

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE : 11 AUGUST 2000

00/0308/FL : ERECTION OF NEW DWELLINGHOUSE, DETACHED GARAGE AND FORMATION OF NEW ACCESS AND HARDSTANDING

00/0310/CA : COMPLETE DEMOLITION OF EXISTING DWELLINGHOUSE AND PARTIAL DEMOLITION OF BOUNDARY WALL

AT 9 THE KNOWE, MAUCLINE

APPLICATION BY MR F LAU

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 Conservation Area Consent is sought for the demolition of the existing dwellinghouse, and for the partial demolition of the boundary wall to form a new access. Full planning permission is sought for the erection of a new dwellinghouse, detached garage and formation of new access and hardstanding.

1.2 It is proposed to close up the existing access and form two new accesses (one to the front of the house and the other to the side). This would involve the partial demolition of the existing brick wall along the boundary with Castle Street.

1.3 The proposed dwellinghouse would be sited over the footprint of the existing dwelling. The dwellinghouse would be single storey with slate substitute roof tiles, timber windows of sash and case appearance and smooth bands incorporated around each window. The external walls would be white wet dash rendered with tudor stone basecourse. A double detached garage to the south-west of the house is proposed. The garage would be finished to match the dwellinghouse and access would be taken from Castle Street.

2. RECOMMENDATION

2.1 It is recommended that the Conservation Area Consent application 00/0310/CA be approved subject to the notification of the application to Historic Scotland under the Town and Country Planning (Listed Buildings and Buildings in Conservation Areas (Scotland) Regulations 1987 and subject to the conditions on the attached sheet.

2.2 It is also recommended that the planning application 00/0308/FL should be approved subject to the conditions on the attached sheet . The decision notice should, however, be withheld for the Conservation Area Consent to be cleared by Historic Scotland.

3. SUMMARY OF ANALYSIS

3.1 In terms of the East Ayrshire Local Plan, Finalised Version, the proposed demolition would be contrary to the policy provisions contained therein. In terms of the proposed new development, the proposal would generally accord with the policy provisions contained therein.

3.2 It is considered that although the demolition would be contrary to Policy ENV2, as the traditional character of the original dwelling has been severely prejudiced by alterations and extensions, the proposed demolition is acceptable in this instance.

3.3 A further justification for the demolition, is the acceptable proposal for a new dwellinghouse within the site, which is sympathetic to the Conservation Area in terms of design and finishes.

3.4 In terms of the letters of objection from the Scottish Civic Trust and the Architectural Heritage Society for Scotland, it is considered that the building, in its present condition, is not of local importance or of townscape value. Furthermore, as the original building has been severely prejudiced by the alterations and extensions, full restoration of the building i.e the removal of the modern extensions, would substantially decrease the floor area of the building. The property has been vacant for over a year, and has been vandalised. Furthermore, it is considered that the design and finishes of the proposed dwelling is such that the visual amenity of the streetscape will be improved with an overall enhancement of the character of the Outstanding Conservation Area.

3.5 In terms of the other objection with regard to the proposed demolition, no salient points of objection have been raised.

3.6 It is considered that the existing building is of little individual merit or of value to the character of the conservation area. Furthermore, the proposed new house is a sympathetic development within the conservation area.

**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 jointly present for determination a full planning application and a conservation area consent application which are to be considered by the Local Planning Committee under the scheme of delegation, due to the nature of the proposal, and as they are subject to objection.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site lies on the south side of the Knowe, Mauchline, approximately 100 metres west of the junction of the Knowe and Kilmarnock Road. The application site comprises the existing single storey dwellinghouse and its curtilage at its location. The site is located within Mauchline Outstanding Conservation Area.

2.2 The site is bound to the north and east by the Knowe and Castle Street, to the west by a public footpath (leading to the public car park at Loudoun Street) and a detached dwellinghouse and to the south by a public footpath, burn and Mauchline Castle.

2.3 The dwellinghouse consists of a traditional single storey slate roofed cottage which has been substantially extended. The cottage, which was originally sandstone, has been dry dash rendered, and only one gable end remains unrendered. The large flat roofed extensions to the side and rear are unsympathetic. The dwellinghouse is presently unoccupied and the windows are boarded up. Overall, the dry dash render and the modern extensions have significantly detracted from the appearance of the original cottage.

2.4 **Proposed Development:** Conservation Area Consent is sought for the demolition of the existing dwellinghouse, and for the partial demolition of the boundary wall to form a new access. Full planning permission is sought

for the erection of a new dwellinghouse, detached garage and formation of new access and hardstanding.

2.5 It is proposed to close up the existing access and form two new accesses (one to the front of the house and the other to the side). This would involve the partial demolition of the existing brick wall along the boundary with Castle Street.

2.6 The proposed dwellinghouse would be sited over the footprint of the existing dwelling. The dwellinghouse would be single storey with slate substitute roof tiles, timber windows of sash and case appearance and smooth bands incorporated around each window. The external walls would be white wet dash rendered with tudor stone basecourse. A double detached garage to the south-west of the house is proposed. The garage would be finished to match the dwellinghouse and access would be taken from Castle Street.

3. CONSULTATIONS AND ISSUES RAISED

3.1 The Coal Authority, Scottish Power and British Gas Transco have no objections to the proposed developments.

Noted.

3.2 West of Scotland Water have no adverse comments to make on the proposed development.

Noted.

3.3 Mauchline Community Council have not responded to the consultation letter.

Noted.

3.4 West of Scotland Archaeology Service advise that the proposals do not raise any archaeological issues.

Noted.

3.5 East Ayrshire Council Roads and Transportation Division have no objection to the proposals subject to a condition with respect to visibility splays, parking to be provided, surfacing of the driveway and a note regarding appropriate traffic control to be employed during works adjacent to the public road.

Noted.

3.6 The Architectural Heritage Society of Scotland have objected to both applications.

3.6.1 In terms of the demolition they feel there to be no sound reason for the complete demolition of the building. The demolition seems to stem from the desire to free up the plot of land. On first impressions, this does not appear to be a building of much architectural merit, but closer inspection leads to discovery of a far older, traditional building. Considering the historical area this plot borders, such as the Castle and church, we feel this would be a great opportunity to rediscover the original structure, and give it a far more sympathetic development. We would not be against selective demolition, if it was to lead to the retention and restoration of the original building but they object to the proposal in its present form.

Given previous alterations to the original building, and the large unsympathetic extensions, it is considered that the character of the traditional building has been severely prejudiced. Although it is noted that the site lies to the rear of Mauchline Church and Castle, the building is set off the Main Road, and is situated adjacent to modern dwellinghouses. It is considered that the building no longer adds value to Mauchline Conservation Area.

The applicant originally proposed to undertake alterations and retain the dwellinghouse. Planning permission was approved in July 1999 (Ref No. 99/0407/FL) for a rear extension and new roof layout at 9 The Knowe. Due to the high costs involved with this proposal, the applicant now proposes to demolish and build a new house.

3.6.2 In relation to the proposed new dwellinghouse, the Architectural Heritage Society for Scotland advise that the proposed new build is large, heavy and not really suitable for an area so close to the architectural gems of the Castle and the Burns Museum. The roof is particularly unsuitable, being of such a vast expanse and covered in untraditional roof tiles. There also seems to be large areas of unbroken façade. Given the building's shape, we believe this is a great opportunity to reinstate the traditional and original structure, and they would not necessarily be against its enlargement, if it was sympathetic to its design and scale.

It is considered that the proposed dwellinghouse, in terms of its design and finishes, is an acceptable development within the Conservation Area. The roof is of vast expanse because of the higher roof pitch. This is a reflection of traditional design. Furthermore, the roof tile proposed is regarded as an acceptable slate substitute. The large area of unbroken façade referred to is on the west side elevation which will be mainly screened from public view by the high stone wall along the western boundary.

3.7 The Scottish Civic Trust object to the proposed demolition. They note that what at first seems to be a modern building is a much extended traditional cottage of modest proportions. The qualities of the natural and traditional materials, out of which it is constructed, have unfortunately, been smothered by a coat of dry dash. Even the window surrounds have been covered in a

cement render. The boarding up of the windows made it impossible to ascertain whether or not its original windows remain intact. Only the westerly gable wall remains untouched, revealing the red sandstone originally chosen for this building. Given that this application comes with no supporting statement, supplying a reasoned justification for the demolition of the building, we cannot condone the proposal to demolish a building, which we believe may be worthy of repair and retention. Whilst we accept that the later additions and the dry dash detract from the underlying qualities of the building, we believe the removal of the extensions to be a realistic option. The removal of the render may also be achievable. The repair of this building would enhance the conservation area within which it sits.

See Paragraph 3.6.1

4. REPRESENTATIONS

3 objections received.

The Architectural Heritage Society of Scotland and the Scottish Civic Trust have objected, as outlined in Section 3.5 and 3.6.

4.1 The objector has young children who live next to the property and their son has severe asthma. He has spent time in hospital (on oxygen) and has lost a lot of schooling due to this. The demolition of the next door property would create a lot of dust which would trigger off his asthma. This is causing them a great deal of concern.

This is not a material consideration in terms of these applications.

5. DEVELOPMENT PLAN STATUS

5.1 The relevant policy document is the East Ayrshire Local Plan, Finalised Version. The application site lies within an area designated as Conservation Area, and is covered by Built Heritage policies.

5.2 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 presumption against the demolition or partial demolition of all such properties.

As the proposal involves the complete demolition of the existing dwellinghouse, the Conservation Area consent application for demolition would be contrary to the provisions of the above policy. It is considered however that the building does not contribute to the appearance of the conservation area and that due to the extensions, the dwelling could not be sympathetically restored, at a reasonable cost.

5.3 Policy ENV4 states that 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 in terms of design and finishes, the proposed dwellinghouse would be sympathetic to Mauchline Outstanding Conservation Area. The proposed development conforms with the provisions of Policy ENV4.

6. OTHER PLANNING CONSIDERATIONS

6.1 The Memorandum of Guidance on Listed Buildings and Conservation Areas 1998 contains guidance on the control of demolition in conservation areas.

6.2 Paragraph 4.2.8 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. If the building is considered to be of any value, either in itself or as part of a group, a positive attempt should always be made by the planning authority to achieve its retention, restoration and sympathetic conversion to some other compatible use before proposals to demolish are seriously investigated.

In some cases, demolition may be thought appropriate, for example, if the building is of little townscape value, if its structural condition rules out its retention at reasonable cost, or if its form or location makes its re-use extremely difficult. Paragraph 4.2.9 continues to say that in instances where demolition is to be followed by re-development of the site, consent to demolish should in general be given only where there are acceptable proposals for the new building.

It is considered that the existing house is not an important or distinguished building within the Conservation Area. Due to previous alterations to the original house, and to the large flat roofed extensions, the dwelling is of little townscape value.

6.3 If the Committee are minded to grant consent for the demolition, the application will require to be referred to Historic Scotland under the Town and Country Planning (Listed Building and Buildings in Conservation Areas) (Scotland) Act 1997.

7. CONCLUSIONS

7.1 In terms of the East Ayrshire Local Plan, Finalised Version, the proposed demolition would be contrary to the policy provisions contained therein. In terms of the proposed new development, the proposal would generally accord with the policy provisions contained therein.

7.2 It is considered that although the demolition would be contrary to Policy ENV2, as the traditional character of the original dwelling has been severely prejudiced by alterations and extensions, the proposed demolition is acceptable in this instance.

7.3 A further justification for the demolition, is the acceptable proposal for a new dwellinghouse within the site, which is sympathetic to the Conservation Area in terms of design and finishes.

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7.6 It is considered that the existing building is of little individual merit or of value to the character of the conservation area. Furthermore, the proposed new house is a sympathetic development within the conservation area.

8. RECOMMENDATION

8.1 It is recommended that the Conservation Area Consent application 00/0310/CA be approved subject to the notification of the application to Historic Scotland under the Town and Country Planning (Listed Buildings and Buildings in Conservation Areas (Scotland) Regulations 1987 and subject to the conditions on the attached sheet.

8.2 It is also recommended that the planning application 00/0308/FL should be approved subject to the conditions on the attached sheet . The decision notice should, however, be withheld for the Conservation Area Consent to be cleared by Historic Scotland.

Alan Neish
Head of Planning and Building Control
VE/SMB
21 July 2000
FV/AN

LIST OF BACKGROUND PAPERS

1. Application form and plans - 00/0308/FL and 00/0310/CA.
2. Statutory notices and certificates.
3. Consultation responses.
4. Letter of representation.
5. East Ayrshire Local Plan, Finalised Version.
6. Memorandum of Guidance on Listed Buildings and Conservation Areas 1998.

Any person wishing to inspect the background papers listed above, should contact Miss Vivien Emery on 01563 555485.

Implementation Officer : Pamela Clifford

Form TP24A

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application no: 00/0308/FL

Location	9 Knowe, MAUCHLINE KA5 5BY
Nature of Proposal:	Proposed erection of new dwellinghouse and detached garage and demolition of existing house and part of existing perimeter wall.
Name and Address of Applicant:	Mr F Lau 1 Stepend Road, CUMNOCK KA18 1ES
Name and Address of Agent	Quickplans 10 The Loan, MAUCHLINE KA5 6AN

DPO's Ref: [VIVIEN EMERY]
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 8 May 2000 as revised by the amended plans received by the Planning Authority on 26 June 2000.

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

- (2) Notwithstanding the approved plans, the tudor stone is not hereby approved. Details of the basecourse material shall be submitted to and approved by the Planning Authority prior to the commencement of development.

REASON – In the interests of visual amenity.

- (3) The existing walls along the boundaries of the site shall be retained intact and maintained thereafter to the satisfaction of the Planning Authority except insofar as to allow access to the site in accordance with the plans hereby approved.

- (4) Notwithstanding the approved plans, the wall on either side of the accesses hereby approved, shall be repaired to the satisfaction of the Planning Authority.

REASON – In the interests of amenity.

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

REASON – In the interests of road safety.

- (6) No surface water shall be allowed to discharge onto the public road.

REASON – In the interests of road safety.

- (7) Prior to the occupation of the dwellinghouse, 3 parking spaces shall be provided within the curtilage of the dwellinghouse.

REASON – In the interests of road safety.

- (8) Prior to the occupation of the dwellinghouse, the private driveway shall be paved for a minimum distance of 2 metres from the edge of the road to avoid overcarry of loose material onto the public road.

REASON – In the interests of road safety.

- (9) Any gates shall open inwards, away from the public road.

REASON – In the interests of road safety.

NOTES

1. Prior to the commencement of development on site, the applicant should satisfy him/herself as to the suitability of the site for construction purposes.
2. The applicant shall make early contact with West of Scotland Water, 35 Glenburn Road, Prestwick to discuss the servicing of the site.

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THE MAP IS AVAILABLE FOR VIEWING AT THE COUNCIL'S
PLANNING OFFICE IN LUGAR. FOR INFORMATION ON
VIEWING PLEASE CONTACT (01563) 555320.**

AGENDA

