

**EAST AYRSHIRE COUNCIL**

**NORTHERN AREA LOCAL PLANNING COMMITTEE: 13 JUNE 2003**

**03/0142/FL: ROUGHCAST ALL ELEVATIONS  
AT 26-28 MAIN STREET, DUNLOP  
BY MRS A PATON**

**EXECUTIVE SUMMARY SHEET**

**1. DEVELOPMENT DESCRIPTION**

1.1 Full planning permission is sought retrospectively for the dry dash roughcasting of the entire building, the cut stone detailing will be left unadorned. The colour of the finish is a rose hue. Currently the front elevation is completed with the remaining elevation having had the grey base coat applied.

The application was lodged following Enforcement Action by this Division subsequent to a complaint having been submitted on behalf of the Architectural Heritage society of Scotland.

The application has been advertised as affecting the character of the Outstanding Conservation Area.

**2. RECOMMENDATION**

**2.1 It is recommended that the application be approved.**

**3. CONCLUSIONS**

3.1 As indicated in Section 5 of the report the application is considered to be contrary to the specific terms of the Council's Design Guidance and the policies ENV 4 and 7 of the East Ayrshire Local Plan.

3.2 Therefore, given the terms of Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 the application should be refused unless material consideration indicates otherwise. As is indicated in Section 6 of the report there are material considerations relative to this application. It is considered that the specific nature of these considerations in respect of the character of the existing building and the impact the proposal will have on that character are such that the presumption in favour of the plan can be set aside in this instance and the application be approved.

## **CONTRARY DECISION NOTE**

Should Members be of the view that the application should be refused, it will not be necessary for the application to be referred to the Development Services Committee as it would not represent a significant departure from the development plan in the circumstance of this case.

**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 a full planning application which is to be considered by the Local Planning Committee under the scheme of delegation because it represents an application which does not accord with the Council policy and is subject to an objection.

**2. APPLICATION DETAILS**

2.1 **Site Description:** The application site is a detached unlisted building in the centre of Dunlop within the Outstanding Conservation Area. The building is flat roofed, two storey in height having been extended in the past by the introduction of extensive full length dormer windows to the front and rear.

The building was originally finished in painted stone on the ground floor front elevations with cut stone detailing around the doors and windows. The upper floors were clad in render.

2.2 **Proposed Development:** Full planning permission is sought retrospectively for the dry dash roughcasting of the entire building, the cut stone detailing will be left unadorned. The colour of the finish is a rose hue. Currently the front elevation is completed with the remaining elevation having had the grey base coat applied.

The application was lodged following Enforcement Action by this Division subsequent to a complaint having been submitted on behalf of the Architectural Heritage society of Scotland.

The application has been advertised as affecting the character of the Outstanding Conservation Area.

### 3. CONSULTATIONS AND ISSUES RAISED

3.1 Dunlop and Lugton Community Council have confirmed that they have no objections to the proposed development.

### 4. REPRESENTATIONS

4.1 The original letter of objection has subsequently been re-affirmed by the objector, the Architectural Heritage Society of Scotland. The grounds of objection to the application are as follows:

- 1) The roughcast is inappropriate, the building should be rendered using a traditional harling.

***It is acknowledged that the most traditional and appropriate rendering treatment in Conservation Areas should be Scottish harling on a wet dash finish.***

- 2) The objectors raise other issues which are not relevant to the terms of the application as follows:

The building is perhaps the ugliest in Dunlop, due to inappropriate alterations in the past.

***Noted. These alterations were approved by a previous authority in the 1970's before designation of the Outstanding Conservation Area in 1985.***

- 3) The UPVC windows are inappropriate.

***Agreed. The introduction of the windows did not require planning permission. The house being formed some years ago after the shop in part of the ground floor was converted to living accommodation.***

- 4) The building should be re-roofed.

***Noted. This appears to be a direct reference to the large dormer additions which were introduced some years ago with the benefit of planning consent but which would not now be acceptable in terms of the Council's Design Guidance.***

4.2 The applicant has responded to the objection questioning its validity. She also explained the requirement for the render being due to water penetration in most elevations. She additionally confirms that the colour was selected to match the tones of adjacent stone building. The applicant also offered an explanation

on the historic issues, confirming that consent was received for the major works to the property in the 1970's.

## **5. ASSESSMENT AGAINST 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 the Adopted East Ayrshire Local Plan (2003), (EALP).

5.2 The EALP offers strategic guidance and it is therefore appropriate to refer directly to the detailed guidance within the Adopted Local Plan as follows:-

Policy ENV 4 confirms the Council's intention to seek development within a Conservation Area that is sympathetic to the area in terms of materials and colour of finish. It states "wherever possible all proposals should seek to preserve, enhance or incorporate features which contribute positively to the area and have due regard to the qualities of the area or building concerned."

***It is considered that the proposed roughcasting does not accord with the terms of this policy. However the entire building conflicts with this policy in every respect. The roughcasting will add a degree of consistency to the external treatment of the building where previously there was no continuity (thus exaggerating the poor dormer additions).***

***Accordingly it is the view of this Division that the proposal can on balance be supported.***

Policy ENV 7 refers to the Council's Design Guidance for more specific matters.

***In this respect the application of a coloured finish has been assessed and found in itself to be acceptable. Indeed a more traditional finish in white wet dash render would actually be a less appropriate choice in this case and further accentuate the incongruous form of the building.***

***It is the principle of dry dash which does not accord with the Council's Guidance as being incompatible with the traditional character of Conservation Areas.***

***As detailed above the overall character of the building is already diminished to such an extent that the Council's Design guidance***

***cannot be applied in a straightforward manner. It is considered that, as an exception to the normal preferred approach, the proposal can be supported because of the consistency it would introduce to the building's facade.***

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

6.1 The principal material considerations relevant to the determination of the application are the impact on the amenity of the area, National Guidance and the objection received.

### Impact on the Area

6.2 As stated above it is considered that the proposed development can be supported through having no significant additional detrimental impact on the amenity of the area than did the property prior to the application of the roughcast.

### National Guidance

6.3 The Memorandum of Guidance for Listed Buildings and Conservation Areas offers advice on applications of this nature (in paras 4.37 – 4.40). The Guidance is endorsed in the policies of the Adopted Local Plan.

***As stated above it is considered on balance due to the character of the building that the proposal can be accepted. Such acceptance would have no major implications for the future application of these policies or guidance; its scope for precedent being limited.***

### Objection Received

6.4 The objection assessed in Section 4 raises more issues with respect to the history of the property than in relation to the proposal itself. As stated above it is considered that the proposed development can be supported on balance.

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

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

## **8. CONCLUSIONS**

8.1 As indicated in Section 5 of the report the application is considered to be contrary to the specific terms of the Council's Design Guidance and the policies ENV 4 and 7 of the East Ayrshire Local Plan.

8.2 Therefore, given the terms of Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 the application should be refused unless material consideration indicates otherwise. As is indicated in Section 6 of the report there are material considerations relative to this application. It is considered that the specific nature of these considerations in respect of the character of the existing building and the impact the proposal will have on that character are such that the presumption in favour of the plan can be set aside in this instance and the application be approved.

## **9. RECOMMENDATION**

**9.1 It is recommended that the application be approved.**

### **CONTRARY DECISION NOTE**

Should Members be of the view that the application should be refused, it will not be necessary for the application to be referred to the Development Services Committee as it would not represent a significant departure from the development plan in the circumstance of this case.

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

03 June 2003  
(IW/MMM)

FV/DVM

## LIST OF BACKGROUND PAPERS

1. Application Form/Plans.
2. Statutory Notes/Certificates.
3. Consultations.
4. Objection Letter.
5. Adopted East Ayrshire Local Plan.
6. Approved Ayrshire Joint Structure Plan.
7. Memorandum of Guidance for Listed Buildings and Conservation Areas.

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

***Implementation Officer: Dave Morris***

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EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

03/0142/FL

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Site of Proposal: 26-28 Main Street  
DUNLOP

Nature of Proposal: Roughcast All Elevations

Name & Address of Applicant: Mrs Ann Paton  
26-28 Main Street  
DUNLOP  
KA3 4AN

Name & Address of Agent:

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DPOs Reference: IW/MMM

The above FULL application should be granted.

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