

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE : 19 MAY 2000

**00/0151/FL : PROPOSED ERECTION OF VELUX WINDOW TO REAR OF
FLAT AT 83 ARRAN DRIVE, AUCHINLECK**

APPLICATION BY MR T. CAMPBELL

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

Planning permission is sought for the installation of a velux window to the rear of the property. The window, which has already been installed is 1.19 metres in height and 0.67 metres in width and is uPVC. The window is not visible from adjacent public roads. There are no other velux windows within the block of four.

2. RECOMMENDATION

2.1 It is recommended that the application be approved.

3. SUMMARY OF ANALYSIS

3.1 In terms of policy, the proposed development does not conflict with the policy provisions of the East Ayrshire Local Plan, Finalised Version.

3.2 With respect to the objection received, regarding ownership of the loft space, this is not material in the determination of this application although it may indeed affect the ability of the applicant to implement the proposal.

3.3 It is considered that the velux window, in terms of its location and materials, is acceptable.

**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 a planning application which is to be considered by the Local Planning Committee under the scheme of delegation as the proposal is subject to a letter of objection.

2. APPLICATION DETAILS

2.1 **Site Description** : The flat is located on the south side of Arran Drive, and forms part of the upper floor of a block of four. The flat is ex-Council owned, however the loft space is still within the ownership of East Ayrshire Council.

2.2 **Proposed Development** : Planning permission is sought for the installation of a velux window to the rear of the property. The window, which has already been installed is 1.19 metres in height and 0.67 metres in width and is uPVC. The window is not visible from adjacent public roads. There are no other velux windows within the block of four.

3. CONSULTATION AND ISSUES RAISED

3.1 Auchinleck Community Council have no objections to the proposal.

Noted.

3.2 East Ayrshire Council, Legal Division have advised that Feu Superiors consent would be required for the proposed window. Furthermore, they are currently dealing with an application from the applicant to purchase the loft space.

A note can be attached to any consent advising the applicant that Feu Superiors consent is required for the window.

3.3 East Ayrshire Council, Department of Homes and Technical Services have objected to the application. They advise that they are unable to grant permission for this development at this time, as the owner/occupier has not purchased the loft space. It is their understanding that the applicant has

made an application to purchase the loft space, and until this matter is settled and a new application is made we are not in a position to grant the development application.

The fact that the applicant does not currently own the loft space or have permission from Housing Services to install the window, is not a material consideration in the determination of this application. With a Council owned property, it is possible for a planning application to be approved for a particular proposal, but for Housing Services, as owners, not to give permission.

4. REPRESENTATIONS

4.1 East Ayrshire Department of Homes have objected to the proposed development as outline in Section 3.3.

5. DEVELOPMENT PLAN STATUS

5.1 The relevant policy document is the East Ayrshire Local Plan Finalised Version and the proposal is affected by residential policies.

The proposed development does not conflict with the provisions of residential policies appropriate to the application site.

6. OTHER PLANNING CONSIDERATIONS

6.1 None

7. FINANCIAL AND LEGAL IMPLICATIONS

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

7. CONCLUSIONS

7.1 In terms of policy, the proposed development does not conflict with the policy provisions of the East Ayrshire Local Plan, Finalised Version.

7.2 With respect to the objection received, regarding ownership of the loft space, this is not material in the determination of this application although it may indeed affect the ability of the applicant to implement the proposal.

7.3 It is considered that the velux window, in terms of its location and materials, is acceptable.

8. RECOMMENDATION

8.1 It is recommended that the application be approved.

Alan Neish
Head of Planning and Building Control
02 May 2000
VE/IH
FV/AN

LIST OF BACKGROUND PAPERS

1. Application form and plans.
2. Statutory Notices and Certificates.
3. Consultation responses.
4. East Ayrshire Council Local Plan, Finalised Version.

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

Implementation Officer : Alan Neish

Form TP24A

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1972

Application no: 00/0151/FL

Location	83 Arran Drive AUCHINLECK KA18 2BS
Nature of Proposal:	Proposed erection of velux window to rear of flat
Name and Address of Applicant:	Mr Thomas Campbell 83 Arran Drive, AUCHINLECK KA18 2BS
Name and Address of Agent	

DPO's Ref:	[VIIVEN EMERY]
	PPO's Ref; []

The above **FULL** application should be granted.

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PLANNING OFFICE IN LUGAR. FOR INFORMATION ON
VIEWING PLEASE CONTACT (01563) 555320.**

AGENDA