

EAST AYRSHIRE COUNCIL

SOUTHERN LOCAL PLANNING COMMITTEE: 14 NOVEMBER 2003

**03/0455/FL: PROPOSED FORMATION OF DORMER EXTENSION AND
INSTALLATION OF TWO VELUX ROOFLIGHTS AT 16 HIGH MAIN STREET,
DALMELLINGTON**

APPLICATION BY MR ROBERT CARRUTHERS

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 It is proposed to form a flat roof box dormer on the existing roof plane of the property. This would provide an en-suite toilet in the attic floor of the flat. Two velux rooflights are also proposed on the same roof plane, which is slated, to provide daylight for one bedroom and a study.

2. RECOMMENDATION

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

3. CONCLUSIONS

3.1 As indicated in section 5 of the report, the application is not considered to be in accordance with 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 should be refused unless material considerations indicate otherwise. As is indicated at Section 6 of the report, there are no other material considerations relevant to this application.

3.2 The site is located within Dalmellington Conservation Area and therefore any development requires to be sympathetic to the character and appearance of the area. It is not considered that the flat roofed box dormer as proposed would be sympathetic and would therefore be detrimental to the appearance of the Conservation Area.

3.3 While it is acknowledged that the proposed dormer is to be located on the rear elevation of the property, the rear roof elevations of other adjacent properties remain unaltered and approval of the application could set an undesirable precedent for similar inappropriate dormer extensions.

3.4 The proposed roof lights are considered to be acceptable, however, it is the overall development that must be determined and the dormer clearly does not comply with the relevant policies.

CONTRARY DECISION NOTE

Should the Committee agree that the application be approved 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 because it is not considered to be a significant departure from the development plan.

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 full planning application which is to be considered by the Local Planning Committee under the scheme of delegation, due to it having a recommendation of refusal and consistent with advice to the applicant pre-dating the review of the Scheme of Delegation.

2. APPLICATION DETAILS

2.1 **Site Description:** The site is contained within a traditionally built terraced property in the central area of Dalmellington. It is located in the Conservation Area of the town and comprises an upper floor to attic flatted dwelling.

2.2 There is a mix of residential and commercial/retail premises along High Main Street. To the rear is an area of vacant ground which backs onto a commercial garage workshop. The ground level drops away significantly from the rear of the site to this area such that the rear elevations of properties along High Main Street are visible from here.

2.3 **Proposed Development:** It is proposed to form a flat roof box dormer on the existing roof plane of the property. This would provide an en-suite toilet in the attic floor of the flat. Two velux rooflights are also proposed on the same roof plane, which is slated, to provide daylight for one bedroom and a study.

3. CONSULTATIONS AND ISSUES RAISED

3.1 Dalmellington Community Council has been consulted but no response had been received at the time of writing this report.

Noted.

4. REPRESENTATIONS

4.1 This planning application has not attracted any third party letters of representation.

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 and the Adopted East Ayrshire Local Plan (2003).

Ayrshire Joint Structure Plan

5.2 There are no policies contained in the structure plan which are especially relevant to the proposed development.

East Ayrshire Local Plan

5.3 Policy ENV4 states that the Council will seek to ensure that all development within or affecting the setting of a Conservation Area, or affecting the appearance or setting of a Listed Building, is sympathetic to the area or building concerned.

There are no other box roof dormers, or indeed dormers on the rear elevations of properties in the immediate vicinity of the site. The flat roofed structure would be visible from the entrance to the commercial premises at the rear of High Main Street. Albeit it would not be highly prominent from the public vista of the Conservation Area it is considered that a flat roofed box dormer on this traditional building would be detrimental to the overall character and appearance of the area. The proposed development is therefore not considered to comply with Policy ENV4. However the roof lights could be installed flush to the roof plane and they are considered to be acceptable.

5.4 Policy ENV7 states that all developers will be expected to comply fully with the Council's existing and emerging Design Guidance and Policy documents relating to and advising on the particular type of development proposed. Design Guidance 4 relates to Listed Buildings and Buildings within Conservation Areas. This guidance states that all dormer and attic extensions on buildings in a

Conservation Area shall be of a traditional design and material finish. The guidance also states that box dormers are not acceptable.

The dormer as proposed is not a traditionally designed structure. Nor will it be of traditional materials as required by the Design Guidance. Hence both the design and overall finish of the proposed development are not considered to be in compliance with the relative Design Guidance and Policy ENV7 to which the guidance pertains. The proposed roof lights are considered to be in accordance with this policy.

6. ASSESSMENT AGAINST OTHER MATERIAL CONSIDERATIONS

6.1 There are no other principal material considerations relevant to the determination of this application.

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, the application is not considered to be in accordance with 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 should be refused unless material considerations indicate otherwise. As is indicated at Section 6 of the report, there are no other material considerations relevant to this application.

8.2 The site is located within Dalmellington Conservation Area and therefore any development requires to be sympathetic to the character and appearance of the area. It is not considered that the flat roofed box dormer as proposed would be sympathetic and would therefore be detrimental to the appearance of the Conservation Area.

8.3 While it is acknowledged that the proposed dormer is to be located on the rear elevation of the property, the rear roof elevations of other adjacent properties remain unaltered and approval of the application could set an undesirable precedent for similar inappropriate dormer extensions.

8.4 The proposed roof lights are considered to be acceptable, however, it is the overall development that must be determined and the dormer clearly does not comply with the relevant policies.

9. RECOMMENDATION

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

CONTRARY DECISION NOTE

Should the Committee agree that the application be approved 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 because it is not considered to be a significant departure from the development plan.

Alan Neish
Head of Planning and Building Control

29 October 2003
NM/NM/SMB
FV/DVM

LIST OF BACKGROUND PAPERS

1. Application Form and Plans.
2. Statutory Notices and Certificates.
3. Adopted East Ayrshire Local Plan (2003).
4. Approved Ayrshire Joint Structure Plan (1999).
5. East Ayrshire Council Design Guidance.

Anyone wishing to inspect the above background papers should contact Nicola Monroe on 01563 555485.

Implementation Officer: Dave Morris

Form TP24A

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

Application No: 03/0455/FL

Location	16 High Main Street DALMELLINGTON KA6 7QN
Nature of Proposal:	Proposed formation of dormer extension and installation of two velux roof lights
Name and Address of Applicant:	Mr Robert Carruthers 16 High Main Street DALMELLINGTON KA6 7QN
Name and Address of Agent	As above

DPO's Ref: Nicola Monroe

PPO's Ref: Hugh Melvin

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

1. The proposed flat roofed box dormer structure is not in keeping with the character of Dalmellington Conservation Area and it is considered that it would have a detrimental impact upon the designation. It would therefore breach the provisions of Policy ENV4 of the East Ayrshire Local Plan which requires that all development within or affecting the setting of the Conservation Area is sympathetic to the area concerned.
2. The proposed development is contrary to the guidance set out in Design Guidance 4 which relates to development in Conservation Areas. It is therefore also contrary to Policy ENV7 of the East Ayrshire Local Plan which requires that developers comply fully with the guidance relative to the proposed development.
3. The approval of the proposed development could set an undesirable precedent for other dormer extensions of inappropriate design to the detriment of the character and appearance of Dalmellington Conservation Area.

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