

**EAST AYRSHIRE COUNCIL**

**SOUTHERN LOCAL PLANNING COMMITTEE: 09 AUGUST 2002**

**02/0439/FL: EXTENSION TO REAR OF BUNGALOW TO EXTEND  
BEDROOMS AT 17 PRIMPTON AVENUE, DALRYMPLE**

**APPLICATION BY MR D SHAW**

**EXECUTIVE SUMMARY SHEET**

**1. DEVELOPMENT DESCRIPTION**

1.1 Full planning permission is sought for the extension of the dwellinghouse to the rear to provide additional bedroom accommodation. The pitched roof extension is proposed to be single storey in height with a ridgeline 0.5m lower than that of the existing dwelling. It is proposed that the extension will be finished in materials to match the existing dwellinghouse.

**2 RECOMMENDATION**

**2.1 It is recommended that the application be approved subject to the conditions listed on the attached sheet.**

**3. CONCLUSIONS**

3.1 As is indicated at Paragraph 5.2 of the report, there are no policies contained within the Adopted Dalmellington/Patna/Dalrymple Local Plan relevant to the determination of this application. As is indicated at Paragraphs 6.2 to 6.6 of the report, there are material considerations relevant to the determination of this application.

3.2 Given the age of the Adopted Dalmellington/Patna/Dalrymple Local Plan, the Council has agreed that the EALP (Finalised Version with Modifications) should be considered as a prime material consideration. There are policies within the EALP (Finalised Version with Modifications) relevant to the determination of this application and which indicate that approval would be appropriate.

3.3 The proposal also complies with the provisions of the East Ayrshire Design Guidance for Householder Development.

3.4 The grounds of objection are not considered to be of sufficient weight to justify a refusal of the application.

## **CONTRARY DECISION NOTE**

Should the Committee agree to refuse the application, the proposal would not require to be referred to the Development Services Committee as such a decision would not represent 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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**APPLICATION BY MR D SHAW**

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

**1. PURPOSE OF REPORT**

1.2 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 the proposed development is subject to an objection.

**2. APPLICATION DETAILS**

2.1 **Site Description:** The application site comprises a recently completed semi-detached bungalow and its curtilage within an otherwise established residential area. The site is flat and at the time of writing this report, no grass seeding or other planting had been carried out. Residential properties lie to either side and opposite the application site. Those properties are established with the exception of the dwelling immediately to the west, which is the other recently completed unit, attached to the subject dwelling. A 1.8 metres high hedge lies between the application site and the property to the east.

2.2 **Proposed Development::** Full planning permission is sought for the extension of the dwellinghouse to the rear to provide additional bedroom accommodation. The pitched roof extension is proposed to be single storey in height with a ridgeline 0.5m lower than that of the existing dwelling. It is proposed that the extension will be finished in materials to match the existing dwellinghouse.

**3. CONSULTATIONS AND ISSUES RAISED**

3.1 Scottish Water and the Coal Authority have no objection to the proposal.

***Noted.***

3.2 Scottish Power has no objection to the proposal provided its apparatus is safeguarded during the construction phase.

***Should the application be approved, an appropriate note in respect of the above can be attached to the planning permission.***

3.3 The Scottish Environment Protection Agency has not responded to the consultation letter at the time of writing the report.

***Noted.***

3.4 Dalrymple Community Council has not responded to the consultation letter at the time of writing the report.

***Noted.***

#### **4. REPRESENTATIONS**

One letter of objection has been received from the occupier of the property adjacent to the east. The grounds of objection can be summarised as follows:-

4.1 The proposed extension would block natural light and overshadow the rooms on the west elevation of the objector's house. The objector also contends that the site plan and location plan are inaccurate, showing the subject dwelling further from her home than it actually is.

***The Planning Authority is satisfied that the dimensions, insofar as they relate to the application site, are accurate. However, measurements taken on site indicate that the distances from the objector's house to the common boundary with the application site are closer than shown on the site plan at 2.8 metres and 1.4 metres. (The west elevation of the objector's house is stepped). The distance from the common boundary to the site of the proposed extension is 3.5 metres, thus the distance from the objector's windows closest to the proposed extension would be 6.3 metres. The proposed extension rises to an eaves level of 2.5 metres. The plane of the roof then rises a further 2.4 metres but slopes away from the objector's property. Notwithstanding the relatively close distance of the proposed extension to the objector's property, it is considered that given the low height of the extension, the limited depth of the extension and the fact that the roof plane slopes away from the adjacent property, no significant overshadowing would occur to any greater extent than that caused by the existing 1.8 metres high boundary hedge.***

4.2 The site is prone to flooding and surface water presently runs from the site into the objector's property.

***The issue of flooding on the site was addressed in the consideration of planning application 01/0327/FL, for the erection of the dwellinghouse to which the application relates, which was approved with conditions on 10 August 2001. At that time, the***

***Council took the view that any flooding of the site did not preclude approval of the house given that the principle of development on the site had already been established in the granting of an earlier planning application for residential development (CD/90/34). It is not considered that the shedding of surface water from the application site to the adjacent property (which the objector contends occurs at present) would be influenced by the erection of the extension. The issue of surface water displacement is addressed by a condition on the planning permission (01/0327/FL) for the erection of the existing dwellinghouse. That condition states:***

***“The developer shall ensure that appropriate measures are taken such that the development does not result in the shedding of surface water from the application site onto existing adjacent properties.”***

***The Planning and Building Control Division is presently monitoring the situation and will enforce the condition if necessary.***

## **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 (1999) and the Adopted Dalmellington/Patna/Dalrymple Local Plan (1989). The Adopted Plan was prepared in the context of the then emerging Strathclyde Structure Plan.

5.2 There are no specific policies within the Adopted Local Plan relevant to the determination of this application.

## **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), the consultation replies, the letter of objection, the planning history and the Council's Design Guidance.

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 East Ayrshire Local Plan, Finalised Version with Modifications (EALP) should be considered as a prime material consideration.

## East Ayrshire Local Plan

6.3 Policy ENV7 requires development to comply with the Council's existing and emerging Design Guidance and policy documents.

***It is considered that the proposal complies with the provisions of the Design Guidance as noted below.***

### Design Guidance

6.4 The East Ayrshire Council Design Guidance for Householder Development (April 2001) is also of relevance in the determination of the application. Section 3(d) of the Guidance states:-

*All extensions to residential properties should incorporate double-pitched or hipped roofs in situations open to general view. Mono-pitched, mansard or flat roofed extensions in situations not exposed to public view may be considered appropriate by the Council where, in the opinion of the Council, these do not detract from the appearance of the property*

***It is considered that the proposed extension, which would be constructed in materials to match the appearance of the existing dwellinghouse and would incorporate a double pitched roof, complies with the terms of the Design Guidance.***

### Consultation Replies

6.5 No adverse consultation replies have been received.

***Noted.***

### Planning History

6.6 Planning application 01/0327/FL, for the erection of five dwellinghouses at Primpton Avenue was approved with conditions on 10 August 2001. The current application relates to the dwellinghouse approved for Plot 17 under this previous consent. Condition 8 of this consent states:

*Notwithstanding the provisions of Condition 7 above, or of the Town and Country Planning (General Permitted Development) Order 1992, no garage, extension or other structure shall be erected within plot 17 without the prior approval of the Planning Authority.*

***The present application for the proposed extension is required as permitted development rights for the current application site were removed by virtue of this condition.***

6.7 A recent site inspection has also shown that a timber garage has been erected on site without the benefit of planning permission again required by virtue of Condition 8 of planning consent 01/0327/FL.

***The Division's Enforcement Officer is currently pursuing the issue of the unauthorised garage.***

### Representations

6.8 The letter of objection is addressed in section 4 of the report.

***Noted.***

## **7. FINANCIAL OR 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 Paragraph 5.2 of the report, there are no policies contained within the Adopted Dalmellington/Patna/Dalrymple Local Plan relevant to the determination of this application. As is indicated at Paragraphs 6.2 to 6.6 of the report, there are material considerations relevant to the determination of this application.

8.2 Given the age of the Adopted Dalmellington/Patna/Dalrymple Local Plan, the Council has agreed that the EALP (Finalised Version with Modifications) should be considered as a prime material consideration. There are policies within the EALP (Finalised Version with Modifications) relevant to the determination of this application and which indicate that approval would be appropriate.

8.3 The proposal also complies with the provisions of the East Ayrshire Design Guidance for Householder Development.

8.4 The grounds of objection are not considered to be of sufficient weight to justify a refusal of the application.

## **9. RECOMMENDATION**

**9.1 It is recommended that the application be approved subject to the conditions listed on the attached sheet.**

## **CONTRARY DECISION NOTE**

Should the Committee agree to refuse the application, the proposal would not require to be referred to the Development Services Committee as such a decision would not represent a significant departure from policy.

Alan Neish  
Head of Planning and Building Control

30 July 2002  
DS/HM/SMB  
FV/DVM

### **LIST OF BACKGROUND PAPERS**

- 1 Application form and plans.
- 2 Statutory notices and certificates.
- 3 Consultation replies.
- 4 Letter of representation
- 5 East Ayrshire Local Plan (Finalised Version with Modifications).
- 6 Adopted Dalmellington/Patna/Dalrymple Local Plan.
- 7 East Ayrshire Council Design Guidance Householder Development.
- 8 Approved Ayrshire Joint Structure Plan.

Any person wishing to inspect the background papers listed above, should contact Mr Derek Scott on 01563 555483.

**Implementation Officer: Dave Morris**

Application no: 02/0439/FL

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Location	17 Primpton Avenue DALRYMPLE KA6 6EL
Nature of Proposal:	Proposed extension to rear of bungalow to extend bedrooms
Name and Address of Applicant:	Mr David Shaw 19 Galloway Avenue AYR KA8 9NT
Name and Address of Agent	Mr William C Tait 20 Corserine Road AYR KA7 4HN

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DPO's Ref: [Derek Scott ]  
PPO's Ref; [ ]

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.

➤ **NOTE TO APPLICANT**

1. The applicant should contact Scottish Power, St Vincent Crescent, Glasgow, with regard to the location and protection of its apparatus during the construction phase.

**DUE TO ORDNANCE SURVEY REGULATIONS AND COPYRIGHT  
THE MAP IS AVAILABLE FOR VIEWING AT THE COUNCIL'S  
PLANNING OFFICE IN LUGAR. FOR INFORMATION ON  
VIEWING PLEASE CONTACT (01563) 555320.**

**AGENDA**