

EAST AYRSHIRE COUNCIL

CENTRAL LOCAL PLANNING COMMITTEE: 16 AUGUST 2002

**02/0449/FL: PROPOSED EXTENSION TO FORM STUDY AND UTILITY ROOM
AT 22 GLEN CLOVA GARDENS, KILMARNOCK
BY GEORGE McMILLAN**

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 Full planning consent is sought for a side extension to form study and utility room to the western side of the house. The proposed extension is 11.5 metres long and 2.8 metres wide, with 1.3 metres extending beyond the front of the existing house and 3 metres extending beyond the rear. It is proposed to utilise a pitched roof with tiles to match the existing house. The proposal will present a blank gable wall to the house at No. 24 Glen Clova Gardens and will be constructed in facing brick to match the existing house.

2. RECOMMENDATION

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

3. CONCLUSIONS

3.1 As is indicated at Section 5 above, the application is 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 application should be approved unless material considerations indicate otherwise.

3.2 As is indicated at Section 6 above, there are material considerations relevant to this application and these are supportive of the proposal. The proposed extension accords with Policy ENV 7 of the EALP as it is in accordance with advice detailed in the East Ayrshire Design Guidance. The proposed extension has been designed to avoid having any detrimental impact on adjacent properties in terms of overlooking, loss of daylight or privacy. The design and materials of the proposed extension are considered to be in keeping with the existing dwellinghouse and the surrounding residential area.

CONTRARY DECISION NOTE

Should the Committee agree that the application be refused 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 as there would be no significant breach of Council policy.

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 present for determination a full application which is to be considered by the Local Planning Committee under the scheme of delegation because it is the subject of an objection.

2. APPLICATION DETAILS

2.1 **Site Description:** The site is a residential property and its curtilage located within the Tay Homes housing area off Dundonald Road, Kilmarnock. The dwellinghouse is located approximately 2.8 metres from its western boundary with No. 24 Glen Clova Gardens and approximately 1 metre away from the eastern boundary with 20 Glen Clova Gardens.

2.2 **Proposed Development:** Full planning consent is sought for a side extension to form study and utility room to the western side of the house. The proposed extension is 11.5 metres long and 2.8 metres wide, with 1.3 metres extending beyond the front of the existing house and 3 metres extending beyond the rear. It is proposed to utilise a pitched roof with tiles to match the existing house. The proposal will present a blank gable wall to the house at No. 24 Glen Clova Gardens and will be constructed in facing brick to match the existing house.

3. CONSULTATIONS AND ISSUES RAISED

3.1 Scottish Water and The Coal Authority have no objections to the proposed development.

Noted.

3.2 East Ayrshire Council Roads & Transportation Division have no objections if two car parking spaces are provided within the curtilage of the site.

The requirement of the Roads Division can be met by attaching a condition to any grant of planning consent.

3.3 Grange Howard Community Council have not responded to the consultation letter at the time of writing this report.

Noted.

4. REPRESENTATIONS

4.1 One letter of objection has been received to the proposed development.

4.2 The close proximity of the extension 150mm away from the boundary will considerably reduce natural light to the side doorway entrance of 24 Glen Clova Gardens. They ask whether the extension should protrude beyond the front of the building given that the property is within 20 metres of a road.

It is not considered that the proposed single storey side extension will have a significant impact on the light reaching the objectors utility room. Presently the objector has a half opaque glazed side door to this room and therefore light reaching this room is limited. The objectors kitchen window to the rear will largely be unaffected as there is an existing 1.8 metre high fence on the boundary adjacent to this window. There are no planning regulations to prevent an extension protruding beyond the front building line provided the design and scale of the proposed extension is in keeping with the design of the house. In this case the proposed extension beyond the front building line is not visually intrusive as the existing house is sited behind the front building line of the adjacent houses.

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 Ayrshire Joint Structure Plan and the Adopted Kilmarnock Local Plan, (1985). The Adopted Local Plan was prepared within the context of the then emerging Strathclyde Structure Plan.

5.2 Notwithstanding the age of the Adopted Local Plan, the proposal would fall to be considered against it. The Adopted Local Plan contains design guidance requiring that extensions do not dominate existing buildings, are compatible with the local architectural character and retain a reasonable amount of open space and garden ground.

It is considered that the proposal is compliant with the Adopted Local Plan.

6. ASSESSMENT AGAINST OTHER MATERIAL CONSIDERATIONS

6.1 The principal material considerations relevant to the determination of the application are the East Ayrshire Local Plan Finalised Version with Modifications (EALP), consultations detailed in Section 3 and representations detailed in Section 4.

East Ayrshire Local Plan Finalised Version with Modifications

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 EALP should be considered a prime material consideration. In terms of the EALP the application site is located in a residential area within the settlement boundary of Kilmarnock. Policy ENV 7 of EALP expects all developers to comply fully with the Council's existing and emerging Design Guidance and Policy documents relating to and advising on the particular type of development proposed.

6.3 The East Ayrshire Council Design Guidance advises that extensions to existing residential properties 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 to residential properties should match the finish of the existing dwellinghouse. All extensions to residential properties should incorporate double-pitched or hipped roofs in situations open to general view.

The proposed extension will not have a detrimental impact on the adjacent residential property in terms of loss of privacy or daylight. The proposed extension does not present any overlooking problems to neighbouring properties. The proposed extension will use materials to match the existing house and incorporate a double pitched roof.

7. FINANCIAL AND LEGAL IMPLICATIONS

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

8. CONCLUSIONS

8.1 As is indicated at Section 5 of the report, the application is 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 application should be approved unless material considerations indicate otherwise.

8.2 As is indicated at Section 6 of the report, there are material considerations relevant to this application and these are supportive of the proposal. The proposed extension accords with Policy ENV 7 of the EALP as it is in accordance with advice detailed in the East Ayrshire Design Guidance. The proposed extension has been designed to avoid having any detrimental impact on adjacent properties in terms of overlooking, loss of daylight or privacy. The design and materials of the proposed extension are considered to be in keeping with the existing dwellinghouse and the surrounding residential area.

9. RECOMMENDATION

9.1 It is recommended that the application be approved subject to the condition indicated 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 and Building Control, the application 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 Building Control

7 August 2002
(CSI/MMM/IMB)

FV/DVM

LIST OF BACKGROUND PAPERS

1. Application Forms.
2. Statutory Notices/Certificates.
3. Consultations.
4. Letters of Objection.
5. Kilmarnock Adopted Local Plan 1986.
6. Approved Strathclyde Structure Plan.
7. Approved Ayrshire Joint Structure Plan.
8. East Ayrshire Local Plan Finalised Version with Modifications.

Anyone wishing to inspect the above papers please contact Craig Iles on 01563 576770.

Implementation Officer: Dave Morris

020449FL

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

02/0449/FL

Site of Proposal:	22 Glen Clova Gardens KILMARNOCK
Nature of Proposal:	Proposed Extension to Form Study and Utility Room
Name & Address of Applicant:	Mr George McMillan 22 Glen Clova Gardens KILMARNOCK KA2 0LT
Name & Address of Agent:	Douglas E Cree 4d Ladykirk Road PRESTWICK KA9 1JW

DPOs Reference: CSI/MMM/IMB

The above FULL application should be granted subject to the following condition:-

1. Notwithstanding the approved plans, two car parking spaces shall be provided within the curtilage of the site prior to the use of the approved extension. Details of the location of the two car parking spaces shall be submitted to and approved by the Planning Authority prior to the commencement of development on site.

Note to Applicant

1. Prior to the commencement of development on site, the applicant should satisfy himself as to the suitability of the site for construction purposes.

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THE MAP IS AVAILABLE FOR VIEWING AT THE COUNCIL'S**

**PLANNING OFFICE IN KILMARNOCK. FOR INFORMATION ON
VIEWING PLEASE CONTACT (01563) 576790.**

AGENDA