

EAST AYRSHIRE COUNCIL

NORTHERN AREA LOCAL PLANNING COMMITTEE: 05 DECEMBER 2003

**03/0874/FL: PROPOSED ALTERATIONS, ADDITIONS AND TWO STOREY
EXTENSION OVER GARAGE
AT 1 GOLF LOAN, STEWARTON
BY MR & MRS McGUINNESS**

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 Full planning consent is sought for alterations, additions and a two storey extension over garage. The extension encompasses an extension of the kitchen on the ground floor and the formation of two bedrooms on the first floor.

2. RECOMMENDATION

2.1 It is recommended that the application be approved subject to the condition on the attached sheet.

3. CONCLUSIONS

3.1 As indicated at Section 5 of the report, applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise. The proposed development accords with the Development Plan and therefore the application should be approved unless material considerations indicate otherwise.

3.2 In terms of the application, the consultations received are supportive. The submitted letters of objection are noted but are not in themselves considered to be of sufficient weight to justify an unfavourable recommendation. The overall impact on the amenity of the area is such that the proposed development can be accommodated without detriment to 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 it would not constitute a significant departure from 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 an application which is to be considered by the Local Planning Committee under the scheme of delegation as it is subject to an objection received before implementation of the revised scheme of delegation.

2. APPLICATION DETAILS

2.1 **Site Description:** The application site is a two storey detached house located at 1 Golf Loan, Stewarton, to the eastern boundary of Stewarton north of Cutstraw Road. The site is bound by residential properties all round, but has an area of public open space to its rear.

2.2 **Proposed Development:** Full planning consent is sought for alterations, additions and a two storey extension over garage. The extension encompasses an extension of the kitchen on the ground floor and the formation of two bedrooms on the first floor.

3. CONSULTATIONS AND ISSUES RAISED

3.1 The Coal Authority has no comments to make on this application.

Noted.

3.2 Transco has no comments to make on this application.

Noted.

3.3 The Stewarton District Community Council has not responded to their consultation at the time of writing this report.

Noted.

4. REPRESENTATIONS

One letter of objection has been received and the grounds for objection are as follows:-

4.1 My property's back garden looks on to this new project, we feel that the massing involved is encroaching on our privacy and space.

The development conforms with the Council's Design Guidance and policy documents relating to this type of development in terms of design and layout. The proposal raised no privacy issues. It is not considered that the massing of the addition is inappropriate given the 15m separation distance in this case between the applicant's property and the objector's house. The overall size of the extension and the garden area remaining to the applicants is considered to be acceptable and accords with policy ENV 7 of the adopted East Ayrshire Local Plan.

4.2 As we have just moved to this property, this development has come as a great shock to us. The thing that concerns us most is the loss of natural daylight to our house and garden.

It is not considered that the increase in mass or proximity of the extension will have a significant impact on the aspect of the applicants house from the objectors and consequently any decrease in the amount of natural daylight received would not warrant refusal in this case.

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 Within the East Ayrshire Local Plan, Policy ENV 7 requires all developers to have regard to the Council's Design Guidance. This highlights the Council's general concern that domestic works are in keeping with the existing house and do not impact adversely on neighbouring properties.

It is considered that the proposed development meets the requirements of Policy ENV 7 as the development complies with both the Council's Design Guidance and policy documents relating to this type of development in terms of design and layout.

6. ASSESSMENT AGAINST OTHER MATERIAL CONSIDERATIONS

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

Consultations

6.2 The consultation responses received offer no objection to the proposed development.

Representations

6.3 The issues raised by the objector have been assessed in Section 4 above and are considered to be of insufficient weight to justify the refusal of the application in this instance.

Impact on the Amenity of the Area

6.4 The circumstances of the proposed development are such that it is considered that the proposals can be accommodated without detriment to the surrounding area.

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 at Section 5 of the report, applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise. The proposed development accords with the Development Plan and therefore the application should be approved unless material considerations indicate otherwise.

8.2 In terms of the application, the consultations received are supportive. The submitted letters of objection are noted but are not in themselves considered to

be of sufficient weight to justify an unfavourable recommendation. The overall impact on the amenity of the area is such that the proposed development can be accommodated without detriment to the surrounding area.

9. RECOMMENDATION

9.1 It is recommended that the application be approved subject to the condition 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, the application will not require to be referred to the Development Services Committee as it would not constitute a significant departure from policy.

Alan Neish
Head of Planning and Building Control

26 November 2003
(EMcL/MMM)

FV/DVM

LIST OF BACKGROUND PAPERS

1. Application Forms and Plans.
2. Statutory Notices/Certificates.
3. Consultation Replies.
4. East Ayrshire Council Design Guidance (2001).
5. Adopted East Ayrshire Local Plan.
6. Approved Ayrshire Joint Structure Plan.
7. Representations.

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

Implementation Officer: Dave Morris

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

03/0874/FL

Site of Proposal:	1 Golf Loan STEWARTON
Nature of Proposal:	Proposed Alterations, Additions and Two Storey Extension Over Garage
Name & Address of Applicant:	Mr & Mrs McGuinness 1 Golf Loan STEWARTON Kilmarnock KA3 5DZ
Name & Address of Agent:	Brian Murray Architect 31 Ritchie Street WEST KILBRIDE KA23 9AL

DPOs Reference: EMcL/MMM

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

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.

**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.**