

**EAST AYRSHIRE COUNCIL**

**SOUTHERN LOCAL PLANNING COMMITTEE: 11 APRIL 2003**

**02/0805/FL: PROPOSED ERECTION OF TWO-STOREY EXTENSION WITH INTEGRAL GARAGE AT 3 CLEMENTS TERRACE, HOLLYBUSH**

**APPLICATION BY MRS G LILLYCROP**

**EXECUTIVE SUMMARY SHEET**

**1. DEVELOPMENT DESCRIPTION**

1.1 Full planning permission is sought for the erection of a two-storey extension to the dwellinghouse. It is intended for the purpose of forming a third bedroom at first floor level of the property and to provide an integral garage with a small sunroom to the rear of the ground floor.

1.2 The proposed extension would be of a hipped roof construction with a gabled dormer to the front and rear of the roof. An additional gabled dormer is also proposed to serve an existing bedroom as the window currently serving this bedroom would be lost if the extension is permitted as proposed.

**2. RECOMMENDATION**

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

**3. CONCLUSIONS**

3.1 As indicated in Section 5 of the report, there are no specific policies within the Development Plan applicable to this development and therefore greater weight should be attached to other material considerations. As indicated in Section 6 of the report, there are material considerations relevant to this application. In this regard, the proposal conflicts with the Council's Design Guidance and consequently, the provisions of Policy ENV7 of the EALP are not supportive of the development.

3.2 The proposed dormers are of a different style to that of the existing dormer and it therefore does not adhere to the Council's Design Guidance and therefore is not consistent with Policy ENV7. In the consideration of this application the Planning Division had requested that an amended design scheme be submitted

to address the concerns raised. However, the applicant has advised the department that the proposal is to be considered as submitted.

3.3 Finally, National Planning Policy Guideline 1 (as revised) “The Planning System” indicates in Paragraph 16 that “Design is a material consideration when determining a planning application. A proposal may be refused, and the refusal defended on appeal, solely on design grounds.”

3.4 It is not considered that the proposed design is one that is acceptable in terms of policy and current Design Guidance regarding householder developments.

### **CONTRARY DECISION NOTE**

Should the Committee agree to approve the planning application contrary to the recommendation of the Head of Planning and Building Control, the application would not require to be referred to the Development Services Committee because it would not be a significant departure from 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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**APPLICATION BY MRS G LILLYCROP**

**Report by the 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 the recommendation is one of refusal.

**2. APPLICATION DETAILS**

2.1 **Site Description:** The application site is a semi-detached dwellinghouse located in the minor settlement of Hollybush at Clements Terrace (B7034 Hollybush–Dalrymple road). The house is a modern two storey (dormer) property which is set approximately 12 metres back from the edge of the public road and is of a south east orientation.

2.2 The existing dwelling has a pitched roof finished in tiles and a painted render external wall finish. The first floor at present is accommodated by a box dormer which forms part of the attachment with the neighbouring property. The house is located along Clements Terrace that comprises six houses of a similar style and it is set in a residential area. None of the other houses have been extended to the front.

2.3 **Proposed Development:** Full planning permission is sought for the erection of a two-storey extension to the dwellinghouse. It is intended for the purpose of forming a third bedroom at first floor level of the property and to provide an integral garage with a small sunroom to the rear of the ground floor.

2.4 The proposed extension would be of a hipped roof construction with a gabled dormer to the front and rear of the roof. An additional gabled dormer is also proposed to serve an existing bedroom as the window currently serving this bedroom would be lost if the extension is permitted as proposed.

### 3. CONSULTATIONS AND ISSUES RAISED

3.1 East Ayrshire Roads and Transportation Division has no objections in principle to the proposed development subject to standard conditions regarding the surface of the driveway and the disposal of surface water within the site boundaries.

***Conditions can be attached to any consent granted for the proposed development to meet the requirements of the Roads and Transportation Division.***

3.2 The Coal Authority has no objection to the proposed development and has no adverse comments to make.

***Noted.***

3.3 Scottish Water has advised that the developer should contact Developer Services and that roof water should be drained to a soakaway or similar system.

***A note can be attached to any consent granted for the proposed development to advise the applicant to make early contact with Scottish Water.***

### 4. REPRESENTATIONS

4.1 This application has not attracted any third party representations.

### 5. ASSESSMENT AGAINST THE 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 (1999) and the Adopted Dalmellington/Patna/Dalrymple Local Plan (1989). The Adopted Local Plan was prepared within the context of the then emerging Strathclyde Structure Plan.

#### Dalmellington/Patna/Dalrymple Local Plan

5.2 There are no policies contained within the abovementioned local plan which directly relate to the proposed development.

***Noted.***

## Ayrshire Joint Structure Plan

5.3 There are no policies contained within the abovementioned structure plan which directly relate to the proposed development.

***Noted.***

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

6.1 The principal material considerations relevant to the determination of the application are the East Ayrshire Local Plan, (Finalised Version with Modifications) 2002, (EALP), the Council's Design Guidance and the consultation responses.

### East Ayrshire Local Plan

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 as a prime material consideration. Policy ENV7 states that all developers will be expected to comply with the Council's Design Guidance relating to and advising on the particular type of development. The guidance relating to dormer extensions states that dormers shall be of a scale and design appropriate to the building on which they are proposed and that they shall take account of the design of other dormers existing on the building and of existing dormers on adjoining properties.

***The proposal is to construct a two-storey extension to the gable end of a modern semi-detached two storey (dormer) dwelling. The Design Guidance requires that dormer windows match those which exist both on the dwellinghouse and on adjacent properties. The existing dormer is a flat roof box dormer and the proposal involves three gable style dormers that are significantly different to the existing dormer style at Clements Terrace. It is considered therefore that the current design scheme does not comply with the Guidance. Normally flat roof box dormers are not considered to be acceptable however, in this instance it is considered that this style would indeed be appropriate to remain in keeping with its surroundings. In addition to this the hipped roof configuration alters the existing frontage to the detriment of the visual amenity of the streetscape.***

## Consultation Responses

6.3 The consultation responses do not 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 indicated in Section 5 of the report, there are no specific policies within the Development Plan applicable to this development and therefore greater weight should be attached to other material considerations. As indicated in Section 6 of the report, there are material considerations relevant to this application. In this regard, the proposal conflicts with the Council's Design Guidance and consequently, the provisions of Policy ENV7 of the EALP are not supportive of the development.

8.2 The proposed dormers are of a different style to that of the existing dormer and it therefore does not adhere to the Council's Design Guidance and therefore is not consistent with Policy ENV7. In the consideration of this application the Planning Division had requested that an amended design scheme be submitted to address the concerns raised. However, the applicant has advised the department that the proposal is to be considered as submitted.

8.3 Finally, National Planning Policy Guideline 1 (as revised) "The Planning System" indicates in Paragraph 16 that "Design is a material consideration when determining a planning application. A proposal may be refused, and the refusal defended on appeal, solely on design grounds."

8.4 It is not considered that the proposed design is one that is acceptable in terms of policy and current Design Guidance regarding householder developments.

## **9. RECOMMENDATION**

**9.1 It is recommended that the application be refused for the reasons stated on the attached sheet.**

## **CONTRARY DECISION NOTE**

Should the Committee agree to approve the planning application contrary to the recommendation of the Head of Planning and Building Control, the application would not require to be referred to the Development Services Committee because it would not be a significant departure from Council Policy.

**Alan Neish**  
**Head of Planning and Building Control**

24 March 2003  
NM/NM  
FV/DVM

## **LIST OF BACKGROUND PAPERS**

1. Application form and plans.
2. Statutory notices and certificates.
3. Consultation responses.
4. Adopted Dalmellington/Patna/Dalrymple Local Plan (1989).
5. Approved Ayrshire Joint Structure Plan (1999).
6. East Ayrshire Local Plan, Finalised Version with Modifications (2002).
7. Approved Strathclyde Structure Plan.
8. NPPG1 (as revised) "The Planning System", (2000).

Any person wishing to inspect the background papers listed above should contact Miss Nicola Monroe on 01563 555485.

**Implementation Officer: Dave Morris**

Form TP24A

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application no: 02/0805/FL

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Location	3 Clements Terrace, Hollybush
Nature of Proposal:	Proposed Erection of Two-Storey Extension with Integral Garage
Name and Address of Applicant:	Miss Gina Lillycrop 3 Clements Terrace HOLLYBUSH KA6 7EA
Name and Address of Agent:	Mr C Stewart Lismore The Lane Dullatur GLASGOW G68 0AU

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DPO's Ref: [Nicola Monroe]

PPO's Ref: [Hugh Melvin ]

The above **FULL** application should be refused for the following reasons:

1. The style and design of the proposed extension is not considered to be in keeping with the existing dwelling as a result of the introduction of a form of dormer and roof treatment inconsistent with the existing building. It is therefore contrary to the provisions of Policy ENV7 of the East Ayrshire local Plan (Finalised version with Modifications) 2002 which requires that such developments comply with the Council's Design Guidance on Householder Developments. This guidance states that development that is out of character with its surroundings can be detrimental to the appearance of the wider area.
2. The proposed dormer windows are incompatible with the style of the existing dormer window and would therefore be contrary to the Design Guidance which states that new dormers should take account of the design of other dormers existing on the building and of existing dormers on adjoining properties.

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