no. on-site parking spaces. Vehicular access/egress to/from the site is from King Street with a pedestrian access onto Main Street. The 2 family houses are located at either side of the access on to King Street with one of the flatted blocks being located on the Main Street elevation. It is proposed to use white render on the external walls with natural slate on the roofs.

## 3. CONSULTATIONS AND ISSUES RAISED

3.1 West of Scotland Water have stated that there is a public sewerage system to which a connection may be made. Sustainable Urban Drainage Systems should be employed on the surface water drainage system. A development of the type and size proposed can be serviced from an existing public water main located in the street adjacent to the site location.

***Noted.***

3.2 The Kilmarnock Forum on Disability recommend that the houses and flats are built to a “Barrier Free” standard.

***Noted. The applicant specialises in the provision of housing for the elderly and is aware of the required standards.***

3.3 The Scottish Civic Trust have no objection to the proposed demolition of the derelict and fire damaged building. With regard to the proposed new buildings, the contemporary design is in sympathy to the surrounding buildings and would do no harm to the character of this conservation area.

***Noted.***

3.4 The Coal Authority have no adverse comments on the proposed development.

***Noted.***

3.5 Historic Scotland, Ancient Monuments Section have confirmed that they have no archaeological interest in the site.

***Noted.***

3.6 Historic Scotland have commented that they are not opposed to the contemporary style used for the majority of the scheme, and recognise that it respects the town in terms of the main form and material choice of the buildings. However, the Inspectorate has concerns about the design of the

Main Street elevation of Units 11/12 as this is the part of the scheme that is sited in the most sensitive part of the site next to the former inn. When considering the appropriateness of this elevation, it should be in the context of the character of the wider burgh. The character of Newmilns, like other towns in the south west of Scotland, is made up of adjoining elevations that hug the line of the street, and which generally have regularly spaced windows that show a fairly even distribution of window to wall area.

It is suggested that the agents produce an amended design for this particular site which it not considered to be unreasonable since the Inspectorate would expect all architects to respect the character of conservation areas and historic town centres when designing for gap sites. This issue is particular valid in a settlement of this importance.

***It is considered that the elevation of Units 11/12 onto Main Street does require to be amended in order to reflect, more appropriately the character of the Outstanding Conservation Area and the wider burgh. A condition can be attached to any grant of planning permission to require the submission of amended proposals for this elevation.***

3.7 The Architectural Heritage Society of Scotland have commented that the proposal, including the linking walls, is well designed and the application well presented.

There is, however, one important detail that might benefit from a re-think. While there is general empathy in the new housing with the character of the local vernacular the asymmetrical glazing pattern of the large square windows is a very “modern” concept. Where they are paired, either vertically as, for example on the north elevation of units 11/12 or by a symmetrical pairing as in Units 1 and 2, a traditional symmetry is arrived at in an acceptable new way. Where the Society think this modern window style does not fit is on the Main Street elevation of Units 11/12 where it juxtaposes the traditional buildings in Main Street.

As symmetry of window pattern is a vital component of the vernacular style, the Society think this modification of the proposal is important.

***It is considered that the elevation of Units 11/12 onto Main Street does require to be amended in order to reflect more appropriately the character of the Outstanding Conservation Area and the wider burgh. A condition can be attached to any grant of planning permission to require the submission of amended proposals for this elevation.***

3.8 The Roads and Transportation Division have confirmed that the amended plans are acceptable subject to a condition requiring there to be a clearly defined limit to the road in the form of a kerb line for differentiation of the private parking areas from the public road. In addition, the main entrance door to Units 11/12 should be located further from the Main Street in order to deter any future occupants from parking directly on Main Street , close to the entrance door.

***A condition requiring the inclusion of a kerb line for differentiation between the public road and the private parking areas can be attached to any grant of planning permission. Furthermore, a condition requiring the elevation of Units 11/12 to be amended to relocate the door can be attached to any grant of planning permission.***

3.9 Newmilns and Greenholm Community Council have not responded at the time of writing.

***Noted.***

3.10 West of Scotland Archaeological Service have not replied at the time of writing.

***Noted.***

## **4. REPRESENTATIONS**

4.1 There are no representations.

## **5. DEVELOPMENT PLAN STATUS**

5.1 The relevant policy document is the Finalised East Ayrshire Local Plan. The site is located within Newmilns Main Street Outstanding Conservation Area and within the town centre boundary.

***Noted.***

5.2 The site is identified in the Local Plan as a Development Opportunity Site for the erection of 12 no. dwellings under Policy RES 1.

***The proposal accords with this designation.***

5.3 Policy ENV7 requires compliance with the Council's existing and emerging design guidance.

***In terms of the current agreed guidance within the Finalised Kilmarnock and Loudoun District Plan, the submitted details are, within the exception of proposed units 11 and 12, considered to be policy compliant.***

## **6. OTHER PLANNING CONSIDERATIONS**

### **6.1 Planning History**

Detailed planning permission for 12 units (4 no. flats, 6 no. houses and 2 no. conversions) was approved on this site, including the Covenanters building and car park, in 1993 (KL/E/FL/84/025F). This application was on behalf of the St. Vincent Crescent Preservation Trust. Having achieved restoration of the Covenanters Inn, the Trust transferred ownership of the site to Hanover (Scotland) Housing Association Limited who are supported by Scottish Homes in achieving the current proposals as part of the wider Townscape Heritage Initiative.

### **6.2 Proposed Unit Mix**

The proposed development is to provide 12 No. Units, 10 Amenity Flats for the elderly and 2 family units. All 12 properties are for rent and are not subject to the right to buy legislation.

6.3 As indicated in para 2.2 above, the proposals include the demolition of 16 King Street which lies within the Outstanding Conservation Area. Accordingly, a separate application for Conservation Area Consent has also been submitted. Determination of the application can progress upon expiry of statutory advertisement periods. If approved that application would require referral to the Scottish Executive.

6.4 The Memorandum of Guidance on Listed Buildings and Conservation Areas indicates that where demolition is to be followed by re-development in Conservation Areas, consent to demolish should, in general, be given only where these are acceptable proposals for the new building works. Any approval of this full planning application will affirm the acceptability of the new building works and will enable consideration of the Conservation Area application when statutorily possible.

6.5 In addition, it is considered appropriate that there should be no start made on the implementation of any planning consent granted until such time as a Conservation Area consent is issued allowing the demolition and, in turn, the new development. This can be achieved by means of a condition.

## **7. FINANCIAL AND LEGAL IMPLICATIONS**

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

## **8. CONCLUSION**

8.1 It is considered that subject to amending the elevations of Units 11/12 to accommodate design and traffic concerns the application is generally to be acceptable.

8.2 The proposal is also considered to be in accordance with Local Plan policy.

## **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**

4 October 2000 (YM/SA)

### **LIST OF BACKGROUND PAPERS**

1. Application form and plans.
2. Statutory Notices/Certificates.
3. Consultation Replies.
4. Amendments to the application.
5. Correspondence from/to the applicant.
6. Irvine Valley Local Plan/Finalised Kilmarnock and Loudoun District Plan/East Ayrshire Council Legal Plan (Finalised Version)
7. Previous Planning Applications KL/E/FL/84/025F and KL/E/LB/84/025G.

Anyone wishing to inspect the above papers please contact Yvonne Mitchell on (01563) 576771.

I:comrep/northern/000587FL

Form TP24A

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application no: 00/0587/FL

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Location	Former Covenanters Inn Car Park King Street/Main Street NEWMILNS
Nature of Proposal:	Proposed Demolition of Existing Property and Re- Development of Former Car Park with Erection of 12 Dwellings
Name and Address of Applicant:	Hanover (Scotland) Housing Association Ltd 36 Albany Street EDINBURGH EH1 3QH
Name and Address of Agent:	Page and Park Architects 49 Cochrane Street GLASGOW G1 1HL

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DPO's Ref: [YM/SA}  
PPO's Ref: [ ]

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 14 August 2000 and 23 August 2000 as revised by the site plan received by the Planning Authority on 03 October 2000.

REASON

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

2. Notwithstanding the plans hereby approved, no development shall commence on site until the relevant Conservation Area consent is approved for the demolition of No. 16 King Street, Newmilns.

REASON

To ensure that all necessary consents have been granted.

3. Notwithstanding the submitted plans, the south and east elevations of Units 11/12 are not approved. Revised elevations addressing the fenestration details in a more vernacular form and relocating the entrance door to the north east corner of the Unit shall be submitted to and approved by the Planning Authority before any development commenced on site.

Reason

In the interests of the visual amenity of Newmilns Main Street Outstanding Conservation Area.

4. Notwithstanding the plans hereby approved, a clearly defined limit to the road shall be provided in the form of a kerb line to differentiate the private parking areas from the public road.

REASON

In the interest of road safety.

5. Details of the design and construction of the boundary treatment along the south elevation of the site with Main Street shall be submitted to and approved by the Planning Authority before any development commences on the site.

REASON

In the interests of visual amenity.

6. Details of the colour of the banding around the windows shall be submitted to and approved by the Planning Authority before any development commences on the site.

REASON

In the interests of visual amenity.

7. Details of all hard and soft landscaping and of the provision to be made for their future maintenance shall be submitted to and approved by the Planning Authority prior to commencement of any development on site. All hard and soft landscaping shall be maintained thereafter in accordance with the approved details.

REASON

To ensure areas of open space are provided to an adequate standard and that it is subsequently maintained, in the interests of residential and visual amenity.

8. Parking spaces for 11 No. cars shall be provided prior to occupation of the units and maintained thereafter within the site in accordance with the Amended Site Plan received by the Planning Authority on 3 October 2000.

REASON

In the interests of road safety and residential amenity.

9. Notwithstanding the provision of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 or any order revoking and re-enacting that order, no extensions or garages shall be erected on the site such that the approved off-street car parking provision is reduced or prejudiced (unless a further specific planning application is submitted to and approved by the Planning Authority).

REASON In the interest of road safety.

NOTES:

1. The developer should satisfy himself, by site investigation if necessary, that relative levels are such as will allow the development to be connected at a reasonable gradients to the public sewage system.
2. This application may involve building over an existing public sewer. The developer must contact West of Scotland Water prior to starting work on site in order to discuss whether diversions or protection is required.
3. Sustainable Urban Drainage Systems should be employed on the surface water drainage system.

**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**