

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE: 10 MAY 2002

**01/0873/FL: PROPOSED INTERNAL ALTERATIONS AND EXTENSION TO
FORM NEW SESSION ROOM, TOILETS AND ENLARGED/UPGRADED
KITCHEN FACILITIES**

**02/0009/CA: PROPOSED DEMOLITION OF EXISTING EXTENSION AT
REAR OF CHURCH HALL**

MAUCHLINE PARISH CHURCH HALL

**APPLICATIONS BY THE CONGREGATIONAL BOARD
OF MAUCHLINE PARISH CHURCH**

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 Full planning permission is sought for the erection of an extension to the north side of the church hall, comprising a meeting room, toilet facilities and a sitting room. It is proposed that an existing toilet and cloakroom, which is part of the 20th century extension to the original building, will be demolished to accommodate this proposed development. The existing extension to be demolished has a floor area of 28 square metres whilst that of the proposed extension is 78 square metres. The applicant proposes to externally finish the proposed extension to match that of the 20th century extension, principally, wet dash render and slates. The use of hardwood windows is proposed throughout the extension. It is also proposed to remove 3 of the lime trees which are covered by the Tree Preservation Order and which lie adjacent to the Chalk Burn, in order to accommodate the proposed extension.

1.2 Conservation Area Consent is sought for the demolition of the existing cloakroom and toilet facility.

2. RECOMMENDATION

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

3. CONCLUSIONS

3.1 As is indicated in Section 5 of the report, the applications are considered to accord with the development plan. Therefore, given the terms of Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997, the applications should be approved unless material considerations indicate otherwise. As is indicated in Section 6 of 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 EALP should be considered as a prime material consideration. The proposal also generally complies with the provisions of the EALP, apart from the removal of the three trees covered by the Tree Preservation Order.

3.3 The proposal also complies with the provisions of the East Ayrshire Council Design Guidance for Listed Buildings and Buildings within Conservation Areas.

3.4 The objections received relate principally to the design of the extension and, having been assessed against the proposal and the terms of the Design Guidance, are not considered to justify a refusal of the application.

3.5 No consultation replies have been received which would indicate that the applications should be refused.

CONTRARY DECISION NOTE

Should the Committee agree that the applications be refused contrary to the recommendation of the Head of Planning and Building Control, the applications would not require to be referred to the Development Services Committee as the proposals would not be a significant departure from the East Ayrshire Local Plan.

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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APPLICATIONS BY THE CONGREGATIONAL BOARD
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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 jointly a full planning application and an application for Conservation Area Consent which are to be considered by the Local Planning Committee under the Scheme of Delegation as the application for full planning permission is subject to an objection and the application for Conservation Area Consent is necessary to allow any full planning consent to proceed.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site comprises Mauchline Parish Church hall and the land associated with it. The site, which measures 0.097 hectares in area, is located on Castle Street within the Mauchline Outstanding Conservation Area adjacent to the Chalk Burn. The existing church hall buildings date from the 19th century with a later 20th century addition. The earlier part is of red sandstone with a slate roof whilst the later addition is of wet dash render with a slate roof. A number of trees are present within the site, including 6 lime trees that are covered by a Tree Preservation Order, which line the Chalk Burn.

2.2 **Application Details:** Full planning permission is sought for the erection of an extension to the north side of the church hall, comprising a meeting room, toilet facilities and a sitting room. It is proposed that an existing toilet and cloakroom, which is part of the 20th century extension to the original building, will be demolished to accommodate this proposed development. The existing extension to be demolished has a floor area of 28 square metres whilst that of the proposed extension is 78 square metres. The applicant proposes to externally finish the proposed extension to match that of the 20th century extension, principally, wet dash render and slates. The use of

hardwood windows is proposed throughout the extension. It is also proposed to remove 3 of the lime trees which are covered by the Tree Preservation Order and which lie adjacent to the Chalk Burn, in order to accommodate the proposed extension.

2.3 Conservation Area Consent is sought for the demolition of the existing cloakroom and toilet facility.

3. CONSULTATIONS AND ISSUES RAISED

3.1 East Ayrshire Council Outdoor Services has no objection to the proposal provided that any maintained or Community Service Account held land which may be damaged by the construction work, is reinstated to the satisfaction of the Service.

The proposal does not involve any such land.

3.2 Scottish Water has no objections to the proposal.

Noted.

3.3 Scottish Environment Protection Agency has no objection to the proposal provided drainage arrangements are to the satisfaction of Scottish Water.

Noted.

3.4 Scottish Power has no objection to the proposal provided its apparatus is safeguarded during the construction phase.

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

3.5 The Coal Authority has no objection to the proposal.

Noted.

3.6 Mauchline Community Council has not responded to the consultation letter at the time of writing this report.

Noted.

3.7 The West of Scotland Archaeology Service has indicated that an archaeological evaluation report should be submitted prior to the determination of the application under the terms of the Town and Country Planning (General Development Procedure) (Scotland) Order 1992.

It is considered that the archaeological issue can be adequately addressed through the inclusion of an appropriate condition on any planning permission granted.

3.8 Historic Scotland has indicated that it has no comments to make on the proposal.

Noted.

3.9 The Scottish Civic Trust has not objected to the proposal, although it does express concern over the proposed choice of materials principally the use of concrete roof tiles and cast masonry.

Since receipt of the consultation response from the Scottish Civic Trust, the applicant has agreed, through the submission of amended plans, to the use of natural slate and ridges to match the existing 20th century extension. The use of cast masonry is limited and it is not therefore considered that this element would have an over-dominant impact on the appearance of the building to an extent that would be detrimental to visual amenity or to the character of the Outstanding Conservation Area. Furthermore, it is considered that the use of wet dash render is acceptable, given that a significant amount of this material is used on the 20th century extension.

3.10 The Architectural Heritage Society of Scotland has no objection to the proposal. It does however state that a recessed entry door on the principal (east) elevation should be treated symmetrically to improve the appearance of the design.

Since receipt of the consultation response from the Architectural Heritage Society of Scotland, the applicant has submitted amended plans showing the treatment of this door as symmetrical.

4. REPRESENTATIONS

4.1 One letter of objection has been received from the owner of the adjacent Mauchline Castle. The grounds of objection can be summarised as follows:-

4.2 The windows of the proposed seating area are out of keeping with the character of the existing church hall buildings and the remainder of the Outstanding Conservation Area.

This objection has not been substantiated by either the Scottish Civic Trust or the Architectural Heritage Society of Scotland. Furthermore the windows of the proposed sitting room, which are of timber construction, are similar to the general form and

appearance of the existing windows on the 20th century extension. It is not therefore considered that this objection is of sufficient weight that would justify a refusal of the planning application.

4.3 The roof over the proposed sitting area is flat.

It is not considered that this aspect of the proposal, which relates to only a minor element of the proposed extension, would justify a refusal of the application. The overall form of the proposed extension is considered to be complimentary to its setting within the Outstanding Conservation Area. Furthermore, the proposed extension, if approved, would replace an existing flat roofed extension which is much more readily visible from general public view. This point of objection has not been raised by either the Scottish Civic Trust or the Architectural Heritage Society of Scotland.

4.4 The proposed extension ignores its historically sensitive location owing to the use of pebbledash render.

This objection has not been substantiated by the Scottish Civic Trust or the Architectural Heritage Society of Scotland. Furthermore, it is considered that the use of render would be appropriate in this location, given that it would match the finish of a substantial part of the existing building.

4.5 The proposal will result in existing trees being removed.

The proposal shows the removal of 3 trees which are the subject of a Tree Preservation Order. As noted in Section 2.2 of the report, the removal of the trees is required to accommodate the proposed extension. Furthermore, should the application be approved, a condition can be included on the planning permission requiring the planting of replacement trees in a more appropriate location.

4.6 The proposed extension ignores the existence of the adjacent Category A Listed Abbot Hunter's Tower (Mauchline Castle).

This objection has not been substantiated by the Scottish Civic Trust or by the Architectural Heritage Society of Scotland. Furthermore, as noted above, it is considered that the overall form and detailing of the proposal is in keeping with and complimentary to its setting within the Outstanding Conservation Area. Nor is it considered that the proposed development will have any significant adverse impact on the character and setting of Mauchline Castle.

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 and applications for Conservation Area Consent 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 emerging Strathclyde Structure Plan,

5.2 Notwithstanding the age of the Adopted Local Plan, the application for planning permission requires to be determined with regard to Policy ENV 11 which provides that development within the central area of Mauchline should be in keeping with the character and appearance of the area in terms of its size, scale, design, siting and materials.

As noted in the report, the proposed extension is considered to be appropriate to its location within the Conservation Area in terms of its general form and design details. It is considered that the slate roof is also in keeping with adjacent buildings and the existing church hall whilst the use of render would complement that on the existing building. It is therefore considered that the proposal accords with the provisions of Policy ENV 11.

6. ASSESSMENT AGAINST OTHER MATERIAL CONSIDERATIONS

6.1 The other principal material considerations relevant to the determination of the applications are the East Ayrshire Local Plan, (Finalised Version with Modifications), the objection detailed above and the East Ayrshire Council Design Guidance for Listed Buildings and Buildings within Conservation Areas.

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) 2001, (EALP), should be considered as a prime material consideration.

East Ayrshire Local Plan (Finalised Version with Modifications)

6.3 The application site lies within the Mauchline Outstanding Conservation Area as defined in the EALP. The application therefore requires to be determined with regard to Policy ENV 4 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.

The proposed extension incorporates an overall form and design details which are complimentary to the existing building and to its setting within the Outstanding Conservation Area. The materials to be used are also considered to be in keeping with the character of the existing building as the use of timber windows, slate and wet dash render is proposed. It is therefore considered that the proposal enhances the character of the Outstanding Conservation Area and the existing building and therefore accords with the provisions of Policy ENV 4.

6.4 The proposal also requires to be determined with regard to Policy ENV 15 which provides that the Council will seek to protect trees which contribute significantly to the urban environment through Tree Preservation Orders.

Whilst the applicant proposes the removal of 3 of 6 trees within the site covered by a Tree Preservation Order to accommodate the proposed extension, three replacement trees are proposed. The applicant has been requested to provide further justification for the removal of the trees and has indicated that the root systems may interfere with the foundations of the proposed extension. Furthermore, the Outdoor Services Section has not objected to the removal of the trees. It is therefore considered that the provisions of Policy ENV 15 should be laid aside in favour of a grant of planning permission.

Design Guidance

6.5 The East Ayrshire Council Design Guidance for Listed Buildings and Buildings within Conservation Areas is of relevance in the determination of the application. Section 10(a) states:-

- (i) *alterations and extensions will require to remain subordinate to the original building.*

The proposed extension is considered to be subordinate to the original building.

- (ii) *the design of alterations or extensions should reflect and enhance the overall character and appearance of the Conservation Area or Listed Building concerned in terms of size, scale, fenestration, finish and materials used.*

As noted in Paragraph 6.3 above, the proposed extension is considered to be in keeping with the character and appearance of the Outstanding Conservation Area.

- (iii) *the material finish of any extension should be in keeping with and sympathetic to the existing building. Traditional finishes and details will require to be appropriate to the particular building concerned.*

As is noted in Paragraph 6.3 of the report, the proposed extension is in keeping with the existing building in terms of its design, finishes and materials. It is therefore considered that the proposal accords with the terms of the Design Guidance for Listed Buildings and Buildings within Conservation Areas.

Consultation Replies

6.6 There are no consultation replies which would indicate that either application should be refused.

7. FINANCIAL OR LEGAL IMPLICATIONS

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

8. CONCLUSIONS

8.1 As is indicated in Section 5 of the report, the applications are considered to accord with the development plan. Therefore, given the terms of Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997, the applications should be approved unless material considerations indicate otherwise. As is indicated in Section 6 of the report, 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 EALP should be considered as a prime material consideration. The proposal also generally complies with the provisions of the EALP, apart from the removal of the three trees covered by the Tree Preservation Order.

8.3 The proposal also complies with the provisions of the East Ayrshire Council Design Guidance for Listed Buildings and Buildings within Conservation Areas.

8.4 The objections received relate principally to the design of the extension and, having been assessed against the proposal and the terms of the Design Guidance, are not considered to justify a refusal of the application.

8.5 No consultation replies have been received which would indicate that the applications should be refused.

9. RECOMMENDATION

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

CONTRARY DECISION NOTE

Should the Committee agree that the applications be refused contrary to the recommendation of the Head of Planning and Building Control, the applications would not require to be referred to the Development Services Committee as the proposals would not be a significant departure from the East Ayrshire Local Plan.

Alan Neish
Head of Planning and Building Control

DS/SMB
23 April 2002
FV/DVM

LIST OF BACKGROUND PAPERS

1. Application form 01/0873/FL and plans.
2. Application form 02/0009/CA and plans.
3. Statutory notices and certificates.
4. Consultation responses.
5. Letter of representation.
6. East Ayrshire Local Plan (Finalised Version with Modifications)
7. Adopted Mauchline/Drongan/Ochiltree Local Plan.
8. Approved Ayrshire Joint Structure Plan.
9. Approved Strathclyde Structure Plan.

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

Implementation Officer: Dave Morris

Location	Mauchline Parish Church Halls Castle Street MAUCHLINE KA5 5BZ
Nature of Proposal:	Proposed internal alterations and extension to form new Session Room, toilet and enlarged/upgraded kitchen facilities
Name and Address of Applicant:	The Congregational Board of Mauchline Parish Church Per Rev A B Telfer 4 Westside Gardens MAUCHLINE KA5 5DJ
Name and Address of Agent	Robert Potter & Partners 7 Miller Road AYR KA7 2AX

DPO's Ref: [Derek Scott]
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 21 December 2001 as revised by the amended site plan and plans showing the proposed elevations and proposed floor plans received by the Planning Authority on 01 March 2002.

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

2. Notwithstanding any specification on the approved plans or application form, samples of all external materials to be used in the construction of the proposed extension shall be submitted to and approved by the Planning Authority, prior to the commencement of any work on site.

REASON – In the interests of visual amenity.

3. Prior to the commencement of any work on site, details of the species, level of maturity and precise location of the three replacement trees to be provided within the site shall be submitted to and approved by the Planning Authority. The replacement trees shall thereafter be planted within the site during the first available planting season following the completion of the extension and thereafter maintained, and replaced if necessary, to the satisfaction of the Planning Authority.

REASON – In the interests of visual amenity.

4. 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 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 interest of recording any archaeological features uncovered during the preparation and excavation of the site.

NOTES TO APPLICANT

1. The applicant is advised to make early contact with Scottish Power, St Vincent Crescent, Glasgow, with regard to the protection of its apparatus during the construction phase.

Form TP24A

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application no: 02/0009/CA

Location	Mauchline Parish Church Castle Street MAUCHLINE KA5 5BU
Nature of Proposal:	Proposed extension etc at rear of church hall
Name and Address of Applicant:	The Congregational Board of Mauchline Parish Church per Rev Alan B Telfer 4 Westside Gardens MAUCHLINE KA5 5DJ
Name and Address of Agent	Robert Potter & Partners 7 Miller Road AYR KA7 2AX

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

Subject to [\[notification to the Scottish Ministers\]](#)

The above CONSERVATION AREA CONSENT application should be granted subject to the following condition.

1. All waste materials deriving from the demolition of the existing extension shall be removed from the site prior to the commencement of any construction work and shall be disposed of to a licensed waste management facility or landfill site in terms of the Waste Management Regulations (1994) (as amended).

REASON – In the interest of visual and environmental amenity.

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

AGENDA