

EAST AYRSHIRE COUNCIL

NORTHERN AREA LOCAL PLANNING COMMITTEE: 1 FEBRUARY 2002 01/0609/FL: PROPOSED EXTENSION AT 5 McCARDEL WAY, STEWARTON, BY MR WARDROP

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 Full planning permission is sought for the erection of a single storey extension to the rear of the dwellinghouse. The extension is proposed to measure 6 metres by 4 metres and will be 4 metres high to the ridge. It will comprise a bedroom and bathroom accommodation.

2. RECOMMENDATION

2.1 **It is recommended that the application be approved subject to the condition listed on the attached sheet.**

3. CONCLUSION

3.1 As is indicated at para 5.2 above, the application is considered to be in accordance with the development plan. Therefore, given the terms of Section 25 and Section 37 (2) of the Town and Country Planning (Scotland) Act 1997, the application should be approved unless material considerations indicate otherwise. As is indicated at para 6.1 above, there are material considerations relevant to this application, however, it is considered that these are generally supportive of the application.

3.2 It is considered that the objection relating to loss of daylight has been addressed through the submission of amended plans. The other objections either do not justify a refusal or are not a planning consideration.

CONTRARY DECISION

Should the Committee agree that the application be approved contrary to the recommendation of the Head of Planning and Building Control, the application will not require to be referred to 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

NORTHERN AREA LOCAL PLANNING COMMITTEE: 1 FEBRUARY 2002

01/0609/FL: PROPOSED EXTENSION AT 5 McCARDEL WAY, STEWARTON,
BY MR WARDROP

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 because it is subject to an objection.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site comprises a semi-detached, single storey residential property. Further residential properties lie to either side and to the rear of the application site. Given the levels of the site, the dwelling and garden ground to which the application relates, sits approximately 0.5 metres higher than the adjacent dwelling to which it is attached.

2.2 **Proposed Development:** Full planning permission is sought for the erection of a single storey extension to the rear of the dwellinghouse. The extension is proposed to measure 6 metres by 4 metres and will be 4 metres high to the ridge. It will comprise a bedroom and bathroom accommodation.

3. CONSULTATIONS AND ISSUES RAISED

3.1 East Ayrshire Council's Road and Transportation Division has no objection to the proposal.

Noted.

3.2 The West of Scotland Water Authority has no objection to the proposal provided that water supply and drainage arrangements are to its satisfaction.

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

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

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

3.4 Stewarton Community Council have not responded to the consultation letter at the time of writing.

Noted.

4. REPRESENTATIONS

One letter of objection has been received from the occupiers of the attached property to the west of the application site. The grounds of objection relate to:-

4.1 The extension would obstruct natural light to the adjacent property given its dimensions. This is exacerbated by the fact that the ground level of the application site is approximately 0.5 metres higher than the adjacent attached property.

The application, when originally submitted, showed the extension measuring 4 metres by 7 metres and 4.5 metres to the ridge line. The agent subsequently submitted amended plans showing the extension reduced to size along its long axis by 1 m. The pitch of the roof was also reduced, thus facilitating a 0.5 m reduction in the height of the ridge line. The extension would, as a result, measure 4m x 6m and would measure 4 m to the ridge line. The ridge line would be 4.5m above the ground level of the adjacent property. It is therefore considered that the amended proposals would not bring about a significant reduction in natural daylight to the adjacent attached property to such an extent that would justify a refusal of the application.

4.2 The proposal is out of keeping with the surrounding properties.

It is not considered that an extension measuring 4m x 6m and 4m high would be of such a size as to be considered out of keeping with the residential character of the area. Indeed, an extension of this size would have been permitted development under the terms of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 had there been no garage associated with the dwelling. Furthermore, the applicant's agent has indicated that the external materials to be used in the construction of the extension shall match those of the existing dwellinghouse. It is therefore considered that the proposed extension will be in keeping with the residential character and appearance of the surrounding area.

4.3 The extension will affect the resale value of the adjacent attached property.

This is not a material planning consideration.

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 Joint Ayrshire Structure Plan and the Adopted Stewarton Local Plan which was prepared within the context of the then emerging Strathclyde Structure Plan.

5.2 Policy 4.8.1 of the Adopted Local Plan sets out general design criteria applicable to residential areas. The criteria is intended to maintain and enhance the existing building style which contributes to the character of the area.

It is considered that the proposed extension complies with the wording and the purpose of the Adopted Local Plan.

6. ASSESSMENT AGAINST OTHER MATERIAL CONSIDERATIONS

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

6.2 The Adopted Local Plan is considerably out of date and it is therefore 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) should be considered as a prime material consideration.

East Ayrshire Local Plan

6.3 There are, however, no specific policies relevant to the development of the application contained within the East Ayrshire Local Plan (Finalised Version with Modifications).

Noted.

Design Guidance

6.4 The East Ayrshire Council Design Guidance for Householder Development (April 2001) is also of relevance to the determination of the application.

- Extensions shall be sited and designed to minimise any overlooking of neighbouring properties and to ensure maximum provision of privacy and daylighting

- The materials and colours used in the construction of extensions should match the finish of the existing dwellinghouse
- All extensions should incorporate double-pitched or hipped roofs in situations open to general view

It is considered that the proposal meets the terms of the Council's Design Guidance.

Consultation Replies

6.5 The consultation replies indicate that approval of the application would be appropriate.

7. FINANCIAL OR LEGAL IMPLICATIONS

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

8. CONCLUSION

8.1 As is indicated at para 5.2 above, the application is considered to be in accordance with the development plan. Therefore, given the terms of Section 25 and Section 37 (2) of the Town and Country Planning (Scotland) Act 1997, the application should be approved unless material considerations indicate otherwise. As is indicated at para 6.1 above, there are material considerations relevant to this application, however, it is considered that these are generally supportive of the application.

8.2 It is considered that the objection relating to loss of daylight has been addressed through the submission of amended plans. The other objections either do not justify a refusal or are not a planning consideration.

9. RECOMMENDATION

9.1 It is recommended that the application be approved, subject to the condition listed on the attached sheet.

CONTRARY DECISION

Should the Committee agree that the application be approved contrary to the recommendation of the Head of Planning and Building Control, the application will not require to be referred to the Development Services Committee.

Alan Neish
Head of Planning and Building Control

15 January 2002 (DS/MLS/SA)

FV/AN

LIST OF BACKGROUND PAPERS

1. Application form and plans.
2. Statutory Notices/Certificates.
3. Consultation Replies.
4. Letters of objection.
5. Amendments to the application.
6. Correspondence from/to the applicant.
7. East Ayrshire Council Design Guidance (2001).
8. Adopted Stewarton Local Plan.
9. East Ayrshire Council Local Plan (Finalised Version with Modifications).
10. Approved Strathclyde Structure Plan.
11. Approved Ayrshire Joint Structure Plan.

Anyone wishing to inspect the above papers please contact Derek Scott on (01563) 576769.

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

01/0609/FL

Site of Proposal:	5 McCardel Way STEWARTON
Nature of Proposal:	Proposed Extension
Name & Address of Applicant:	Mr Wardrop 5 McCardel Way STEWARTON
Name & Address of Agent:	I D S McCowan RIBA The Barn Studios High Peacockbank STEWARTON Kilmarnock KA3 5JG

DPO's Ref: DS/SA

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 received on 27 August 2001 and the amended plans received by the Planning Authority on 15 January 2002.

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

(2) Notwithstanding the plans hereby approved the external appearance of all materials to be used in the construction of the extension shall match the materials of the original building.

REASON: To ensure that the extension matches the external appearance of the existing building and thereby maintain the visual quality of the area.

NOTES:

(1) The applicant is advised to make early contact with the West of Scotland Water Authority, 35 Glenburn Way, Prestwick in regard to water supply and drainage arrangements.

(2) The applicant is advised to make early contact with the Scottish Environment Protection Agency, 2 Alloway Place, Ayr in regard to drainage arrangements.

(3) All drainage arrangements shall be to the complete satisfaction of the West of Scotland Water Authority and the Scottish Environment Protection Agency.

**DUE TO ORDNANCE SURVEY REGULATIONS AND COPYRIGHT
THE MAP IS AVAILABLE FOR VIEWING AT THE COUNCIL'S
PLANNING OFFICE IN KILMARNOCK. FOR INFORMATION ON
VIEWING PLEASE CONTACT (01563) 576790.**

AGENDA