

**EAST AYRSHIRE COUNCIL**

**SOUTHERN LOCAL PLANNING COMMITTEE: 29 NOVEMBER 2002**

**02/0715/FL: PROPOSED ERECTION OF DWELLINGHOUSE  
AT 10 FORD STREET, CATRINE**

**APPLICATION BY MR GEORGE GLOVER**

**EXECUTIVE SUMMARY SHEET**

**1. DEVELOPMENT DESCRIPTION**

1.1 Full planning permission is sought for the erection of a single storey, 3-bedroom dwellinghouse on the site. The applicant proposes to externally finish the dwellinghouse with slate effect roofing tiles, red pine fascias and soffits and red facing brick to dado height on the front elevation with wet dash render above dado height. The applicant proposes the use of cast stone for the cills, mullions and quoins of the proposed dwellinghouse.

**2. RECOMMENDATION**

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

**3. CONCLUSIONS**

3.1 As is indicated in Section 5 of the report, the application is considered to be in accordance with the development plan. Therefore, given 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. As indicated in Section 6 of the report, there are other material considerations and these add weight to the view that the proposal is acceptable.

3.2 The proposal also requires to be determined with regard to East Ayrshire Council's Design Guidance for Listed Buildings and Buildings within Conservation Areas. As is noted in the report, the proposal is consistent with the provisions set out in the Design Guidance.

## **CONTRARY DECISION NOTE**

Should the Committee agree to refuse the application contrary to the recommendation of the Head of Planning and Building Control, the application would not require to be referred to the Development Services Committee as it would not represent a significant departure from the provisions of the East Ayrshire Local Plan (Finalised Version with Modifications).

**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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**APPLICATION BY MR GEORGE GLOVER**

**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 as the application is subject to an objection.

**2. APPLICATION DETAILS**

2.1 **Site Description:** The application site comprises a previously developed gap site on the west side of Ford Street and measures 400 square metres in area. The site lies within the Catrine Conservation Area and within Catrine Town Centre. It is in an overgrown state and is separated from the footway on Ford Street by a partially roughcast common brick wall approximately 1.8metres in height. A two-storey red sandstone building stands adjacent to the site to the north, whilst a terrace of single storey dwellings lie adjacent to the south of the site

2.2 **Proposed Development:** Full planning permission is sought for the erection of a single storey, 3-bedroom dwellinghouse on the site. The applicant proposes to externally finish the dwellinghouse with slate effect roofing tiles, red pine fascias and soffits and red facing brick to dado height on the front elevation with wet dash render above dado height. The applicant proposes the use of cast stone for the cills, mullions and quoins of the proposed dwellinghouse.

**3. CONSULTATIONS AND ISSUES RAISED**

1.2 East Ayrshire Council's Roads and Transportation Division has no objection to the proposal subject to conditions in respect of the formation and standard of the access to the site, the provision of car parking spaces, the location of any proposed garage, surfacing of the driveway, and sightlines.

***Should the application be approved, appropriate conditions in respect of the above can be included on the planning permission.***

3.2 Scottish Water has no objection to the proposal provided its operational requirements can be satisfied.

***Should the application be approved, appropriate notes in respect of the above can be attached to the planning permission.***

3.3 The Coal Authority and Historic Scotland have no objections to the proposal.

***Noted.***

3.4 Catrine Community Council has not responded to the consultation letter.

***Noted.***

3.5 The Architectural Heritage Society of Scotland objects to the proposal as they would like a more traditional style of house, without the bay window, to advance to the street line. The Society are disappointed that there are only minor changes to a previous application. Apart from the removal of a planter there is not enough change to integrate the proposal into the street line typical of Catrine, particularly with the removal of the existing boundary wall. The change to the roof to slate effect tiles does not take the design far enough.

***It is considered that the proposed dwellinghouse, in its amended form, is sympathetic to the character and appearance of the Conservation Area. There is no continuous building line along this street at present nor is there consistency in the use of materials. Consequently, it is considered that this proposal is not detrimental to the surrounding area.***

#### **4. REPRESENTATIONS**

4.1 One objection was received from the Architectural Heritage Society of Scotland which is noted in Paragraph 3.5 above.

#### **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 (1999) and the Adopted Catrine and Sorn Local Plan (1984). The Adopted Plan was prepared in the context of the then emerging Strathclyde Structure Plan.

5.2 Notwithstanding the age of the Adopted Local Plan, the application requires to be determined with regard to Policy 4.9.4A sub-sections (c), (d) and (e). This policy states:-

- (c) *New development that will adversely affect the character of an area will not be allowed;*

***It is not considered that the proposed dwellinghouse, by virtue of its scale, design and use of materials would have an adverse impact on the character and appearance of the Conservation Area.***

- (d) *New buildings must be erected on similar building lines to those existing;*

***The proposed dwelling would not be built on a similar building line to that existing, although it should be noted that the building line varies to either side of this plot.***

- (e) *The scale, materials and design of new buildings should harmonise as far as possible with the existing development;*

***It is considered that a single storey house, of the design proposed, is compatible with the existing housing development at 12-16 Ford Street. It is also considered that the choice of materials (slate effect roof tiles, use of wet dash render, stone mullions and banding around windows) is acceptable for a development within this Conservation Area.***

***It is therefore considered that the proposal generally accords with the provisions of Policy 4.9.4A of the Adopted Catrine and Sorn Local Plan.***

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

6.1 The other principal considerations relevant to the determination of the application are the East Ayrshire Local Plan (Finalised Version with Modifications) (2001), the consultation replies, the Council's Design Guidance, the objection detailed above and the planning history.

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 proposal requires to be determined against Policy RES 4 of the EALP which encourages the redevelopment of gap sites provided the proposal complies with the Council's Design Guidance.

***The proposal represents an opportunity to re-use an existing gap site. It is considered to comply with the Council's Design Guidance which is discussed below. It therefore complies with Policy RES4.***

6.4 The application also falls to be determined with regard to Policy ENV4 of the EALP which 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.*

***It is considered that the proposed dwellinghouse, in its amended form, is sympathetic to the character and appearance of the Conservation Area. There is no continuous building line along this street at present nor is there consistency in the use of materials. Consequently, it is considered that this proposal is not detrimental to the surrounding area.***

6.5 Policy ENV7 of the EALP is of relevance and states that:-

*All developers will be expected to comply fully with the Council's existing and emerging Design Guidance and Policy Documents relating to and advising on the particular type of development proposed. Developments which do not meet the required design standards detailed in these documents will require to be fully justified and may not be supported by the Council.*

***The Design Guidance is discussed in paragraph 6.6 of the report. The proposal is considered to comply with the provisions of the Design Guidance and as such, would be in accordance with the provisions of Policy ENV7.***

#### Design Guidance

6.6 The East Ayrshire Council Design Guidance for Listed Buildings and Buildings within Conservation Areas is of relevance in the determination of the application. Section 2 of the Guidance states:

*Where a new build development is proposed within a Conservation Area, the proposed building will require to reflect the character of adjoining buildings in terms of building line, height, massing, scale, choice of materials, colour,*

*fenestration and solid/void proportions. When determining an appropriate building height for any new proposals, the height of surrounding buildings and the impact of the proposal on the skyline must be taken into account. All materials used should be of a sympathetic and suitable colour and finish.*

***As noted in Paragraph 5.2 of the report, it is considered that the proposed dwelling meets the required criteria for developments within the Conservation Area. There are a variety of building heights and differing materials in the immediate area and it is considered that the proposed design is sympathetic to the character of the Conservation Area.***

### Consultation Replies

6.7 Other than the reply from the Architectural Heritage Society of Scotland, no adverse consultation replies have been received.

***Noted.***

### Planning History

6.8 A planning application (Ref No. 01/0538/FL) for the erection of a single dwellinghouse was refused by Committee on 12 April 2002 due to the design of the dwellinghouse. It was considered that the design, which incorporated a gable wall fronting Ford Street, did not harmonise with the existing streetscape and was therefore not complimentary to the amenity, character and appearance of the Conservation Area and failed to accord with the Council's Design Guidance.

6.9 This application has amended the design and materials of the proposal to address the previous reasons for refusal.

### Representations

6.10 It is considered that the objection from the Architectural Heritage Society of Scotland is not of sufficient weight to justify refusal of this amended application.

## **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 is indicated in Section 5 of the report, the application is considered to be in accordance with the development plan. Therefore, given 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. As indicated in Section 6 of the report, there are other material considerations and these add weight to the view that the proposal is acceptable.

8.2 The proposal also requires to be determined with regard to East Ayrshire Council's Design Guidance for Listed Buildings and Buildings within Conservation Areas. As is noted in the report, the proposal is consistent with the provisions set out in the Design Guidance.

## **9. RECOMMENDATION**

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

### **CONTRARY DECISION NOTE**

Should the Committee agree to refuse the application contrary to the recommendation of the Head of Planning and Building Control, the application would not require to be referred to the Development Services Committee as it would not represent a significant departure from the provisions of the East Ayrshire Local Plan (Finalised Version with Modifications).

Alan Neish  
Head of Planning and Building Control  
11 November 2002  
YN/SMB  
FV/DVM

### **LIST OF BACKGROUND PAPERS**

1. Application form and plans
2. Statutory notices and certificates
3. Consultation replies
4. East Ayrshire Local Plan (Finalised Version with Modifications)
5. Approved Ayrshire Joint Structure Plan
6. Adopted Catrine and Sorn Local Plan
7. East Ayrshire Council Design Guidance
8. Approved Strathclyde Structure Plan.
9. Previous Application No. 01/0538/FL.

Any person wishing to inspect the background papers listed above, should contact Yvonne Nisbet on 01563 576771.

**Implementation Officer: Dave Morris**

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Location	10 Ford Street CATRINE KA5 6RW
Nature of Proposal:	Proposed erection of single dwellinghouse
Name and Address of Applicant:	Mr George Glover "Knowe" Auchinleck Road CUMNOCK KA18 1AE
Name and Address of Agent	

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DPO's Ref: [Yvonne Nisbet]  
PPO's Ref; [ ]

The above FULL application should be approved subject to the following conditions:-

1. Notwithstanding the details on the submitted plans, the roof tile finish to the bay window shall be covered in tiles to match the main roof of the dwelling.

REASON - In the interests of visual amenity within the Conservation Area.

2. Notwithstanding the details on the submitted plans, the front elevation of the dwelling shall be finished in wet dash render. Details of the colour of the render shall be submitted to and approved by the Planning Authority prior to the commencement of any development on site.

REASON - In the interests of visual amenity within the Conservation Area.

3. Notwithstanding the plans hereby approved, the mullions on the front elevation (lounge and bedroom 3) shall be formed on the same plane and of the same material as the external wall on which they are located.

REASON - In the interests of visual amenity within the Conservation Area.

4. Notwithstanding the plans hereby approved, details/samples of the windows shall be submitted to and approved by the Planning Authority prior to commencement of any development on site. Such details shall provide for windows to replicate the appearance of traditional sash and case windows.

REASON - In the interests of visual amenity within the Conservation Area.

5. Notwithstanding the plans hereby approved, details/samples of the colour of the banding around the windows shall be submitted to and approved by the Planning Authority prior to the commencement of any development on site.

REASON - In the interests of visual amenity within the Conservation Area.

6. Notwithstanding the plans hereby approved, the access to the site shall be taken via a driveway access crossing to East Ayrshire Roads Division's standards. The access shall be completed to the satisfaction of the Roads Division prior to the occupation of the dwellinghouse.

REASON - In the interests of road safety.

7. No surface water shall issue from the site onto the public road. The first two metres of the driveway shall be surfaced in order to prevent deleterious materials being deposited onto the public road.

REASON – To ensure the provision and maintenance of a secure road surface in the interests of road and public safety.

8. During construction, the developer of the plot shall ensure that adequate and continuing measures are taken to ensure that roads and footpaths adjoining the site are maintained free from mud and other materials carried from the site by construction and other vehicles.

REASON – In the interests of public and road safety and residential amenity.

9. Notwithstanding the submitted plans, visibility splay areas of 2 metres by 20 metres shall be provided at the junction of the access to the development with the public road with no obstruction to visibility greater than 1 metre in height being allowed within these areas.

REASON – To enable drivers of vehicles leaving the site to have a clear view over a length of road sufficient to allow safe exit.

10. Notwithstanding the submitted plans, any gates to be provided shall open away from the public road to prevent obstruction.

REASON – In the interests of road safety.

11. Notwithstanding the submitted details, parking spaces for 2 cars shall be provided and maintained within the site.

REASON – In the interests of road safety.

12. Any detached garages to be erected within the site shall be set back a minimum of 6 metres from the rear of the footway.

REASON - In the interests of public road safety.

13. Notwithstanding the provision of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, (or any order or enactment replacing this), no extensions or garages shall be erected on the site unless a further specific planning application is submitted to and approved by the Planning Authority.

REASON - To enable the Planning Authority to ensure that such structures are provided in a manner compatible with the visual amenity of the area.

14. 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 unless a further specific planning application is submitted to and approved by the Planning Authority.

REASON – In the interests of road safety.

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, or any other order or enactment replacing this, all detached garages erected within the site shall have pitched roofs and shall be externally constructed in materials to match the dwellinghouse.

REASON – In the interests of visual amenity.

16. Any screen fencing to be erected shall not project forward beyond the front building line of the dwellinghouse.

REASON – In the interests of visual amenity.

17. Notwithstanding the submitted plans, details of the design and construction of all fences and walls to be erected on the site shall be submitted to and approved by the Planning Authority before any development commences on the site.

REASON – To allow the Planning Authority to control the design and construction of such features in the interests of visual amenity.

18. During the construction of the dwellinghouse, no building or other operations shall take place on the site outwith the hours of 08:00 to 18:00 Monday to Friday, 09:00 to 17:00 on a Saturday and not at any time on a Sunday.

REASON - In the interests of residential amenity.

➤ **NOTES TO APPLICANT**

1. The applicant should satisfy him/herself, by site investigation if necessary, that relative levels are such as will allow the development to be connected at a gradient acceptable to Scottish Water.
2. The applicant must make separate application to Developer Services for permission to connect to the public sewerage system at the appropriate time. Scottish Water may refuse permission to connect, or grant permission to connect, subject to such conditions as they think fit.
3. There is an existing public water main located in the street adjacent to the site, which may be suitable to provide a supply to the proposed development. However, details of the highest water fitting related to Ordnance Datum and the proposed demands must be forwarded to Scottish Water in order that hydraulic testing can be carried out.
4. Separate application will have to be made for the provision of site water mains, if required, and service connections. Consultation should be made with Developer Services regarding compliance with current bylaws and use of water for building purposes is advised. It is strongly recommended that a cold water storage system is provided, for each house or flat having an actual (not nominal) capacity of 200 litres.

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