

EAST AYRSHIRE COUNCIL

CENTRAL LOCAL PLANNING COMMITTEE: 08 NOVEMBER 2002

**02/0498/FL: PROPOSED ALTERATION AND EXTENSION TO REAR
AT 23 & 25 GATEHEAD ROAD, CROSSHOUSE, KILMARNOCK
BY MR & MRS BARR**

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 Full planning consent is sought for the erection of an extension above a flat roof single storey extension at the rear of the houses. The proposed extension will be attached to the existing rear flat roof dormer and the proposed extension will be flat roofed and will not project above the existing roof level of the existing dormers. The proposed extension will be clad in slate with 2 windows proposed on the southern, eastern and northern elevations.

2. RECOMMENDATION

2.1 It is recommended that the application should be refused for the reasons indicated on the enclosed sheet.

3. CONCLUSIONS

3.1 As is indicated at Section 5 of the report the application is not in accordance with the Adopted Kilmarnock 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 refused 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 not supportive of the proposal. The proposed extension conflicts with Policy ENV 7 of the EALP as it is not in accordance with advice detailed in the East Ayrshire Council Design Guidance. The design of the proposed extension is not in keeping with the existing property and would have an adverse impact on the amenity and character of the residential area and the existing property.

CONTRARY DECISION NOTE

Should the Committee agree that the application be approved 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 planning application which is to be considered by the Local Planning Committee under the scheme of delegation as it is recommended for refusal.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site comprises two one-half storey terraced cottages and their curtilage. They are located to the east of Gatehead Road and are surrounded by other residential properties. The existing houses have flat roof dormers to the front and rear. It is the applicant's intention to convert the two properties to one dwellinghouse which would not require planning permission in its own right.

2.2 **Proposed Development:** Full planning consent is sought for the erection of an extension above a flat roof single storey extension at the rear of the houses. The proposed extension will be attached to the existing rear flat roof dormer and the proposed extension will be flat roofed and will not project above the existing roof level of the existing dormers. The proposed extension will be clad in slate with 2 windows proposed on the southern, eastern and northern elevations.

3. CONSULTATIONS AND ISSUES RAISED

3.1 East Ayrshire Council Roads and Transportation Division, Crosshouse Community Council and Scottish Water have no adverse comments to make regarding the proposed development.

Noted.

4. REPRESENTATIONS

4.1 No letters of representation have been received in respect of 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 it. 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. The proposed development conflicts with the Adopted Local Plan as it would dominate the existing building and is not compatible with the local architectural character of the area.

6. ASSESSMENT AGAINST OTHER MATERIAL CONSIDERATIONS

6.1 The other principal material considerations relevant to the determination of the application are the East Ayrshire Local Plan Finalised Version with Modifications (EALP).

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. Policy ENV 7 of EALP 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.

6.3 The 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 the extension

should match the finish of the existing dwellinghouse. Two storey flat roofed extensions will only be permitted in situations where the extensions are not exposed to public view and do not detract from the architectural character or appearance of the property. Continuous box dormers will not be permitted in situations exposed to public view other than in non-sensitive areas where such dormers are already prevalent.

It is considered that the erection of a further storey on an existing single storey extension and the continuing of the box dormer would adversely impact on the visual appearance of this property and the visual and residential amenity of the adjacent area. Although the property has been previously extended, it is considered that to add a further extension which is out of keeping in terms of design and scale would be detrimental to the property and the area. The extension is proposed to the rear, however it can be viewed from the rear gardens of other properties in the immediate vicinity. Other properties in the immediate area have been extended however the proposed extensions are appropriate in terms of scale and design to the individual properties on which they have been located. There are windows in the proposed extension adjacent to residential properties which would affect their residential amenity by reason of overlooking.

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 not in accordance with the Adopted Kilmarnock 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 refused 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 not supportive of the proposal. The proposed extension conflicts with Policy ENV 7 of the EALP as it is not in accordance with advice detailed in the East Ayrshire Council Design Guidance. The design of the proposed extension is not in keeping with the existing property and would have an adverse impact on the amenity and character of the residential area and the existing property.

9. RECOMMENDATION

9.1 It is recommended that the application should be refused for the reasons indicated on the enclosed sheet.

CONTRARY DECISION NOTE

Should the Committee agree that the application be approved 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

29 October 2002
(PC/MMM)

FV/DVM

LIST OF BACKGROUND PAPERS

1. Application form and Plans.
2. Statutory Notices/Certificates.
3. Consultation Responses.
4. Adopted Kilmarnock Local Plan.
5. East Ayrshire Local Plan Finalised Version with Modifications.
6. Approved Strathclyde Structure Plan.
7. Approved Ayrshire Joint Structure Plan.

Anyone wishing to inspect the above papers please contact Pamela Clifford on 01563 576772.

Implementation Officer: Dave Morris

020498FL

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EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

02/0498/FL

Site of Proposal: 23 and 25 Gatehead Road
CROSSHOUSE KA2 0HN

Nature of Proposal: Proposed Alteration and Extension to Rear

Name & Address of Applicant: Mr Russell & Mrs Tracy Barr
23 and 25 Gatehead Road
CROSSHOUSE KA2 0HN

Name & Address of Agent:

DPOs Reference: PC/MMM

The above FULL application should be refused on the following grounds:-

1. The proposed extension does not accord with Policy ENV 7 of the East Ayrshire Local Plan Finalised Version with Modifications as it fails to comply with the Council's Approved Design Guidance. The proposed extension would have a detrimental effect on the character and visual amenity of the dwellinghouse on which it is proposed and the surrounding residential area by reason by its scale and design. The alterations present an over-dominant and visually alien feature.
2. The proposed development would set an unacceptable precedent by reason of its design for similar developments in the area which would have a detrimental effect on the established visual amenity of the area.
3. The proposed extension would detract from the amenity of the area by reason of overlooking to adjacent residential properties.

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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