

EAST AYRSHIRE COUNCIL

CENTRAL LOCAL PLANNING COMMITTEE: 23 JANUARY 2003

**02/0898/FL: PROPOSED ERECTION OF EXTENSION AND
CONSERVATORY TO REAR OF DWELLING AT 21 PLAYINGFIELD
ROAD, CROSSHOUSE BY MR F KING**

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 Full planning consent is sought for the erection of the extension and conservatory to the rear of the flat. The proposed extension is 4 metres in length and 6.5 metres in width and will provide accommodation of one bedroom and bathroom. The extension is proposed on the mutual boundary with No. 19 and will be flat roofed with a roughcast finish to the walls. It is also proposed to attach a 2.9 metres by 5.5 metres white pvc conservatory to the proposed extension.

2. RECOMMENDATION

2.1 The application should be approved subject to the conditions indicated on the enclosed sheet.

3. CONCLUSIONS

3.1 As is indicated at Section 5 of the report, the application is in accordance with the Adopted Kilmarnock Local Plan and 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 in Section 6 of the report there are material considerations relevant to this application and they are supportive of the proposal. The proposed, development does not conflict with Policy ENV7 of the EALP as it is in accordance with advice detailed in the East Ayrshire Council Design Guidance. With regard to the letters of objection it is considered that the proposed extension and conservatory will not have an adverse impact on the amenity of the adjacent properties in terms of loss of light, privacy, or overlooking. The design and siting of the proposed development is acceptable, with sufficient garden ground left after the development is erected.

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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CENTRAL LOCAL PLANNING COMMITTEE: 23 JANUARY 2003 02/0898/FL: PROPOSED ERECTION OF EXTENSION AND CONSERVATORY TO REAR OF DWELLING AT 21 PLAYINGFIELD ROAD, CROSSHOUSE BY MR F KING

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 as it is subject to objections.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site is a ground floor flat of a four in a block former Council property. The site is within the settlement boundary of Crosshouse and is located to the south of Irvine Road, Crosshouse. The site is surrounded by residential properties to the north and south, West Park School and Football Pavilion to the east, and Crosshouse Primary School to the west.

2.2 **Proposed Development:** Full planning consent is sought for the erection of the extension and conservatory to the rear of the flat. The proposed extension is 4 metres in length and 6.5 metres in width and will provide accommodation of one bedroom and bathroom. The extension is proposed on the mutual boundary with No. 19 and will be flat roofed with a roughcast finish to the walls. It is also proposed to attach a 2.9 metres by 5.5 metres white pvc conservatory to the proposed extension.

3. CONSULTATIONS AND ISSUES RAISED

3.1 Scottish Water and Crosshouse Community Council have no adverse comments to make regarding the proposed development.

Noted.

3.2 East Ayrshire Council Homes and Technical Services have not responded to their consultation letter at the time of writing this report.

Noted.

4. REPRESENTATIONS

There are 3 letters of objection to the proposed development and the grounds of objection are as follows:-

4.1 The proposals would take away the privacy of their garden.

It is considered the proposed extension and conservatory will not have an adverse effect on the privacy of the neighbouring properties. The extension has been designed so that no windows overlook neighbouring properties. The erection of 1.8 metres high screen fences along the boundaries with neighbouring properties will avoid any outlook to neighbouring properties.

4.2 The concern of a roof directly below their windows would mean the security of their flat would be affected, as this would allow access more easily.

It is considered on balance that the proposed development will not adversely affect the security risk of adjacent residential properties.

4.3 There would be no access for their window cleaner and any access for maintenance for the roof or guttering.

The Building Regulations require that any windows located more than 4 metres above the ground should be able to be cleaned from inside the flat. The proposals will not affect the ability of the occupier of the upper flat to clean the upper windows.

4.4 The proposal would block two of their fire exits which are at their kitchen and bathroom window.

It is considered that the proposed development will not affect the means of escape from the upper flat.

4.5 They believe that four in a block flats are not suited for a development of this kind as it will look out of place and be an eyesore.

It is considered that the proposed development is in keeping with the existing building in terms of design, scale and siting.

4.6 The proposal would mean that light would be blocked to the rear of their property and this in turn would lead to dampness. The greenhouse which is situated at the rear of their property would be directly adjacent to the new extension and due to lack of light it would no longer be able to be used for growing seedlings and plants as previously.

It is not considered that the proposed development will adversely affect the light available to the rear of the adjacent property or the

adjacent greenhouse. It is not considered that the proposed development will lead to dampness of the adjacent property.

4.7 Their property has an open outlook on to the park from the rear, if the proposal is approved this view would be restricted.

The right to a view is not a material planning consideration. The outlook of adjacent residential properties to the park will not be affected by the proposed development.

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. The Adopted Local Plan contains design guidance requiring that extensions do not dominate the existing building, are compatible with the local architectural character and do not detrimentally affect neighbouring properties by overlooking, loss of privacy or loss of daylight and do not dominate the existing building by reason of scale and a reasonable amount of open space and garden ground is retained.

The proposed development does not conflict with the Adopted Local Plan as it will not dominate the existing building and will not have an adverse impact on the amenity of adjacent residential properties.

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), consultation replies which are detailed in Section 3 of the report and the representations received detailed in Section 4 of the report.

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. There are no policies specifically relevant to this proposal within the EALP although the request in ENV 7 to have regard to the Council's Design Guidance highlights the Council's general concern that

domestic works are in keeping with the existing house and do not impact adversely on neighbouring properties. Extensions to existing 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. Flat roofed extensions in situations not exposed to public view may be considered appropriate where these do not detract from the architectural character or appearance of the property.

The proposed extension and conservatory have been designed to minimise their impact on adjacent residential properties. There are no windows proposed in the extension to overlook adjacent residential properties and 1.8 metre high screen fences along the boundaries with adjacent residential properties will avoid any overlooking associated with the conservatory. The size of the proposed extension is in keeping with the residential property to which it is attached. There will be sufficient garden ground left after a conservatory is attached to the extension. The applicant already has a dog kennel and garden hut within the middle of the garden. The proposed extension and conservatory will replace the dog kennel and garden shed and will not extend beyond the footprint of these structures. A flat roof extension is considered acceptable in this location and will not detract from the character or appearance of the residential property.

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 in accordance with the Adopted Kilmarnock Local Plan and 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 in Section 6 of the report there are material considerations relevant to this application and they are supportive of the proposal. The proposed development does not conflict with Policy ENV7 of the EALP as it is in accordance with advice detailed in the East Ayrshire Council Design Guidance. With regard to the letters of objection it is considered that the proposed extension and conservatory will not have an adverse impact on the amenity of the adjacent properties in terms of loss of light, privacy, or overlooking. The design and siting of the proposed

development is acceptable, with sufficient garden ground left after the development is erected.

9. RECOMMENDATION

9.1 The application should be approved subject to the conditions indicated on the enclosed 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

14 January 2003

(PC/SA)
FV/DVM

LIST OF BACKGROUND PAPERS

1. Application form and plans.
2. Statutory Notices/Certificates.
3. Consultation Replies.
4. Letters of Representation.
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.

Any person wishing to inspect the above papers please contact Pamela Clifford on (01563) 576772.

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Site of Proposal: 21 Playingfield Road
CROSSHOUSE
Kilmarnock
KA2 0JJ

Nature of Proposal: Proposed Erection of Extension and
Conservatory to Rear of Dwelling

Name & Address of Applicant: Mr F King
21 Playingfield Road
CROSSHOUSE
Kilmarnock
KA2 0JJ

Name & Address of Agent:

DPOs Reference: PC/SA

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

1. 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.

2. Notwithstanding the submitted plans 1.8 metre high screen fences shall be erected along the northern and southern boundaries, from the end of the proposed extension to the end of the proposed conservatory.

REASON To prevent any overlooking to adjacent residential properties in the interests of residential amenity.

3. Notwithstanding the provision of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (or any other enactment replacing this) no windows shall be erected on the proposed extension unless a further specific planning application is submitted to and approved by the Planning Authority.

REASON To prevent overlooking to adjacent residential 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.**