

EAST AYRSHIRE COUNCIL

**NORTHERN LOCAL PLANNING COMMITTEE: 15 AUGUST 2008
08/0158/LB AND 08/0159/FL: ERECTION OF SINGLE STOREY REAR
EXTENSION TO DWELLINGHOUSE
AT 3 FAIRLIECREVOCH FARM, CUNNINGHAMHEAD, KILMARNOCK,
AYRSHIRE, KA3 2PD
BY VICTORIA RICKEY**

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 The proposal involves the erection of a single storey rear extension which has been amended during the processing of this application. The original submission was for an extension measuring approximately 12 metres in length by 5 metres in width with a dual pitched roof measuring approximately 4 metres to the ridge. The extension incorporated a gabled end.

1.2 The application was amended during processing to reduce the scale and modify the design. The amended submission is for an extension measuring approximately 6 metres in length by 5 metres in width with a dual pitched roof measuring approximately 4 metres to the ridge. The extension incorporates a hipped rather than a gable end. The external finishing materials specified include smooth white render walls, slate roof and UPVC 4-paned windows and patio doors

2. RECOMMENDATION

2.1 It is recommended that the Planning Application be approved subject to the conditions indicated on the attached sheet.

2.2 It is further recommended that the Listed Building Consent application be approved subject to the conditions indicated on the attached sheet.

3. CONCLUSIONS

3.1 As is indicated in Section 5 of the report the applications are 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 applications should be approved unless material considerations indicate otherwise.

3.2 As indicated in Section 6 of the report there are material considerations relevant to these applications however none are of significant enough weight as would merit their refusal.

CONTRARY DECISION NOTICE

Should the Committee agree that the applications be refused contrary to the recommendation of the Head of Planning and Economic Development they will not require to be referred to the Development Services Committee, as there would be no significant breach of Council Policy.

Alan Neish
Head of Planning and Economic Development

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 Economic Development

1. PURPOSE OF REPORT

1.1 The purpose of this report is to present for determination a full planning application and an application for Listed Building Consent which are to be considered by the Local Planning Committee under the scheme of delegation as they are subject to more than 10 objections.

2. APPLICATION DETAILS

2.1 Site Description: The application site is part of a category C Listed, converted farm steading at Fairliecrevoch north-west of Cunninghamhead. The house is effectively a mid-terrace on the south side of the traditional courtyard grouping. The buildings are traditional in design and finish with natural stone walls, white render and slate roofs. The house has a large south facing rear garden set between the rear gardens of neighbouring houses.

2.2 Proposed Development: The proposal involves the erection of a single storey rear extension which has been amended during the processing of this application. The original submission was for an extension measuring approximately 12 metres in length by 5 metres in width with a dual pitched roof measuring approximately 4 metres to the ridge. The extension incorporated a gabled end.

2.3 The application was amended during processing to reduce the scale and modify the design. The amended submission is for an extension measuring approximately 6 metres in length by 5 metres in width with a dual pitched roof measuring approximately 4 metres to the ridge. The extension incorporates a hipped rather than a gable end. The external finishing materials specified include smooth white render walls, slate roof and UPVC 4-paned windows and patio doors

3. CONSULTATIONS AND ISSUES RAISED

3.1 Stewarton & District Community Council No response.

Noted.

3.2 Historic Scotland The proposed extension is likely to have a negative impact on the character of this listed farmstead due to its lengthy and substantial footprint which could compromise the traditional courtyard layout of the steading. A reduction in length may help to reduce its impact and satisfy any concerns your Council may have.

The proposed extension has been reduced in length from approximately 12 metres to 6 metres. It is considered that this amendment, coupled with the introduction of the hipped roof, and detailed conditions regarding construction and external finishes will ensure that the extension does not compromise the traditional courtyard layout of the steading.

3.3 Architectural Heritage Society Drawings submitted are inaccurate and inadequate, especially in contextual sense. The window at first floor level above the proposed extension is out of character and the Society queries whether this has planning permission. Proposed extension is inappropriate. The detailing should match the existing building. Also the drawing of one elevation shows a difference in eaves height on the main building while another shows the eaves to line through. The roof pitches also vary from elevation to elevation. The detail at the roof ridge of the proposed extension where it abuts the main building and the aforementioned existing window will be difficult to resolve.

The submitted and amended plans are considered to be adequate to allow determination of the applications. The window referred to in the letter of objection does not form part of the applications under consideration. The originally proposed extension was also considered inappropriate by the Planning Authority. Conditions are recommended regarding the detailing of the proposal.

4. REPRESENTATIONS

4.1 The original proposals were advertised as development affecting the setting of the Listed building and were the subject of a site notice. As the amendments considerably reduced the scale of the extension it was not necessary for further neighbour notification. However, as a courtesy, letters were sent to the objectors notifying them of the receipt of the amended plans. A total of 18 letters of objection from 14 parties has been received, one of which is from the Architectural Heritage Society which is summarised and commented upon at paragraph 3.3 in this report. Six of these letters submit further objections in respect of the amended plans. The objections which have been received are on the following grounds;

- 4.2 Out of character with style of original buildings. Even a reduced extension would not be in-keeping with the overall shape of the existing structure.

The proposed extension, as amended, is considered to be of a scale, design and finish that is sympathetic to the character and appearance of the existing building.

- 4.3 Loss of original Jacobean farmhouse style

The existing building is not Jacobean in either age or style.

- 4.4 Possible loss of value of neighbouring properties

Loss of value is not a material planning consideration.

- 4.5 Severely detract from rural ambience

The proposed extension, as amended, is considered to be of a scale, design and finish that is sympathetic to the character and appearance of this rural area.

- 4.6 Visible from road and incongruous

The proposed extension, as amended, will be visible from the public road at a distance but it is considered that the scale, siting and design will not be incongruous.

- 4.7 De-facto removal of listed status

Approval of the proposed extension will not result in removal of listed status.

- 4.8 Destroy open outlook

Outlook and view is not a material planning consideration.

- 4.9 Overshadow the adjoining garden / patio

This matter is not material to the determination of the application for listed building consent. In the context of the planning application, the proposal, as amended, will not result in unacceptable overshadowing / overlooking of the adjoining garden / patio.

- 4.10 UPVC windows are not permitted

Policy states that high quality replica UPVC windows may be acceptable in the circumstances of a particular site.

4.11 Trees will be removed

This matter is not material to the determination of the application for listed building consent. The proposal involves the removal of several small deciduous and coniferous trees and hedging. These are not the subject of Tree Preservation Orders and could be removed without approval of the Council. It is considered that their removal would not have an over-riding detrimental impact on the area.

4.12 Potential effects on wildlife

This matter is not material to the determination of the application for listed building consent. This is an application for a small house extension. There is no basis for suggesting that it would have a detrimental effect on wildlife.

4.13 Impact on residential amenity

This matter is not material to the determination of the application for listed building consent. As regards the Planning Application, the proposed extension, as amended, is of a scale and design that will not result in a detrimental effect on residential amenity.

4.14 Impact on daylight entering neighbours living room

This matter is not material to the determination of the application for listed building consent. The proposal will not significantly reduce daylight entering neighbouring property.

4.15 Will leave a small area inaccessible and unattended

This matter is not material to the determination of the application for listed building consent. The extension is shown as being located approximately 1 metre off the boundary line which is considered to be a reasonable distance affording access for maintenance. This issue of accessibility and maintenance are however private legal matters and not material planning considerations.

4.16 Whitewash will impact on appearance of the development

The existing building includes white render.

4.17 Loss of privacy / overlooking of private garden space

This matter is not material to the determination of the application for listed building consent. As regard the Planning Application, the proposal will not result in unacceptable overlooking of the adjoining private garden space.

4.18 At 12 metres the extension has 6 windows that will overlook our garden

This matter is not material to the determination of the application for listed building consent. The extension has been reduced to approximately 6 metres in length. Those side windows that are proposed are significantly removed from the site boundary and will not therefore introduce a level of overlooking that would be unacceptable.

4.19 Access to neighbouring property required to build

This is a private legal matter and not a material planning consideration. An advisory note regarding this matter is included in the recommendation reminding the applicant of the need to obtain consent, where necessary, from other landowners.

4.20 Extension of the scale proposed would breach local plan

The proposal, as amended, is considered to comply with the local plan.

4.21 Neighbour notification insufficient / not notified

This matter is not material to the determination of the application for listed building consent. It is the applicant's responsibility to carry out neighbour notification and certify this accordingly. In this case the appropriate certification has been provided. The application was also advertised in the Kilmarnock Standard and a Notice of the proposed development was posted on site by the Planning Authority.

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 these applications the development plan comprises the Adopted East Ayrshire Local Plan (EALP).

Adopted East Ayrshire Local Plan (EALP)

5.2 Policy ENV1 seeks to preserve listed buildings. Policy ENV4 seeks to ensure that all development affecting the appearance or setting of a listed building, is sympathetic to the building concerned in terms of its layout, size, scale, design, siting, materials and colour of finish. The policy also states that development 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 building concerned. Policy ENV 7 requires that proposals comply with relevant Design Guidance which in this case is Guidance Note No 1 (Householder Development) and Guidance Note No 4 (Listed Buildings and Buildings within Conservation Areas') which require the following;

5.3 Advice Note 1 states the following of relevance to this application;
a) Ensure privacy and daylighting / minimise overlooking

The proposed extension includes rear and side facing windows which overlook the applicant's own garden and do not create unacceptable overlooking of third party garden ground or windows. The extension is sited and designed in a manner which will not have a significant detrimental impact on daylight reaching either the neighbouring garden or windows.

b) External materials and colours to match house

Conditions regarding this are recommended

c) Avoid unnecessary removal of trees

The proposal involves the removal of several small deciduous and coniferous trees and hedging. These are not the subject of Tree Preservation Orders and could be removed without approval of the Council. It is considered that their removal would not have an over-riding detrimental impact on the area

d) Double pitched or hipped roofs where open to view

The proposed extension has a double pitched and hipped roof

5.4 Advice Note 4 states the following of relevance to this application;

a) Extensions to be subordinate

The proposed extension, as amended, is considered to be subordinate to the existing building

b) Reflect character of the building concerned in terms of size, scale, fenestration finish and materials used

c) Sympathetic finishes

- d) Windows to reflect style, material and proportion appropriate to architectural style and period of property (particularly proportion of top to bottom sashes and pattern of glazing bars / astragals)
- e) Windows in traditional material, style & opening method
- f) High quality replica PVCu windows may be acceptable

The size and scale of the proposed extension, as amended, is considered to reflect the character of the existing building. Conditions regarding fenestration and materials are recommended.

- g) Roofs to be symmetrically double pitched and gable ended with roof pitch to match existing roof pitches
- h) Flat, mansard monopitch and asymmetrical roofs should be avoided. Hipped roofs acceptable in certain circumstances

The proposed extension has a double pitched and hipped roof. The hipped roof is considered to reduce the visual impact of the extension, reflect better the built form of the existing building group and reduce impact on residential amenity.

- i) Roofs to be finished in materials appropriate to the architectural style and period of the property to match the original roof finish of the existing building.

A condition is imposed requiring natural slate.

6. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

6.1 The principal material considerations relevant to the determination of the applications are the consultation responses received, the letters of representation, the impact on amenity of the area and the impact on the traditional character and appearance of this category C listed building.

Consultations Responses

6.2 The Consultation responses relate to the original proposal which has subsequently been reduced in scale. The issues that are raised are either addressed by the amendments or can be addressed by the imposition of suitable conditions.

Representations Received

6.3 The issues raised by the objectors are addressed in this report. It is considered that the amended scheme resolves many of the points made. It is considered that the points of objection are of not of a sufficient weight that would merit refusal of the application.

Impact on Amenity

6.4 It is considered that the proposed extension, as amended, is compatible with the immediate locality and will not have any detrimental impact on amenity.

Impact on listed building

6.5 It is considered that the proposed extension, as amended, will not have a detrimental impact on the traditional character or appearance of this category C listed building.

7. FINANCIAL AND LEGAL IMPLICATIONS

7.1 There are no financial or legal implications for the Council in the determination of these applications.

8. CONCLUSIONS

8.1 As is indicated in Section 5 of the report the applications are 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 applications should be approved unless material considerations indicate otherwise.

8.2 As indicated in Section 6 of the report there are material considerations relevant to these applications however none are of significant enough weight as would merit their refusal.

9. RECOMMENDATION

9.1 It is recommended that the Planning Application be approved subject to the conditions indicated on the attached sheet.

9.2 It is further recommended that the Listed Building Consent application be approved subject to the conditions indicated on the attached sheet.

CONTRARY DECISION NOTE

Should the Committee agree that the applications be refused contrary to the recommendation of the Head of Planning and Economic Development they will not require to be referred to the Development Services Committee, as there would be no significant breach of Council Policy.

Alan Neish
Head of Planning and Economic Development

15 July 2008 (AC/SA)
FV/DVM

LIST OF BACKGROUND PAPERS

1. Application Forms and Plans.
2. Statutory Notices/Certificates.
3. Letters of Representation.
4. Adopted East Ayrshire Local Plan.

Anyone wishing to inspect the above papers please contact Austin Cooke,
Senior Planning Officer 01563 576772.

Implementation Officer: Dave Morris

EAST AYRSHIRE COUNCIL**TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997**Application No: 08/0159/FL

Site of proposal: 3 Fairliecrevoch Farm, Cunninghamhead,
Kilmarnock, Ayrshire, KA3 2PD

Nature of proposal: Erection of single storey rear extension to
dwellinghouse

Name & address of applicant: Victoria Rickey
3 Fairliecrevoch Farm
Cunninghamhead
Kilmarnock
Ayrshire
KA3 2PD

Name & address of agent: None

DPOs Reference: (AC/SA)

This application for planning permission should be approved subject to the following conditions:-

1. The development hereby approved shall be implemented in accordance with the plans stamped as forming part of this permission unless a variation is required by a condition of the permission or a non-material change has been agreed in writing by the Planning Authority.

REASON To ensure that the development is carried out in accordance with the approved plans unless otherwise approved in writing.

2. The external walls of the proposed rear extension shall be finished in a traditional wet dash render coloured white to match the rear elevation of the existing house.

REASON In the interests of visual amenity; to ensure that the external finishing materials are appropriate to the character of the listed building.

3. The roof of the proposed rear extension shall be finished in natural slate to match the roof of the existing house.

REASON In the interests of visual amenity; to ensure that the external finishing materials are appropriate to the character of the listed building.

4. The proposed large overhanging eaves are not hereby approved. The roof shall instead be designed to match the traditional clipped eaves of the original building. Amended elevation plans and a 1:20 scale typical cross-sectional plan showing the wallhead and eaves detail shall be submitted for the formal prior written approval of the Council as Planning Authority before any works start on site.

REASON In the interests of visual amenity; to ensure that the design and construction is appropriate to the character of the listed building.

5. Detailed elevation plans showing a traditional pattern of glazing for the windows and glazed doors, to match the existing original pattern of glazing in the dwellinghouse, shall be submitted for the formal prior written approval of the planning authority before any work commences on site. The required plans shall include detailed elevation plans at not less than 1:20 scale and cross-sectional plans at 1:1 scale clearly showing the profile and construction of the frames and astragals. For the avoidance of doubt integral astragals sandwiched between the panes of glass are not acceptable.

REASON In the interests of visual amenity; to ensure that the glazing arrangement is appropriate to the character of the listed building.

NOTES

1. The applicant is advised that the granting of planning permission and listed building consent does not remove him/her from the requirement to obtain the consent of adjacent landowners in respect of any access required to build, or maintain, this approved development. Such consent should be obtained prior to the commencement of works on site.

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application No: 08/0158/LB

Site of proposal: 3 Fairliecrevoch Farm, Cunninghamhead,
Kilmarnock, Ayrshire, KA3 2PD

Nature of proposal: Erection of single storey rear extension to
dwellinghouse

Name & address of applicant: Victoria Rickey
3 Fairliecrevoch Farm
Cunninghamhead
Kilmarnock
Ayrshire
KA3 2PD

Name & address of agent: None

DPOs Reference: (AC/SA)

This application for listed building consent should be approved subject to the following conditions:-

1. The development hereby approved shall be implemented in accordance with the plans stamped as forming part of this permission unless a variation is required by a condition of the permission or a non-material change has been agreed in writing by the Planning Authority.

REASON To ensure that the development is carried out in accordance with the approved plans unless otherwise approved in writing.

2. The external walls of the proposed rear extension shall be finished in a traditional wet dash render coloured white to match the rear elevation of the existing house.

REASON To ensure that the external finishing materials are appropriate to the character of the listed building.

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REASON To ensure that the constructional details are appropriate to the character of the listed building.

5. Detailed elevation plans showing a traditional pattern of glazing for the windows and glazed doors, to match the existing original pattern of glazing in the dwellinghouse, shall be submitted for the formal prior written approval of the planning authority before any work commences on site. The required plans shall include detailed elevation plans at not less than 1:20 scale and cross-sectional plans at 1:1 scale clearly showing the profile and construction of the frames and astragals. For the avoidance of doubt integral astragals sandwiched between the panes of glass are not acceptable.

REASON To ensure that the glazing arrangement is appropriate to the character of the listed building.

NOTES

1. The applicant is advised that the granting of planning permission and listed building consent does not remove him/her from the requirement to obtain the consent of adjacent landowners in respect of any access required to build, or maintain, this approved development. Such consent should be obtained prior to the commencement of works on site.

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