

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE : 02 FEBRUARY 2001

**00/0709/FL : PROPOSED EXTENSION TO FORM LOUNGE TO REAR AT
12 CUMNOCK ROAD, MAUCHLINE**

APPLICATION BY MR S LYLE

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 Permission is sought for the erection of a flat-roof lounge extension to the rear of the existing dwellinghouse. The nature of the proposed extension involves the relocation of a window of an existing bedroom from the rear elevation of the dwelling to the side elevation. The window, in its proposed position, would be located on the original part of the dwellinghouse.

2.3 The dwellinghouse is a single storey, semi-detached property and is externally finished in white painted roughcast. It is proposed that the external finish of the extension will match this.

2. RECOMMENDATION

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

3. SUMMARY OF ANALYSIS

3.1 As indicated in Paragraph 5.1 above, the development is not considered to be contrary to the development plan. Therefore, given the terms of Section 25 and Section 37(2) of the Town and Country Planning (Scotland) Act 1997, the application may be approved unless material considerations indicate otherwise. As indicated at Paragraph 6.1 above, there is nothing in the East Ayrshire Local Plan Finalised Version which would indicate that the application should be refused.

3.2 The objection, in this instance, cannot be considered by the Planning Authority as the aspect of the proposal to which it specifically relates is 'permitted development' in terms of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992. There is ample garden ground within the application site to accommodate this modest sized extension. With the exception of the bedroom window, which it is proposed

will be relocated to the side elevation and is 'Permitted Development', no other overlooking issues have arisen.

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 S LYLE

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 the proposed development is subject to an objection.

2. APPLICATION DETAILS

2.1 **Site Description** : This application lies on the west side of Cumnock Road in Mauchline and relates to the existing dwellinghouse and curtilage at 12 Cumnock Road, Mauchline. Other residential properties are located on either side of the application site.

2.2 **Proposed Development** : Permission is sought for the erection of a flat-roof lounge extension to the rear of the existing dwellinghouse. The nature of the proposed extension involves the relocation of a window of an existing bedroom from the rear elevation of the dwelling to the side elevation. The window, in its proposed position, would be located on the original part of the dwellinghouse.

2.3 The dwellinghouse is a single storey, semi-detached property and is externally finished in white painted roughcast. It is proposed that the external finish of the extension will match this.

3. CONSULTATION AND ISSUES RAISED

3.1 Mauchline Community Council has not responded to the consultation letter.

Noted.

3.2 West of Scotland Water Authority has stated that the proposal may involve building over an existing public sewer. It adds that the developer must contact West of Scotland Water, prior to any work commencing on site.

A note can be added to any consent granted for the development to advise the applicant of West of Scotland Water Authority's requirements.

3.3 Scottish Power, Transco, British Telecom and The Coal Authority have no objections to the proposal.

Noted.

4. **REPRESENTATIONS** : One letter of objection has been received.

4.1 The objector states that his objection relates solely to the fact the proposal involves the relocation of an existing bedroom window from the rear elevation to the side elevation of the original dwellinghouse. The bedroom window in its proposed location would look directly into his kitchen window, a distance of approximately 5.25 metres.

The proposed relocation of the bedroom window to the side elevation of the dwellinghouse, although forming part of the works associated with the extension, is 'permitted development' in terms of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992. The Planning Authority cannot therefore exercise control over this aspect of the development. In this respect the objection is not valid and the objector has been advised of this matter. This position has been confirmed by the Council's Legal Section.

5. **ASSESSMENT AGAINST DEVELOPMENT PLAN**

5.1 The relevant policy document is the Mauchline/Drongan/Ochiltree Local Plan. There are no specific policies within the Local Plan relevant to the determination of the application and the development is therefore not considered to be contrary to the development plan.

Noted.

6. **ASSESSMENT AGAINST OTHER MATERIAL CONSIDERATIONS**

6.1 Given the early date of the Adopted Local Plan, the Council has agreed that the East Ayrshire Local Plan Finalised Version (EALP) should be considered as a prime material consideration. There are no specific policies within the East Ayrshire Local Plan relevant to the determination of this application. The development is not therefore considered to be contrary to the EALP.

Noted.

7. **LEGAL AND FINANCIAL IMPLICATIONS**

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

8. CONCLUSIONS

8.1 As indicated in Paragraph 5.1 above, the development is not considered to be contrary to the development plan. Therefore, given the terms of Section 25 and Section 37(2) of the Town and Country Planning (Scotland) Act 1997, the application may be approved unless material considerations indicate otherwise. As indicated at Paragraph 6.1 above, there is nothing in the East Ayrshire Local Plan Finalised Version which would indicate that the application should be refused.

8.2 The objection, in this instance, cannot be considered by the Planning Authority as the aspect of the proposal to which it specifically relates is 'permitted development' in terms of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992. There is ample garden ground within the application site to accommodate this modest sized extension. With the exception of the bedroom window, which it is proposed will be relocated to the side elevation and is 'Permitted Development', no other overlooking issues have arisen.

9. RECOMMENDATION

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

Alan Neish
Head of Planning and Building Control

18 January, 2001
DS/IH
FV/DVM

LIST OF BACKGROUND PAPERS

1. Application forms and plans.
2. Statutory notices/certificates.
3. Consultation responses.
4. Letter of representations.
5. Adopted Mauchline/Drongan/Ochiltree Local Plan.

6. East Ayrshire Local Plan (Finalised Version)

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

Implementation Officer : Dave Morris

Form TP24A

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application no: 00/0709/FL

Location	12 Cumnock Road, MAUCHLINE
Nature of Proposal:	Proposed extension to for lounge to rear.
Name and Address of Applicant:	Mr S Lyle 12 Cumnock Road MAUCHLINE Ayrshire KA5 5AW
Name and Address of Agent	

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 : In the interests of visual amenity.

Note to Applicant:

Prior to works commencing on site the applicant shall contact West of Scotland Water Authority with respect to the protection or diversion of an existing public sewer which may be affected by the proposed development

**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