

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE : 30 MARCH 2001 00/0851/CA : PROPOSED DEMOLITION OF EXISTING BUILDINGS (OFFICES AND WORKSHOPS) AT HORWOOD PLACE, COWGATE, MAUCHLINE FOR ROBISON AND DAVIDSON

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 Conservation Area Consent is sought for the demolition of all of the buildings within the site. It should be noted that an application for full planning permission has also been received by the Council in respect of the site. That application relates to the erection of 24 flats and dwellinghouses (reference number 01/0081/FL).

2. RECOMMENDATION

2.1 It is recommended that the application be approved subject to notification to Historic Scotland under the Listed Buildings and Buildings in Conservation Areas (Scotland) Regulations, 1987 and subject to the conditions listed on the attached sheet.

3. SUMMARY OF ANALYSIS

3.1 As is indicated at paragraph 5.2 in the report, the application is considered to be contrary to 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 refused unless material considerations indicate otherwise. As is indicated at paragraphs 6.2 to 6.6 in the report, there are material considerations relevant to the determination of this application.

3.2 Given the age of the Adopted Mauchline-Drongan-Ochiltree Local Plan, the Council has agreed that the East Ayrshire Local Plan (Finalised Version) should be considered as a prime material consideration. As is indicated at 6.3 in the report, the proposals also conflict with the provisions of the East Ayrshire Local Plan (Finalised Version).

3.3 Nevertheless, it is considered that the buildings, including the traditional sandstone buildings on Horwood Place and Cowgate, are of little architectural or historic merit in terms of their design. It is therefore considered that their demolition would not unduly compromise the character or appearance of the Conservation Area to an extent that would justify a refusal of the application. It is considered that the layout and design of the

redevelopment proposals are of a high standard which includes traditional design features and would improve the character and appearance of that part of the Conservation Area. Furthermore, the retention of the sandstone buildings has been shown to be unviable economically and their reuse would not comply with modern construction standards.

3.4 It is therefore recommended that an exception to policy be made and that the application be approved. The proposal is, in the circumstances of this case, not considered to be a departure from policy of such significance as to require determination of the application by the Development Services Committee.

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.

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE : 30 MARCH 2001 00/0851/CA : PROPOSED DEMOLITION OF EXISTING BUILDINGS (OFFICES AND WORKSHOPS) AT HORWOOD PLACE AND COWGATE, MAUCHLINE FOR ROBISON AND DAVIDSON

Report by Head of Planning and Building Control

1. PURPOSE OF REPORT

1.1 The purpose of this report is to present for determination an application for Conservation Area Consent which is to be considered by the Local Planning Committee under the Scheme of Delegation, as the proposal is subject to objections and is of area significance.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site relates to a group of buildings situated in Horwood Place and Cowgate, Mauchline and measures some 1.05 acres in area. Several of the buildings are presently disused whilst others are in use as workshops and office accommodation. The buildings fronting Horwood Place and Cowgate are traditional red sandstone structures. They are of no particular architectural merit, vacant and in a run-down condition. The remainder of the buildings within the site comprise a series of modern workshop buildings. The buildings lie within the Mauchline Outstanding Conservation Area, and are not listed.

2.2 **Proposed Development:** Conservation Area Consent is sought for the demolition of all of the buildings within the site. It should be noted that an application for full planning permission has also been received by the Council in respect of the site. That application relates to the erection of 24 flats and dwellinghouses (reference number 01/0081/FL).

3. CONSULTATIONS AND ISSUES RAISED

3.1 Historic Scotland, whilst not objecting to the demolition of the modern workshops, has objected to the demolition of the traditional red sandstone buildings fronting Horwood Place and Cowgate. Specifically, Historic Scotland states that these buildings maintain the historic street pattern of Mauchline and as such, form an essential part of the Conservation Area. Historic Scotland does however state that, only if the applicant is able to provide costs to demonstrate the retention of the traditional buildings is not possible, should their demolition be considered.

As noted above, the traditional sandstone buildings on Horwood Place and Cowgate are disused and in a run-down condition.

Whilst they demark the historical street pattern of that part of Mauchline, they are nevertheless rather ordinary in appearance and of little merit in terms of their design or architecture. It is therefore considered that their demolition would not unduly compromise the character or appearance of the Conservation Area to an extent that would justify a refusal of the application. Furthermore, the applicant's agent has submitted a detailed schedule of costs in respect of the application for the redevelopment of the site. The costs indicate that, should the sandstone buildings on Horwood Place and Cowgate be incorporated into the redevelopment proposals, additional capital and maintenance costs would be incurred to an extent that would preclude the development of the site.

3.2 The Scottish Civic Trust has objected to the demolition of the traditional sandstone buildings on Horwood Place and Cowgate. The Trust states that the buildings appear to be in good order and would lend themselves to reuse as domestic flatted dwellings. It further states that the loss of these buildings would erode rather than "protect, preserve or enhance" the traditional built character of the immediate setting of the Conservation Area and as such, it points out that the proposals are contrary to Policy ENV2 of the East Ayrshire Local Plan (Finalised Version) and paragraph 4.28 of Historic Scotland's Memorandum of Guidance on Listed Buildings and Conservation Areas, 1998.

See response to 3.1 above. Furthermore, the applicant's agent has stated that, should the sandstone buildings be incorporated into the redevelopment of the site, the resulting internal layout would not permit efficient or economical use of available space. The consultant engineers for the redevelopment have stated that should the sandstone buildings be retained, the internal layout would require to be serviced by short, inconvenient flights of stairs and that windows and door openings would not accord with modern construction and safety requirements.

3.3 The Architectural Heritage Society of Scotland has stated it has no comment to make on the application.

Noted.

3.4 The West of Scotland Archaeology Service has stated that the application site is located within the defined sensitive archaeological area of the historic settlement of Mauchline. It has therefore recommended that, if the application is approved, an archaeological watching brief condition should be included on the planning permission.

Should the application be approved, an appropriate condition in respect of the above can be recommended for inclusion on any planning permission.

3.5 Mauchline Community Council has objected to the application insofar as it relates to the demolition of the traditional sandstone buildings on Horwood Place and Cowgate. The grounds of objection relate to the fact that the application sites lies within the Mauchline Conservation Area and to the view that part of the buildings on Cowgate was once the home of Jean Armour and may therefore be of historical importance.

See response to 3.1 above. Furthermore, the view that the buildings were once the home of Jean Armour has not been substantiated by Historic Scotland in the consultation process. Also, the buildings appear to be in the region of only 150 years old and as such, a link to Jean Armour is somewhat tenuous.

4. REPRESENTATIONS

4.1 Mauchline Burns Club has stated that it has given careful consideration to the demolition and redevelopment proposals as part of the site comprised the site of the home of Jean Armour's parents. However, the Club states that its research has indicated that none of the remaining buildings within the site comprise the original house. It nevertheless states that, should the application be approved, it would be delighted if a statue of Jean Armour could be erected within the site.

The applicants have agreed in writing, in respect of the proposals for the redevelopment of the site, that they are willing to provide a public art feature within the site to commemorate the site's history.

4.2 Historic Scotland, the Scottish Civic Trust and Mauchline Community Council have objected to the proposed demolition as detailed in Section 3 above.

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 (1999) and the Adopted Mauchline-Drongan-Ochiltree Local Plan (1993). The Adopted Plan was prepared in the context of the then approved Strathclyde Structure Plan.

5.2 Notwithstanding the age of the Adopted Local Plan, the application site lies within the Mauchline Conservation Area as defined in that plan. Policy ENV13 of the Mauchline-Drongan-Ochiltree Local Plan is therefore of relevance. Policy ENV13 states that:-

“There will be a presumption against the demolition or partial demolition of listed buildings, or of unlisted buildings within Conservation Areas, in the Local Plan area. The District Council will actively encourage the restoration and renovation of all such properties and will take positive action to ensure that these buildings do not fall into a state of increasing disrepair”.

Given that this application relates to the demolition of unlisted buildings within the Conservation Area, the proposals conflict with the provisions of this policy. Nevertheless, as noted above, it is not considered that the existing buildings within the site, including the traditional buildings on Horwood Place and Cowgate, are of sufficient architectural or historic merit to justify their retention and a refusal of the application.

6. ASSESSMENT AGAINST OTHER MATERIAL CONSIDERATIONS

6.1 The other principal material considerations relevant to the determination of the application are the East Ayrshire Local Plan (Finalised Version with Modifications), the relevant government guidance, the objections from the consultees detailed above and details of the proposed redevelopment of the site.

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 should be considered as a prime material consideration.

6.3 The application site lies within the Conservation Area as defined within the East Ayrshire Local Plan (Finalised Version). Policy ENV2 of the East Ayrshire Local Plan (Finalised Version) is therefore of relevance. Policy ENV2 states that:-

“The Council will actively encourage the retention, restoration, renovation and re-use of listed buildings, unlisted buildings in Conservation Areas and other locally important, especially traditional older properties, throughout the area. There will be a presumption against the demolition or partial demolition of all such properties.”

See response to 5.2 above.

6.4 The application also requires to be considered with regard to NPPG18, Planning and the Historic Environment. Section 50 of NPPG18 states that “in considering proposals for demolition, planning authorities should bear in mind the statutory requirement to have special regard to the desirability of preserving and enhancing the character or appearance of the Conservation Area”. The Guidance also states that the general presumption should be in favour of retaining buildings where it can be demonstrated that the building is able to support a viable new use.

As noted above, it is not considered that the demolition of the buildings would adversely impact on the appearance and character of the Conservation Area to an extent that would justify a refusal of the application.

6.5 Section 4.28 of Historic Scotland's Memorandum of Guidance is also of relevance. Section 4.28 states that:-

"in deciding whether consent should be granted, planning authorities should take account of the importance of the building to the character or appearance of any part of the conservation area, and of proposals for the future of the cleared site"

It is not considered that the character or appearance of the Conservation Area would be compromised by the demolition of these buildings. An application has also been received for the redevelopment of the site. The redevelopment proposals relate to the erection of dwellinghouses and flats on the site. The flatted element of the proposals front onto Horwood Place and Cowgate, whilst set back some 6 metres from the existing carriageway. The dwellinghouses are proposed to be located towards the centre of the site and all aspects of the redevelopment proposals comprise traditional design features, including vertically proportioned wooden sash and case windows and traditional finishes. It is therefore considered that the proposed redevelopment of the site exhibits a high design standard and as such, would compliment and enhance the character and appearance of the Conservation Area, further justifying the demolition of the existing buildings. With regard to the redevelopment, the applicant's agent has stated that, should the sandstone buildings be incorporated into the site, the resulting internal layout would not permit efficient or economical use of available space. The consultant engineers for the redevelopment have also stated that should the sandstone buildings be retained, the internal layout would require to be serviced by short, inconvenient flights of stairs and that windows and door openings would not accord with modern construction and safety requirements.

6.6 Section 4.31 of Historic Scotland's Memorandum of Guidance states:-

"where redevelopment is proposed and consent for demolition is granted, authorities should attach a condition prohibiting demolition until contracts have been let for an acceptable redevelopment of the site which has been granted planning permission."

It is considered that the application for the redevelopment of the site should be determined alongside the determination of this application. Furthermore, the applicant's agent has stated in writing that his client (in respect of the redevelopment of the site) intends to begin works on site by May 2001 and that, as such, the

site will not be left vacant for any substantial period of time. Nevertheless, should the application be approved, an appropriate condition in respect of Section 4.31 of the Memorandum of Guidance should be included on any conservation area consent.

7. FINANCIAL OR 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 at paragraph 5.2 above, the application is considered to be contrary to 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 refused unless material considerations indicate otherwise. As is indicated at paragraphs 6.2 to 6.6 above, there are material considerations relevant to the determination of this application.

8.2 Given the age of the Adopted Mauchline-Drongan-Ochiltree Local Plan, the Council has agreed that the East Ayrshire Local Plan (Finalised Version) should be considered as a prime material consideration. As is indicated at 6.3 above, the proposals also conflict with the provisions of the East Ayrshire Local Plan (Finalised Version).

8.3 Nevertheless, it is considered that the buildings, including the traditional sandstone buildings on Horwood Place and Cowgate, are of little architectural or historic merit in terms of their design. It is therefore considered that their demolition would not unduly compromise the character or appearance of the Conservation Area to an extent that would justify a refusal of the application. It is considered that the layout and design of the redevelopment proposals are of a high standard which includes traditional design features and would improve the character and appearance of that part of the Conservation Area. Furthermore, the retention of the sandstone buildings has been shown to be unviable economically and their reuse would not comply with modern construction standards.

8.4 It is therefore recommended that an exception to policy be made and that the application be approved. The proposal is, in the circumstances of this case, not considered to be a departure from policy of such significance as to require determination of the application by the Development Services Committee.

9. RECOMMENDATION

9.1 It is recommended that the application be approved subject to notification to Historic Scotland under the Listed Buildings and Buildings in Conservation Areas (Scotland) Regulations, 1987 and subject to the conditions listed on the attached sheet.

Alan Neish
Head of Planning and Building Control
27 February 2001
DS/SMB
FV/DVM

LIST OF BACKGROUND PAPERS

1. Application form and plans.
2. Statutory notices and certificates.
3. Consultation responses.
4. East Ayrshire Local Plan (Finalised Version with Modifications).
5. Adopted Mauchline-Drongan-Ochiltree Local Plan.
6. NPPG18: Planning and the Historic Environment.
7. Memorandum of Guidance on Listed Buildings and Conservation Areas.

Anyone wishing to inspect the background papers listed above, should contact Mr Derek Scott on 01563 555483.

Implementation Officer: Dave Morris

Form TP24A

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

Application no: 00/0851/CA

Location	Horwood Place MAUCHLINE KA5 6AQ
Nature of Proposal:	Proposed demolition of existing buildings (offices and workshops)
Name and Address of Applicant:	Robison & Davidson Horwood Place MAUCHLINE KA5 5AQ
Name and Address of Agent	Taylor Associates 17 Barns Street AYR KA7 1XB

DPO's Ref: Derek Scott
PPO's Ref;

The above **CONSERVATION AREA** application should be granted subject to the following conditions.

1. No demolition shall take place on the site until such time as details have been submitted to, and agreed in writing by, the Planning Authority, confirming that contracts for the redevelopment of the site have been let in accordance with full planning application No. 01/0081/FL.

REASON – To ensure that the redevelopment of the site is carried out to an appropriate design standard.

2. The applicant shall afford access at all reasonable times to the West of Scotland Archaeology Service and shall allow them to observe work in progress and research items of interest and finds. The applicant shall give notice of the date of commencement of works on site to the Regional Archaeologist, West of Scotland Archaeology Service, Charing Cross Complex, 20 India Street, Glasgow, in writing, not less than 14 days before development commences

REASON – In the interests of recording any archaeological features uncovered during demolition works.

3. All demolition materials shall be permanently removed from the site and disposed of in a licensed waste disposal facility to the complete satisfaction of the Planning Authority.

REASON – In the interests of amenity.

**DUE TO ORDNANCE SURVEY REGULATIONS AND COPYRIGHT
THE MAP IS AVAILABLE FOR VIEWING AT THE COUNCIL'S**

**PLANNING OFFICE IN LUGAR. FOR INFORMATION ON
VIEWING PLEASE CONTACT (01563) 555320.**

AGENDA