

**EAST AYRSHIRE COUNCIL**

**CENTRAL LOCAL PLANNING COMMITTEE: 30 MAY 2003**

**03/0146/FL: PROPOSED EXTENSION  
AT 8 THIRDPART PLACE, KILMARNOCK  
BY MR DAVID RAMSAY**

**EXECUTIVE SUMMARY SHEET**

**1. DEVELOPMENT DESCRIPTION**

1.1 Full planning permission is sought for the erection of a rear extension to accommodate an additional bedroom and bathroom. The proposed extension is 3.9 metres in length and 4.8 metres in width. It is 3.1 metres in height and will be constructed from brick and roughcast to match the existing dwelling and a felt roof which has a very slight slope.

**2. RECOMMENDATION**

**2.1 It is recommended that the application should be approved.**

**3. CONCLUSIONS**

3.1 As is indicated at Section 5 of the report the application is in accordance with the Adopted East Ayrshire Local Plan therefore, given the terms of Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997, the application should be granted unless material considerations indicate otherwise.

3.2 The proposed development does not conflict with Policy ENV 7 of the EALP as it is in accordance with advice detailed in the East Ayrshire Council Design Guidance. It is considered that the design and scale of the extension is appropriate to the building and the external finish will match the property. The extension is low in height and is set at a lower level than neighbouring property. It is also set off the common boundary within an enclosed rear garden. The proposed extension will not have a detrimental impact on adjacent properties or the surrounding 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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**03/0146/FL: PROPOSED EXTENSION  
AT 8 THIRDPART PLACE, KILMARNOCK  
BY MR DAVID RAMSAY**

**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 lower cottage flat on Thirdpart Place. The site is bound to the east by Thirdpart Place beyond which are residential properties, to the south by the garden ground for No. 6 Thirdpart Place and an area of open amenity ground, to the west and north by other residential properties.

2.2 **Proposed Development:** Full planning permission is sought for the erection of a rear extension to accommodate an additional bedroom and bathroom. The proposed extension is 3.9 metres in length and 4.8 metres in width. It is 3.1 metres in height and will be constructed from brick and roughcast to match the existing dwelling and a felt roof which has a very slight slope.

**3. CONSULTATIONS AND ISSUES RAISED**

3.1 The Coal Authority and Scottish Water have no adverse comments regarding the proposed development.

***Noted.***

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

***Noted.***

#### 4. REPRESENTATIONS

There is one letter of objection to the proposed development and the grounds of objection are as follows:-

4.1 The neighbour notification issued by the applicant was dated incorrectly.

***Noted. Neighbour notification was re-served in order to afford neighbours the full statutory time period to view plans and submit comments.***

4.2 The submitted plans have errors in terms of the annotation of the drawings thereby giving the wrong impression of the impact of the proposed extension on the light reaching neighbouring property.

***The plans have been corrected in order to ensure that they are correctly annotated.***

4.3 The site is located on poorly drained sloping ground and the extension may reduce the existing drainage and lead to further problems. Water already accumulates at the northern end of the building during heavy rain, but can drain away through the front gardens to the east and the back gardens to the west.

***It is not envisaged that the proposed extension will aggravate the existing drainage problem. Scottish Water has not objected to the proposal.***

4.4 The extension is about 3 metres high and only 2.7 metres from the boundary with neighbouring property at 4 Thirdpart Place. It will have an adverse impact on the outlook from the kitchen of No. 4 and will reduce the light reaching the kitchen and garden especially during the winter.

***Noted. It is not considered that the property at 4 Thirdpart Place will be detrimentally affected by the extension. The extension is located 2.5 metres from the boundary. There is an existing solid timber fence along the mutual boundary which will provide some screening of the proposed extension. Furthermore the property at No. 4 is sited at a slightly higher level than the application site all of which will mitigate the impact of the extension on neighbouring property.***

4.5 East Ayrshire Council aims to ensure new development is “sensitive to its surroundings and will improve the character and appearance of the area and create a better living environment for residents and visitors”. The flats were not built as family accommodation and are mainly occupied by single people,

childless couples or retired couples. The design of the building does not lend itself to the kind of development proposed and will have an adverse effect on the appearance of the building and gardens as viewed by residents and visitors or passers-by on Arrothill Drive.

***It is considered that the proposed extension will not have a detrimental impact on the neighbouring property or the surrounding area in terms of its design and siting. The extension will be finished in materials to match the existing building and sufficient garden ground will be left after the extension is built. The proposed extension is not therefore considered to be an inappropriate design and will not adversely affect adjoining residents.***

## **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 East Ayrshire Local Plan (2003).

5.2 Policy ENV 7 of the EALP is relevant and expects all developers to comply fully with the Council's Design Guidance and Policy documents relating to and advising on the particular type of development proposed.

5.3 The Design Guidance advises that 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 the extension should match the existing dwelling.

***It is considered that the proposed extension will not adversely affect the privacy or daylight enjoyed by adjoining properties due to its location, design and size. The materials used are compatible with those used elsewhere on the dwelling. Sufficient garden ground will be left after the extension has been erected and the existing garden is enclosed by a 1.8 metre high timber fence.***

## **6. ASSESSMENT AGAINST OTHER MATERIAL CONSIDERATIONS**

6.1 The principal material considerations relevant to the determination of the application are the statutory consultation responses and the objection received, all as detailed in Sections 3 and 4 of this report.

6.2 It is not considered that any aspects of the consultation or representations received indicate that the application should be refused.

## **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 East Ayrshire Local Plan therefore, given the terms of Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997, the application should be granted unless material considerations indicate otherwise.

8.2 The proposed development does not conflict with Policy ENV 7 of the EALP as it is in accordance with advice detailed in the East Ayrshire Council Design Guidance. It is considered that the design and scale of the extension is appropriate to the building and the external finish will match the property. The extension is low in height and is set at a lower level than neighbouring property. It is also set off the common boundary within an enclosed rear garden. The proposed extension will not have a detrimental impact on adjacent properties or the surrounding area.

## **9. RECOMMENDATION**

**9.1 It is recommended that the application should be approved.**

### **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**

21 May 2003  
(FMF/MMM)

FV/DVM

### **LIST OF BACKGROUND PAPERS**

1. Application Form and Plans.
2. Statutory Notices/Certificates.
3. Consultation Replies.
4. Letter of Representation.
5. Approved Ayrshire Joint Structure Plan.
6. Adopted East Ayrshire Local 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

03/0146/FL

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Site of Proposal: 8 Thirdpart Place  
KILMARNOCK

Nature of Proposal: Proposed Extension to Include New Bathroom  
and Bedroom

Name & Address of Applicant: Mr David Ramsay  
8 Thirdpart Place  
KILMARNOCK  
KA1 1UL

Name & Address of Agent:

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DPOs Reference: FMF/MMM

The above FULL application should be granted.

**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.**