

**EAST AYRSHIRE COUNCIL**

**CENTRAL LOCAL PLANNING COMMITTEE: 18 SEPTEMBER 2003**

**03/0728/FL: PROPOSED EXTENSION OF HOUSE  
AT 6 KELBURN CRESCENT, KILMARNOCK  
BY MR ALAN MAIR**

**EXECUTIVE SUMMARY SHEET**

**1. DEVELOPMENT DESCRIPTION**

1.1 Full planning consent is sought for a two-storey side extension to the property. The extension comprises a garage and extension to the kitchen on the ground floor, with a bedroom and en suite on the first floor. The extension measures 3.5 metres in width and 8.3 metres in length and will not project beyond the front building line of the existing front porch. It will be finished in render, facing brick and roof tiles to match the existing dwellinghouse.

**2. RECOMMENDATION**

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

**3. CONCLUSIONS**

3.1 As is indicated in Section 5 of the report the application is in accordance with the development plan. The proposed extension is considered to comply with Policy ENV 7 of the EALP. 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 indicated in Section 6 there are material considerations relevant to this application. The design and scale of the proposed extension is considered appropriate to the building and the external finish will match the property and 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 it 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 subject to objections.

#### 2. APPLICATION DETAILS

2.1 **Site Description:** The application site comprises a two storey semi-detached dwelling house and its curtilage within the Caprington Estate. The site is surrounded by similar other residential properties constructed in the mid-1970s.

2.2 **Proposed Development:** Full planning consent is sought for a two-storey side extension to the property. The extension comprises a garage and extension to the kitchen on the ground floor, with a bedroom and en suite on the first floor. The extension measures 3.5 metres in width and 8.3 metres in length and will not project beyond the front building line of the existing front porch. It will be finished in render, facing brick and roof tiles to match the existing dwellinghouse.

#### 3. CONSULTATIONS AND ISSUES RAISED

3.1 East Ayrshire Council Roads and Transportation Division, Transco and the Coal Authority have no adverse comments to make regarding the propose development.

***Noted.***

3.2 Scottish Water have not responded to their consultation letter at the time of writing this report.

***Noted.***

#### 4. REPRESENTATIONS

There are three objectors to the proposed development and their grounds of objection are as follows:

4.1 The trend for extensions to houses in Caprington will result in a terraced built-up appearance more in keeping with a town centre development.

***Noted. It is considered that the proposed extension is appropriate in terms of the East Ayrshire Council Design Guidance. There are other two storey side extensions on this style of property in the Caprington Estate. It is considered that the proposed extension is in keeping with the dwellinghouse and surrounding residential area.***

4.2 The view over the golf course from the bedroom windows will be lost if this extension goes ahead.

***The right to a view is not a material planning consideration.***

4.3 The proposed peaked roof over the front window is not in keeping with the 1970s design of the building.

***It is considered that the proposed extension is appropriate in terms of the East Ayrshire Council Design Guidance and there are examples of such roof design on similar extensions in the immediate vicinity.***

4.4 All too often individuals extend their home and then sell up and move on leaving neighbours to stare out at ugly buildings.

***It is not considered that the proposal will result in the creation of a building which is unacceptable in design terms.***

4.5 We wish to extend our home in the future to accommodate an upstairs bedroom which we are advised would not be possible on the side elevation if this extension is allowed to go ahead. Surely the proposed extension should be re-designed to accommodate both two-storey extensions.

***Noted. There is no current planning application for the neighbouring property. Each application must be considered on its own merits. An application cannot be withheld or amended on the basis of any future planning application which may or may not be submitted in terms of the neighbouring house.***

4.6 The extension will darken our upstairs hall.

***Noted. It is not considered that the proposed extension will have a detrimental impact on the light reaching the adjacent hall window.***

## **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 (EALP).

5.2 Policy ENV 7 of the EALP is relevant and advises that all developers will be expected to fully comply with the Council's Design Guidance and policy documents. These advise that extensions to dwelling houses require to be designed to minimise overlooking, ensure maximum privacy and daylighting and shall be finished in materials to match the existing dwelling house. Furthermore, the Design Guidance also advises that double-pitched and hipped roofs should be used where the extension is exposed to public view.

***It is not considered that the extension will be detrimental to or adversely affect the amenity of the neighbouring properties. Furthermore, the proposed extension is considered to be in keeping with the character of the area and the dwellinghouse to which it relates. It is considered to comply with Policy ENV7.***

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

6.1 The other principal material considerations relevant to the determination of the application are the consultation responses and letters of objection received, which are addressed in Sections 3 and 4 of this report.

### Consultation Replies and Representations

6.2 It is not considered that any aspects of the consultations 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 in Section 5 of the report the application is in accordance with the development plan. The proposed extension is considered to comply with Policy ENV 7 of the EALP. 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 indicated in Section 6 there are material considerations relevant to this application. The design and scale of the proposed extension is considered appropriate to the building and the external finish will match the property and will not have a detrimental impact on adjacent properties or the surrounding area.

## **9. RECOMMENDATION**

**9.1 It is recommended that the application be granted 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 it 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**

9 September 2003  
(BD/MMM/SA)  
FV/DVM

## **LIST OF BACKGROUND PAPERS**

1. Application forms and plans.
2. Statutory notices/certificates.
3. Consultation replies.
4. Letters of representation.
5. Adopted East Ayrshire Local Plan.
6. Approved Ayrshire Joint structure plan.

Anyone wishing to inspect the above papers please contact Barry Douglas on 01698 576770.

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

03/0728/FL

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Site of Proposal:	6 Kelburn Crescent KILMARNOCK
Nature of Proposal:	Proposed Extension of House
Name & Address of Applicant:	Mr Alan Mair 6 Kelburn Crescent KILMARNOCK KA1 4UE
Name & Address of Agent:	McLean Gibson Partnership Cathcart House 20 Cathcart Street AYR KA7 1BJ

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DPOs Reference: BD/MMM

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

1. The garage shall not be used for commercial purposes, other than those being incidental to the occupant's enjoyment of this residential property.

REASON To safeguard the residential amenity of the area.

**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.**