

**EAST AYRSHIRE COUNCIL**

**SPECIAL NORTHERN AREA LOCAL PLANNING COMMITTEE: 14 AUGUST  
2003**

**03/0261/FL: PROPOSED INSTALLATION OF DORMER ROOF/BALCONY TO  
FIRST FLOOR/REAR  
AT 6 GREENBANK COURTYARD, DARVEL  
BY FIONA SCOTT**

**EXECUTIVE SUMMARY SHEET**

**1. DEVELOPMENT DESCRIPTION**

1.1 Full planning consent is sought for the installation of a dormer roof/balcony to first floor rear. The balcony extends 1m from the roof slope and would replace an existing velux window.

**2. RECOMMENDATION**

**2.1 It is recommended that the application be refused for the reasons indicated on the attached sheet.**

**3. CONCLUSIONS**

3.1 As indicated in Section 5 of this report, applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise. The proposed development does not accord with the Development Plan and therefore the application should be refused unless material considerations indicate otherwise.

3.2 Within the EALP the requirement in Policy ENV 7 to have regard to the Council's Design Guidance highlights the Council's concern that domestic works are in keeping with the existing house and do not impact adversely on neighbouring properties. It is considered that due to the nature of the proposed development it would significantly increase the aspect of overlooking which would consequently have a detrimental impact on the existing residential amenity of adjacent properties.

## **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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BY FIONA SCOTT**

**Report by Head of Planning and Building Control**

**1. PURPOSE OF REPORT**

1.1 The purpose of this report is to present for determination the above application which is required to be determined by the Local Planning Committee under the scheme of delegation because it is recommended for refusal.

**2. APPLICATION DETAILS**

2.1 **Site Description:** The application site is a one and a half storey semi-detached house located at 6 Greenbank Courtyard, Darvel, to the eastern boundary of Darvel. The site is bound by residential properties of John Morton Crescent to the west and north, George Young Drive to the east and East Main Street to the south.

2.2 **Proposed Development:** Full planning consent is sought for the installation of a dormer roof/balcony to first floor rear. The balcony extends 1m from the roof slope and would replace an existing velux window.

**3. CONSULTATIONS AND ISSUES RAISED**

3.1 The Darvel and District Community Council have not responded to their consultation at the time of writing this report.

***Noted.***

**4. REPRESENTATIONS**

There were no letters of representation received.

## **5. ASSESSMENT AGAINST DEVELOPMENT PLAN**

5.1 Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that 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.

5.2 The relevant policy with regard to this proposal is Policy ENV 7 in that all developers will be expected 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 reason for this policy is to ensure a high standard of design. The Design Guidance approved by the Council highlights the Council's concern that domestic works are in keeping with the existing house and do not impact adversely on neighbouring properties. It is considered that currently there is only minor overlooking and due to the nature of the proposed development it would significantly increase the aspect of overlooking which would consequently have a detrimental impact on the existing residential amenity of adjacent properties.

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

6.1 The principal material considerations relevant to the determination of this application are the consultations and the impact of the proposal on the amenity of the area and immediate neighbours.

### Consultations

6.2 There were no consultation responses received at the time of writing this report.

### Impact on the Amenity of the Area

6.3 It is considered that due to the nature of the proposed development it would significantly increase the aspect of overlooking which would consequently have a detrimental impact on the existing residential amenity of neighbouring properties.

## **7. FINANCIAL AND LEGAL IMPLICATIONS**

7.1 There are no financial or legal implications for the Council in determining this application.

## **8. CONCLUSIONS**

8.1 As indicated in Section 5 of this report, applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise. The proposed development does not accord with the Development Plan and therefore the application should be refused unless material considerations indicate otherwise.

8.2 Within the EALP the requirement in Policy ENV 7 to have regard to the Council's Design Guidance highlights the Council's concern that domestic works are in keeping with the existing house and do not impact adversely on neighbouring properties. It is considered that due to the nature of the proposed development it would significantly increase the aspect of overlooking which would consequently have a detrimental impact on the existing residential amenity of adjacent properties.

## **9. RECOMMENDATION**

**9.1 It is recommended that the application be refused for the reasons indicated on the attached 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**

01 August 2003  
(EMcL/MMM)

### **LIST OF BACKGROUND PAPERS**

1. Applications Forms/Plans.
2. Statutory Notices and Certificates.
3. Consultation Responses.
4. Representations.

5. Approved Ayrshire Joint Structure Plan.
6. Adopted East Ayrshire Local Plan.

Anyone wishing to inspect the above papers please contact Eddie McLennaghan on 01563 576787.

***Implementation Officer: Dave Morris***

03/0261/FL

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

03/0261/FL

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Site of Proposal:	6 Greenbank Courtyard DARVEL
Nature of Proposal:	Proposed Installation of Dormer Roof/Balcony to First Floor/Rear
Name & Address of Applicant:	Miss Fiona Scott 6 Greenbank Courtyard DARVEL KA17 0NE
Name & Address of Agent:	11 X 11 Architects 332 Glasgow Road Waterfoot EAGLESHAM G76 0EW

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DPOs Reference: EMcL/MMM

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

1. The proposed development would be contrary to Policy ENV 7 of the East Ayrshire Local Plan and the Council's Design Guidance by reason of unacceptable increase in the aspect of overlooking which would consequently have a detrimental impact on the existing residential amenity of adjacent properties.

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