

EAST AYRSHIRE COUNCIL

NORTHERN AREA LOCAL PLANNING COMMITTEE: 21 MAY 2004

**03/0985/FL: PROPOSED ROOF EXTENSION AND GARAGE.
AT BRAEHEAD COTTAGE, 5 MAIN ROAD, WATERSIDE
BY SOHAB QURESHI**

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 The proposed development is for a roof extension and erection of a garage. The roof extension extends above an existing flat roof section and is to provide first floor accommodation for two bedrooms with en-suite facilities. Three velux windows will be placed on the front elevation and two velux windows to the rear. The garage measures 24 square metres in area with a pitched roof 3.2 metres in height.

2. RECOMMENDATION

2.1 It is recommended that the application be approved subject to conditions on the attached sheet.

3. CONCLUSIONS

3.1 As indicated at Section 5 of the report, applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise. The proposed development accords with the Development Plan and therefore the application should be approved unless material considerations indicate otherwise.

3.2 The proposed alterations to the roof are considered to be an improvement on the design of the existing dwelling. The visual quality of the house will be improved as the flat roofed rear extension will be incorporated within the new roofscape.

3.3 In terms of the application the consultations received are generally supportive. The submitted letters of objection are noted but are not in themselves considered to be of sufficient weight to justify an unfavourable recommendation. The overall impact on the amenity of the area is such that the proposed development can be accommodated without detriment to the surrounding area.

CONTRARY DECISION NOTE

Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning, Development and Building Standards, the application will not require to be referred to the Development Services Committee as it would not constitute a significant departure from policy.

Alan Neish
Head of Planning, Development and Building Standards

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, Development and Building Standards

1. PURPOSE OF REPORT

1.1 The purpose of this report is to present for determination an application which is to be considered by the Local Planning Committee under the scheme of delegation as it is subject to objections.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site is a one-storey cottage style detached dwellinghouse located at 5 Main Road, Waterside. The site is bound by residential properties to the north, south and west across a private access road, and agricultural land bounds it to the East.

2.2 **Proposed Development:** The proposed development is for a roof extension and erection of a garage. The roof extension extends above an existing flat roof section and is to provide first floor accommodation for two bedrooms with en-suite facilities. Three velux windows will be placed on the front elevation and two velux windows to the rear. The garage measures 24 square metres in area with a pitched roof 3.2 metres in height.

3. CONSULTATIONS AND ISSUES RAISED

3.1 Transco, The Coal Authority, Scottish Water, Scottish Power and SEPA have no comments to make.

Noted.

3.2 East Ayrshire Roads and Transportation Division requested details of a turning area to be shown, as access and egress from the site would have to be taken in forward gear. The applicant submitted amended plans to address the points raised which were deemed acceptable when assessed by the Roads Division.

Noted.

3.3 Moscow and Waterside Community Council indicate that “some members of the community object strongly to the proposed changes, being concerned about; the impact on the appearance of the house and the ambience of the village and impact on an existing vehicular access and road safety.

Noted.

4. REPRESENTATIONS

Over and above the objections from the Community Council, seven letters of objection were received in respect of the proposed development. The grounds of objection are as follows:-

4.1 The proposal will not be in keeping with the ambience of the rural village.

The proposed alterations have been assessed in accordance with East Ayrshire Local Plan Policy and Design Guidance. It is considered that the revised roof design improves the appearance of the house. Accordingly the proposed development meets the requirements of Policy ENV 7 as the development complies with both the Council's Design Guidance and policy documents relating to this type of development in terms of design and layout.

4.2 The proposal will drastically change the appearance of a very old house.

Please refer to response in section 4.1

4.3 The proposal will make very bad vehicle access onto the A719 even more hazardous and will impinge on the free flow of the current vehicular traffic on the farm road.

East Ayrshire Roads and Transportation Division have been consulted as part of this application and offered comment on the positioning of the proposed garage. This was subsequently addressed with amended plans, which the Roads Division have assessed and found to be acceptable.

4.4 The parking provision at the above site is at present for one vehicle at a one-bedroom property. The proposal increases the bedroom accommodation potentially increasing the parking and visitor parking requirements. On the plan submitted there is no indication of parking area despite the application stating there is parking for one vehicle.

Please refer to response in section 4.3

4.5 The location plan does not reflect accurately the house. The full length of the house wall on the access to Benbeoch is already on the boundary.

The block plan outlines that the property is at its closest 0.5m from the surface of the private access road

4.6 The new pitched roof appears to have an overhang projecting beyond the boundary and will be an additional hazard for agricultural vehicles, implements and large vehicles delivering or uplifting agricultural supplies along a narrow access.

The submitted plans show that the overhang of the proposed roof will be 0.45m and that at its closest point the wall of the house is 0.5m from the road. It should also be noted that East Ayrshire Roads and Transportation Division have indicated no problems regarding access of vehicles on the adjacent private road.

4.7 I estimate that the roof height will rise by a minimum of 1 metre and the closest elevation will move towards my property by a significant distance. The elevation facing my property includes velux windows considerably bigger in size than the existing roof lights and my property will therefore be significantly more overlooked with a consequent loss of privacy.

The footprint of the dwelling will not be altered as part of the application and the height of the roof will increase from 5.5m to almost 7 m in height.. The objector's property in question is located 30m away from the application site and the proposed velux windows are considered to be acceptable any aspect of overlooking will be minimal.

4.8 The surrounding residents have voiced concerns that the proposed development will adversely affect their current electricity supply.

Scottish Power have been consulted as part of this application and offered no objection to the proposed development. The only comment offered was with respect to the fact that the company may have apparatus within/adjacent to the proposed development and that it may require alteration or protection, depending on the extent of the development. This information will be provided as a note to the applicant if consent is approved, however the application plans show the relocation of a Scottish Power electricity mast within the application site.

4.9 Since the property occupies almost all the land shown on the plan it is difficult to see how the construction process itself will take place in the available space.

Noted. Although it is generally accepted that there will be some disruption resulting from any construction process it is considered to be at a level which is normal in any home improvement application. A note can be attached to any consent, however, to advise the applicant to maintain appropriate access to adjacent properties.

4.10 The proposed development would cause noise, dust and inconvenience to me.

Noted. However the level of noise, dust and inconvenience is not considered to be at a sufficient level to warrant refusal and will in any case be of a temporary nature consistent with many similar developments.

4.11 The extension of the roof will block 40 to 50 per cent of the natural light entering my living room.

It is not considered that the increase of the ridge height of the roof will have the impact of reducing the natural light to the degree stated. The property in question is located 22m to the south and west of the application site and the increase in ridge height will have minimal impact.

4.12 This is a non-resident party aiming to maximise profit with no regard for the residents or character of the building. He has repeatedly and flagrantly tried to avoid objection by pre-dating notification.

Noted. However 2 sets of amended plans have been submitted with regard to this application and the appropriate neighbour notification has been carried out. It is considered that the neighbour's ability to object to the development have not been prejudiced in this process.

5. ASSESSMENT AGAINST DEVELOPMENT PLAN

5.1 Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that 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 and the Adopted East Ayrshire Local Plan.

5.2 Within the East Ayrshire Local Plan Policy ENV 7 requires all developers to have regard to the Council's Design Guidance. This highlights the Council's general concern that domestic works are in keeping with the existing house and do not impact adversely on neighbouring properties.

It is considered that the proposed development meets the requirements of Policy ENV 7 as the development complies with both the Council's Design Guidance and policy documents relating to this type of development in terms of design and layout. The proposed alterations to the roof are considered to be an improvement on the existing dwelling. Notwithstanding the fact that the roof will appear 1.5m higher than existing, the visual quality of the house will be improved as the flat roofed rear extension will be incorporated beneath the new roofscape and the overall appearance of the cottage will improve.

6. ASSESSMENT AGAINST MATERIAL CONSIDERATIONS

6.1 The principal material considerations relevant to the determination of this application are the consultations, representations and the impact of the proposal on the amenity of the area and immediate neighbours.

Consultations

6.2 The consultation responses other than that from the Community Council, received offer no objection to the proposed development.

Representations

6.3 The issues raised by the objectors have been assessed in Section 4 above and are considered to be of insufficient weight to justify the refusal of the application in this instance.

Impact on the Amenity of the Area and neighbours

6.4 The circumstances of the proposed development are such that it is considered that the proposals can be accommodated without detriment to the surrounding area.

7. FINANCIAL AND LEGAL IMPLICATIONS

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

8. CONCLUSIONS

8.1 As indicated at Section 5 of the report, applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise. The proposed development accords with the Development Plan and therefore the application should be approved unless material considerations indicate otherwise.

8.2 The proposed alterations to the roof are considered to be an improvement on the design of the existing dwelling. The visual quality of the house will be improved as the flat roofed rear extension will be incorporated within the new roofscape.

8.3 In terms of the application the consultations received are generally supportive. The submitted letters of objection are noted but are not in themselves considered to be of sufficient weight to justify an unfavourable recommendation. The overall impact on the amenity of the area is such that the proposed development can be accommodated without detriment to the surrounding area.

9. RECOMMENDATION

9.1 It is recommended that the application be approved subject to conditions on the attached sheet.

CONTRARY DECISION NOTE

Should the Committee agree that the application be refused contrary to the recommendation of the Head of Planning, Development and Building Standards, the application will not require to be referred to the Development Services Committee as it would not constitute a significant departure from policy.

Alan Neish
Head of Planning, Development and Building Standards

12 May 2004 (EMcL/SA)
FV-DVM

LIST OF BACKGROUND PAPERS

1. Application Forms and Plans.
2. Statutory Notices/Certificates.
3. Consultation Replies.
4. East Ayrshire Council Design Guidance (2001).
5. Adopted East Ayrshire Local Plan.

6. Approved Ayrshire Joint Structure Plan.

Anyone wishing to inspect the above papers please contact Eddie McLennaghan on 01563 576787.

Implementation Officer: Dave Morris

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

03/0985/FL

Site of Proposal: Braehead Cottage
5 Main Road
WATERSIDE
Kilmarnock

Nature of Proposal: Proposed Roof Extension and Garage

Name & Address of Applicant: Sohab Qureshi
Braehead Cottage
5 Main Road
WATERSIDE
Kilmarnock
KA3 6JB

Name & Address of Agent: Mr Patrick McManus
29 Main Street
Dechmont
BROXBURN
EH52 6LA

DPOs Reference: IW/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 17 October 2003 and the amended plans received by the Planning Authority on 13 April 2004.

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

(2) Notwithstanding the plans hereby approved, the roof shall be finished in natural slate and the other materials to be used in the construction of the dwelling shall match the materials of the original building.

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

NOTE

(1) Early contact should be made with Powersystems on 0845 2727999 at St. Vincent Crescent, Glasgow, G3 8LT as Scottish Power have apparatus within/adjacent to the site which may require alteration or protection, depending on the extent of the development. The cost of any such work will be fully rechargeable, as will the repair costs associated with any damage to this apparatus during development work.

(2) The applicant is advised to undertake the development in such a manner as not to impede continuing access to adjacent properties.

**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.**