

EAST AYRSHIRE COUNCIL

CENTRAL LOCAL PLANNING COMMITTEE: 15 MARCH 2002

**01/0740/FL: PROPOSED INSTALLATION OF NEW DORMER WINDOW
AT 4 BOYD COURT, KILMARNOCK
BY MS NANCY GRANT**

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 The applicant proposes to install a front dormer window to serve the existing living room. The dormer will be positioned centrally on the front elevation and be of flat roof design. Its overall width will comprise 2.1 metres and height 1.8 metres. The dormer will not breach the ridge of the dwellinghouse and the applicant has advised of her wish for the dormer to replace an existing velux window to the living room to allow more daylight. She also wishes to utilise it as a means of escape from the building in the event of fire. She advises she lived in South London during the Brixton riots when her house was set alight on several occasions. She feels that it is of utmost importance to have a practical means of escape.

The proposal has been amended whereby the applicant initially proposed a large more prominent dormer window which would have had a hipped roof. Whilst this window was also to have been centrally positioned it would have been of width 2.7 metres and height 2.8 metres.

2. RECOMMENDATION

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

3. CONCLUSIONS

3.1 As indicated in Section 5 of the report the application is in accordance with the Adopted Kilmarnock Local Plan. Therefore, given the terms of Sections 25 and 37 of the Town and Country Planning (Scotland) Act 1997, the application should be approved unless material considerations indicate otherwise.

3.2 The design of the proposed dormer does not conflict with Policy ENV 7 of EALP as it accords with the advice detailed in the East Ayrshire Design Guidance. With regard to the letter of objection the dormer is of an acceptable design, external finish and overall appearance. It is not visually unattractive and is in keeping with the design of the dwellinghouse and adjacent houses.

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 because there would be no significant breach of 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 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 one and a half storey mid terraced dwellinghouse and its curtilage. The site is located within an established residential area and is bound to the north west, south east and south west by other residential properties and to the north east lies the access road into Boyd Court. The residential estate is positioned north from the town centre.

2.2 **Proposed Development:** The applicant proposes to install a front dormer window to serve the existing living room. The dormer will be positioned centrally on the front elevation and be of flat roof design. Its overall width will comprise 2.1 metres and height 1.8 metres. The dormer will not breach the ridge of the dwellinghouse and the applicant has advised of her wish for the dormer to replace an existing velux window to the living room to allow more daylight. She also wishes to utilise it as a means of escape from the building in the event of fire. She advises she lived in South London during the Brixton riots when her house was set alight on several occasions. She feels that it is of utmost importance to have a practical means of escape.

The proposal has been amended whereby the applicant initially proposed a large more prominent dormer window which would have had a hipped roof. Whilst this window was also to have been centrally positioned it would have been of width 2.7 metres and height 2.8 metres.

3. CONSULTATIONS AND ISSUES RAISED

3.1 West of Scotland Water Authority has no objections to the application.

Noted.

3.2 There is no Dean Community Council with which to consult regarding this application.

Noted.

4. REPRESENTATIONS

One letter of representation was received from the owner of an adjoining dwellinghouse. The points raised are as follows:-

4.1 It is considered that the installation of a dormer window at the front of the dwellinghouse will change the whole outlook of Boyd Court. If the dormer window was installed to the rear of the dwellinghouse, it would retain the character of the houses as they stand.

The dormer window that is proposed is not out-of-keeping with the dwellinghouse nor its neighbouring properties. The dormer is of a simple design which does not conflict with the modern style of dwellinghouse. Whilst this proposed dormer would be the first within the Boyd Court development, this does not mean that it will be an alien feature. The dormer is compact in design and would not alter the character of the area. The dormer will not adversely affect the privacy of neighbouring properties. A neighbouring property which fronts onto High Street has enclosed their balcony with a structure of similar design to this dormer.

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 this document and its associated policies. Design guidance in the Adopted Local Plan requires that dormers shall be of a scale and design appropriate to the building upon which they are proposed. The application is consistent with the guidance and with other design policies in the 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), the consultation responses, representations received and the impact on the amenity of residential properties.

East Ayrshire Local Plan, Finalised Version with Modifications

6.2 The Council has agreed that the EALP should be considered as 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 the 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. The East Ayrshire Council Design Guidance advises that dormer window extensions shall be of a scale and design appropriate to the building on which they are proposed and in all cases, the design and positioning of the windows shall reflect the position, character and proportion of other windows in the same façade. Dormer window extensions shall take account of the design of other dormers existing on the building and of existing dormers on adjoining properties. Side and front panels should be finished externally in the same materials and colours as the roof covering of the existing house. Dormers should collectively occupy no more than 25% of the area of the plane on which they are proposed in situations exposed to general view. Dormers should be set a minimum of 0.5metres away from gables, hips and down from the roof ridge in order that the roofline remains unaltered. Single box dormers will not be permitted in situations exposed to public view other than in non-sensitive areas where such dormers are already prevalent.

The proposed dormer is in keeping with the design of the dwellinghouse and the adjacent area. The proposed dormer will not occupy more than 25% of the area of the roof and it is at least 0.5 metres away from the gables and the roof ridge. Although open to public view it is considered that its design is appropriate on this type of dwellinghouse. The scale and the positioning of the dormer reflects the position, character and proportion of the other window and front door on the same façade.

Consultation Replies and Representations Received

6.3 There have been no adverse consultation responses. The points raised in the letter of objection have been discussed in Section 4 of this report. The dormer window is not considered to be visually unacceptable nor is it considered to be an alien feature that would adversely affect the character of the area or residential estate and warrant refusal of the application.

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 indicated in Section 5 of the report the application is in accordance with the Adopted Kilmarnock Local Plan. Therefore, given the terms of Sections 25 and 37 of the Town and Country Planning (Scotland) Act 1997, the application should be approved unless material considerations indicate otherwise.

8.2 The design of the proposed dormer does not conflict with Policy ENV 7 of EALP as it accords with the advice detailed in the East Ayrshire Design Guidance. With regard to the letter of objection the dormer is of an acceptable design, external finish and overall appearance. It is not visually unattractive and is in keeping with the design of the dwellinghouse and adjacent houses.

9. RECOMMENDATION

9.1 It is recommended that the application be approved subject to the conditions detailed 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 because there would be no significant breach of policy.

Alan Neish
Head of Planning and Building Control

28 February 2002
(FMF/MMM)

FV/DVM

LIST OF BACKGROUND PAPERS

1. Application form and plans.
2. Statutory Certificates.
3. Consultation responses.
4. Letter of objection.
5. Approved Ayrshire Joint Structure Plan.
6. Adopted Kilmarnock Local Plan.
7. East Ayrshire Local Plan (Finalised Version with Modifications).
8. Approved Strathclyde Structure Plan.

Anyone wishing to inspect the above papers please contact Fiona Finlay on 01563 576768.

Implementation Officer: Dave Morris

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EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

01/0740/FL

Site of Proposal:	4 Boyd Court KILMARNOCK
Nature of Proposal:	Proposed Installation of New Dormer Window
Name & Address of Applicant:	Ms Nancy Grant 4 Boyd Court KILMARNOCK KA3 1AR
Name & Address of Agent:	Thomson Dawes Architects 21 Portland Road KILMARNOCK KA1 2BT

DPOs Reference: FMF/MMM

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 16 October 2001, plans received on 16 October 2001 and the amended plan ref. 75101/2R2 received by the Planning Authority on 25 January 2002.

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

2. Notwithstanding the approved plans, the sides of the dormer shall be finished in tiles to match the materials of the roof. A sample of the tiles to be used shall be submitted to and approved by the Planning Authority prior to the commencement of development on site.

REASON In the interests of visual amenity.

**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