



East Ayrshire Local Development Plan

Supplementary Guidance

Householder
Development
Design Guidance

Table of Contents

1.	Introduction.....	1
2.	Guidance on Householder development	3
3.	Residential Conversions.....	14
4.	Glossary of Terms	18
5.	Sources of Further Information.....	19

1. Introduction

1.1 Status of Supplementary Guidance

This Supplementary Planning Guidance (SG) has been prepared under Part 2 Clause 22 of the Planning etc. Scotland Act 2006 and forms part of the Local Development Plan (LDP) for East Ayrshire (adopted 3rd April 2017). As a statutory document, it represents a material consideration in the determination of planning applications and forms part of the East Ayrshire LDP.

1.2 Aims of this SG

This SG sets out good practice, covering common types of householder development, to provide guidance to those preparing an application for consent. It is intended that the guidance be applied, where relevant, to all new housing delivered in addition to the existing housing stock.

Whilst no specific LDP policy explicitly addresses household development, the potential material relevance of policies OP1: *Overarching Policy*, and RES 1 - 13, in addition to ENV 1: *Listed Buildings* and ENV 3: *Conservation Areas* should be noted.

An additional section includes general advice regarding residential conversions in support of principle LDP planning policies that manage residential conversions: RES 9: *Conversions to Residential Use* and RES 13: *Enabling Development*.

1.3 Does my proposal require Planning Permission?

There are some types of householder development that do not require consent. This is known as *permitted development*. You can find out more regarding permitted development from Scottish Government Planning *Circular 1/2012: Householder Permitted Development*.

It should be noted that listed buildings, and buildings in conservation areas have very little scope for alteration without planning consent. If you would like to find out if your property is listed or if it is located within a conservation area, you can access the Council's website¹ or contact the Planning and Economic Development section.

¹ Council's website – online mapping. For Conservation Areas - Local Development Plan 2017 > Conservation Areas. For Listed Buildings - Planning and Environment > Listed Buildings. For Tree Preservation Orders - Planning and Environment > TPO.

All development, whether requiring consent or acceptable under permitted development, should be referred to Scottish Water if there is the potential for the work involved to have an impact on their above or below ground assets².

Some trees are also protected and further information can be accessed from the same sources.

The advice provided in this SG should be read in conjunction with *East Ayrshire Supplementary Guidance: Listed Buildings and Buildings within Conservation Areas*.

² Early engagement with Scottish Water is encouraged to discuss public water main and sewer locations and capacity. Pre Development Enquiry Forms for this service are free.
<http://scottishwater.co.uk>

2. Guidance on Householder development

2.1 Your house in context: Understanding the Surrounding Area

Whilst alterations and extensions to a dwelling can improve the quality and prolong the life of a building, the effects of changes to the property, if not carefully considered, can be potentially detrimental on neighbouring properties and to the appearance of the wider neighbourhood.

Understanding the particular circumstances and characteristics of your home should be the starting point for planning changes to your property.

2.2 General advice

In general terms, where planning permission is being applied for, the following advice should be followed:

The development should be of an appropriate scale, size and massing which will not constitute over development and be sympathetic to the established development pattern;

The development should reflect, although not necessarily replicate, the design and materials of the existing house and the character of the surrounding area;

The development should not significantly reduce the amenity of the neighbouring residents or the surrounding area through overlooking and/ or loss of light.

2.3 Householder Development

House Extensions

Some extensions are sympathetic to the existing house, whilst others are distinct additions with contemporary styles. Both options can be successful provided they have been well-designed.

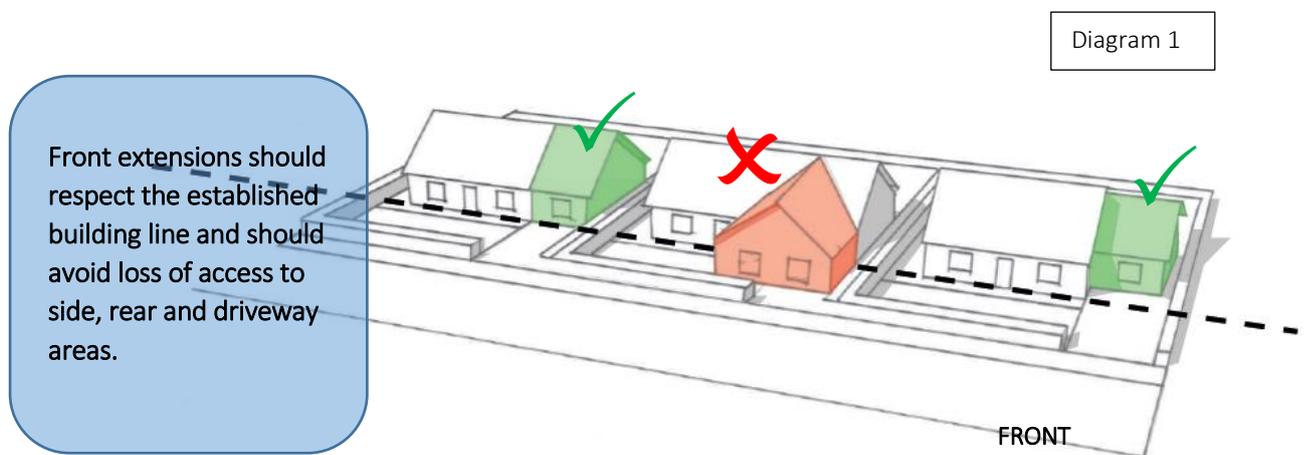
Extensions will only be considered acceptable in situations where they would not impact negatively on the character or amenity of the original dwelling and the surrounding area. In all cases the established building line of the street should be respected.

Generally extensions should avoid:

- over dominating the existing house;
- being higher than the existing house;

- a significant loss of in-curtilage parking provision exacerbating adverse impacts on any existing pressures for on-street parking;
- having a detrimental impact on the character of the house and street by virtue of size, scale, positioning and design;
- coming forward of the existing building line;
- a significant loss of useable garden ground;
- a loss of access to side or rear of property for maintenance, bin storage etc; and
- having a significant detrimental impact on neighbouring properties by virtue of overshadowing³, overlooking⁴ or having an overbearing impact.

Front extensions



Porches

Small scale front extensions may be acceptable in design terms if they are sufficiently subordinate so as to avoid disrupting the established building line.

Front porch extensions will generally be acceptable, provided that they are:

- Small scale;
- Sympathetically designed structures and unobtrusive and do not overwhelm the building or the character of the street;
- Employing materials which complement the original property;

Larger porches which incorporate additional rooms such as a utility room or toilets are unlikely to be acceptable.

³ Diagram 8.

⁴ Diagram 7.

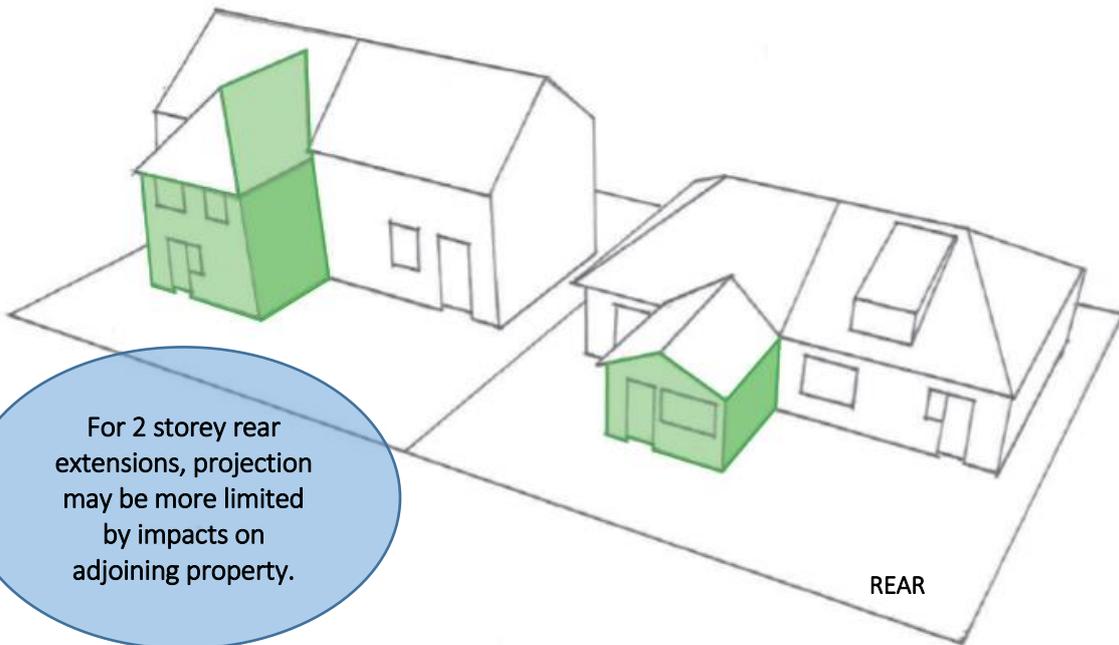
Diagram 2



Porches should respect the general design of the street.

Rear extensions

Diagram 3: Semi-detached



For 2 storey rear extensions, projection may be more limited by impacts on adjoining property.

Diagram 4: Detached

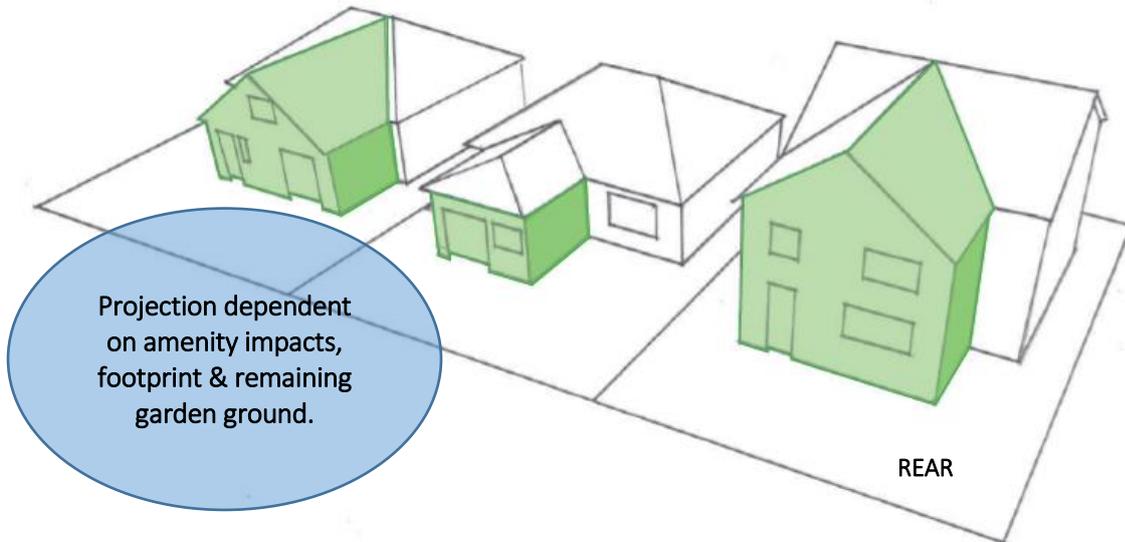
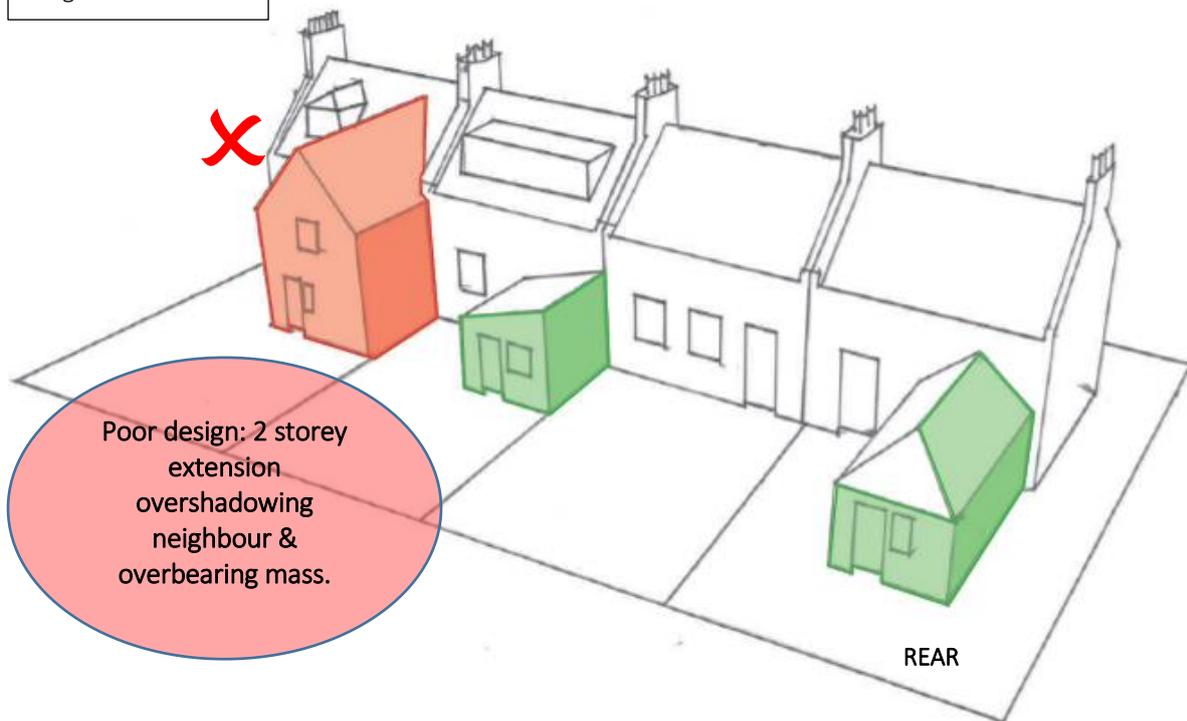


Diagram 5: Terraced



Side extensions

Extensions that reach a property boundary may lead to *terracing effect* that would adversely affect the character of the area. This is particularly noticeable where an extension continues the roofline of the original building.

To avoid this, all extensions should be set back a minimum of 1 metre from the side property boundary and set down from the ridge line of the original roof. Where neighbouring properties can be extended in a similar manner, set back will be required to mitigate the visual impact of terracing effect.

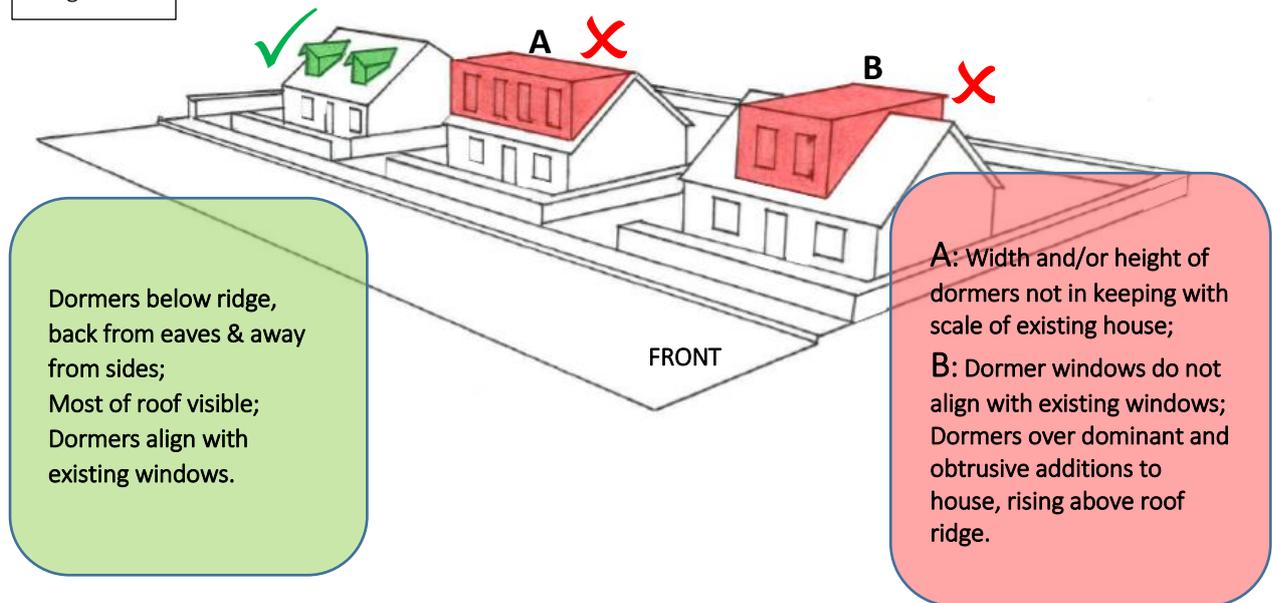
Dormers

The following general rules will apply:

- Dormers shall be of a scale and design appropriate to the building on which they are proposed and, in all cases, the design and positioning of the windows shall reflect the position, character and proportion of other windows on the same elevation;
- Dormers shall take account of the design of other existing dormers on the building and of dormers on adjoining properties;
- Side and, if appropriate, front panels should be finished externally in the same materials and colours as the roof covering of the existing house. Notwithstanding the above, the front face of the dormer should be predominately glazed;
- Dormers should, collectively, occupy no more than 50% of the area of the roof plane;
- Dormers shall be set a minimum of 0.3 metres away from gables and hips, and down from the roof ridge in order that the roofline remains unaltered. Under no circumstances shall a dormer rise above the ridge of the roof;
- Dormer extensions should be built in the roof, not in wall;
- Dormers should not breach or wrap around roof hips;
- Continuous box dormers (i.e. two or more rooms linked) will not generally be permitted in situations exposed to public view, other than in non-sensitive areas and/ or where such dormers are already prevalent;

Further consideration should be given to neighbouring properties and as a general rule new windows should be over 18 metres from facing windows of habitable rooms.

Diagram 6



Rooflights

Rooflights can be considered as an alternative to dormers as they can have less of a visual impact on your property, they are likely to be cheaper to install and they are less likely to result in overlooking of neighbouring properties.

For listed buildings and properties in conservation areas, special care is required to ensure the character and appearance of the property and surrounding area is preserved. Sympathetic ‘conservation’ style rooflights will nearly always be required in listed buildings and on the public elevations of buildings in conservation areas.

Replacement Windows and Doors

The design and scale of replacement windows shall reflect that of the original dwelling.

Garages and Outbuildings

Outbuildings include a variety of buildings e.g. garages, sheds and greenhouses. All outbuildings should respect and complement the character of the existing house and surrounding area.

Consideration should be given to the use of any outbuilding as planning permission may be required for commercial business uses.

Outbuildings should be smaller in scale than the main dwellinghouse and of a scale appropriate to a domestic garden setting. They should not normally be situated in front of domestic properties and should not be over dominant in relation to the existing and surrounding properties.

Outbuildings will not usually be acceptable in front gardens because of the damaging impact development forward of a front building line can have on the visual character of an area.

Outbuildings should be positioned where they do not overshadow neighbouring properties. If the outbuilding is to be used as additional living space, it should be positioned so that it does not overlook neighbours. New residential units shall be treated as such.

The combined footprint of all outbuildings should not result in a significant loss of garden ground and you should be able to use and enjoy the remaining outside space.

Mature and semi-mature trees should be retained where possible, particularly where they add character to your property and/or the surrounding area.

Fences, hedges and other planting can help to screen an outbuilding.

Boundaries

The type of boundary treatment, its materials and its height help to define the character and appearance of an area. Therefore, any new boundary treatment should respect the height and type of those of neighbouring properties to complement the existing character of the area. If in doubt, East Ayrshire planning authority will be able to tell you more⁵.

As such, the scale and form of boundary enclosures should be appropriate to their context and should not detract from the street scene as a result of inappropriate visual impact, nor should such proposals result in an unacceptable impact upon the amenity of neighbouring dwellings.

Furthermore, legislation requires that road and pedestrian safety must be considered.

- New boundary treatments close to road junctions must not obstruct the views of drivers. Boundary treatments at junctions should be kept low and/ or set back from the road;
- Hedges should be maintained so they do not overhang pavements or block views at road junctions;
- Boundary treatments beside driveways must not obstruct your view when exiting your driveway.

Satellite Dishes

Where permission is required for satellite dishes, as far as is practicable, they should be sited so as to minimise their impact on the street scene.

⁵ <https://www.east-ayrshire.gov.uk/PlanningAndTheEnvironment/Planning-applications/Apply-for-planning/Do-I-need-planning-permission.aspx>.

Micro Renewables

For additional information regarding Micro Renewables including:

- Flues for Biomass Heating Systems and Flues for Combined Heat and Power Systems;
- Ground and Water Source Heat Pumps;
- Free-standing Wind Turbines;
- Air Source Heat Pumps; and
- Solar panels;

Please refer to East Ayrshire Supplementary Guidance: *Heat Generation*.

Decking

Homeowners are often unaware that the formation of decking may require planning permission. It is therefore important to discuss any such proposals with the planning authority at an early stage to determine what consents may be necessary and to identify any potential issues with a proposal.

Raised decking can in many cases provide a desirable outdoor amenity space, but the impact upon adjacent properties should be given careful consideration. The raised surface of a deck may result in overlooking into neighbouring gardens and a consequent loss of privacy. Equally, enclosing raised decks with additional fencing can result in neighbours being faced with excessively tall boundary enclosures which can affect amenity in neighbouring gardens.

The following guidelines will be relevant to the assessment of proposals involving raised decking areas;

- Proposals should not result in an unacceptable loss of privacy for neighbouring residents;
- Proposals should not result in an adverse impact upon the amenity of adjacent dwellings, including both internal accommodation and external private amenity space;
- There will be a presumption against the formation of decking to the front of any property, or on any other prominent elevation where such works would adversely affect the visual amenity of the street scene.

Change of Use from Agricultural or Amenity Land to Garden Ground

Many homeowners seek to purchase areas of amenity land from either the Council or a housing developer, or agricultural land from a neighbouring farm, to enlarge their own gardens. In all circumstances this requires planning permission for a change of use from amenity ground/ agricultural land to garden ground.

Amenity – Privacy and Overlooking

Privacy and Overlooking -

New development should not result in the privacy of neighbouring residents being unduly infringed, both within dwellings and in any private garden ground/ amenity space. What constitutes an acceptable level of privacy will depend on a number of factors.

The following criteria, whilst not exhaustive, will be taken into account in determining the impact of a particular development. If in doubt, East Ayrshire planning authority will be able to tell you more⁶.

It is common practice for new-build residential development to ensure a separation/ visual acuity distance of 18m⁷ between windows where dwellings would be directly opposite one another.

For residential extensions to those same properties, assessment of privacy within adjacent dwellings will focus upon the context of a particular development site, taking into account the following factors:

- existing window-to-window distances and those characteristic of the surrounding area;
- any existing screening between the respective windows;
- appropriate additional screening proposed;
- respective site levels (including decking);
- the nature of the respective rooms (i.e. are windows to habitable rooms); and
- orientation of the respective buildings and windows⁸.

Any windows to habitable rooms should not look out directly over, or down into, areas used as private amenity space by residents of adjoining dwellings. In these circumstances the windows of non-habitable rooms should be fitted with obscure glass.

The addition of balconies to existing residential dwellings will require careful consideration given their potential impact upon privacy. Such additions, if poorly considered, can result in significant overlooking into adjacent gardens. Any proposed balcony which would result in direct overlooking of the private garden/ amenity space of a neighbouring dwelling, to the detriment of neighbours' privacy, will not be supported by the planning authority.

⁶ <https://www.east-ayrshire.gov.uk/PlanningAndTheEnvironment/Planning-applications/Apply-for-planning/Do-I-need-planning-permission.aspx>.

⁷ Diagram 7.

⁸ Diagram 8.

Diagram 7

Privacy distances between window openings – opposite.

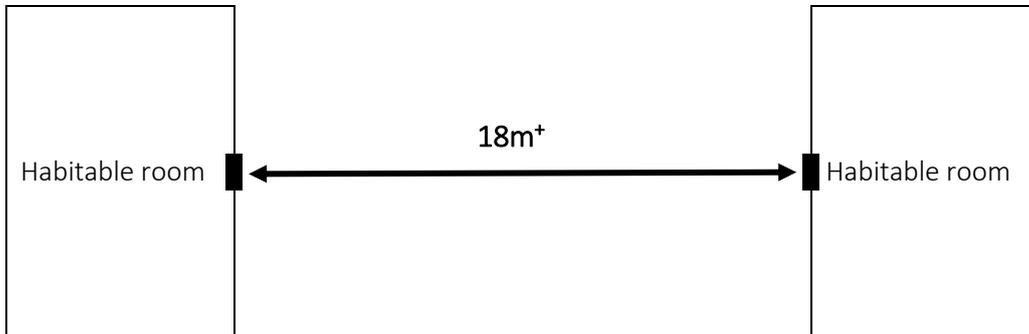
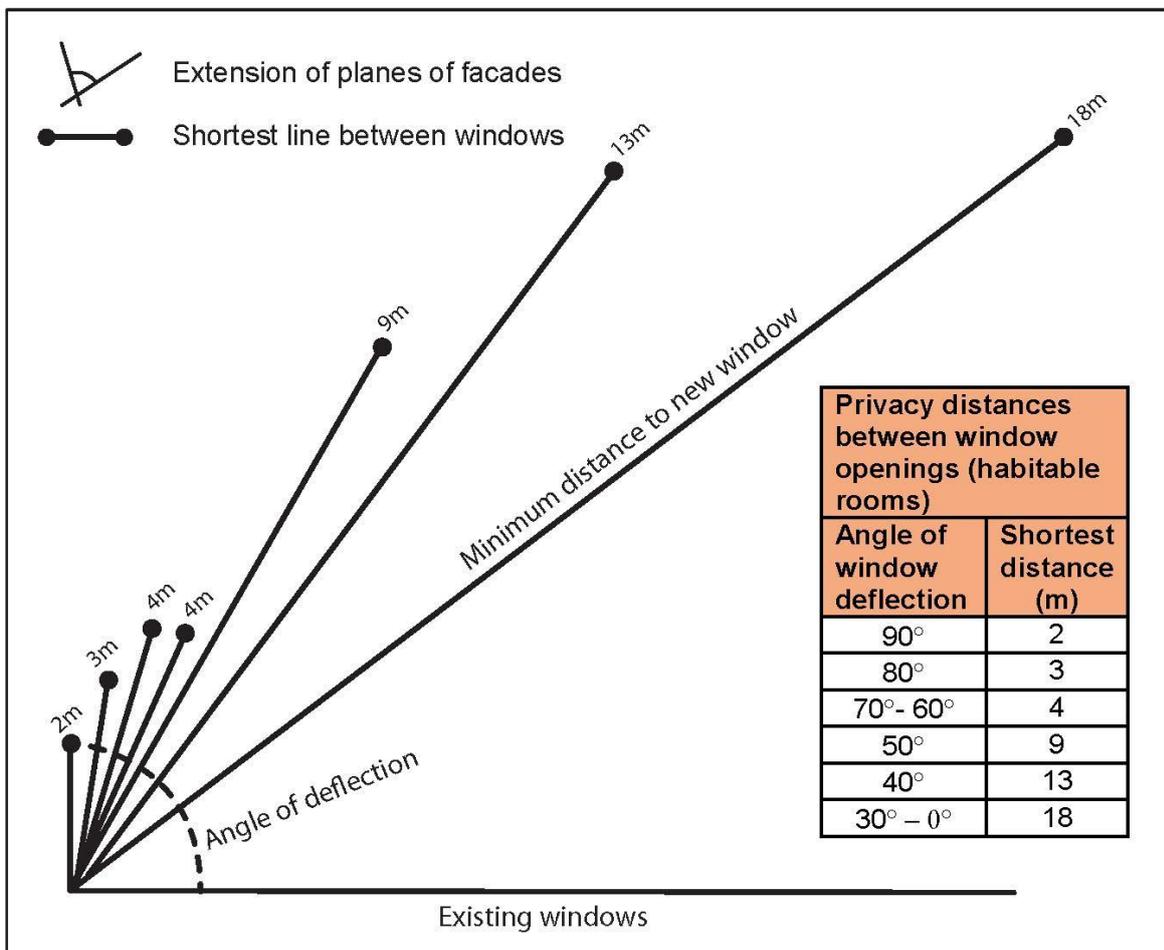


Diagram 8

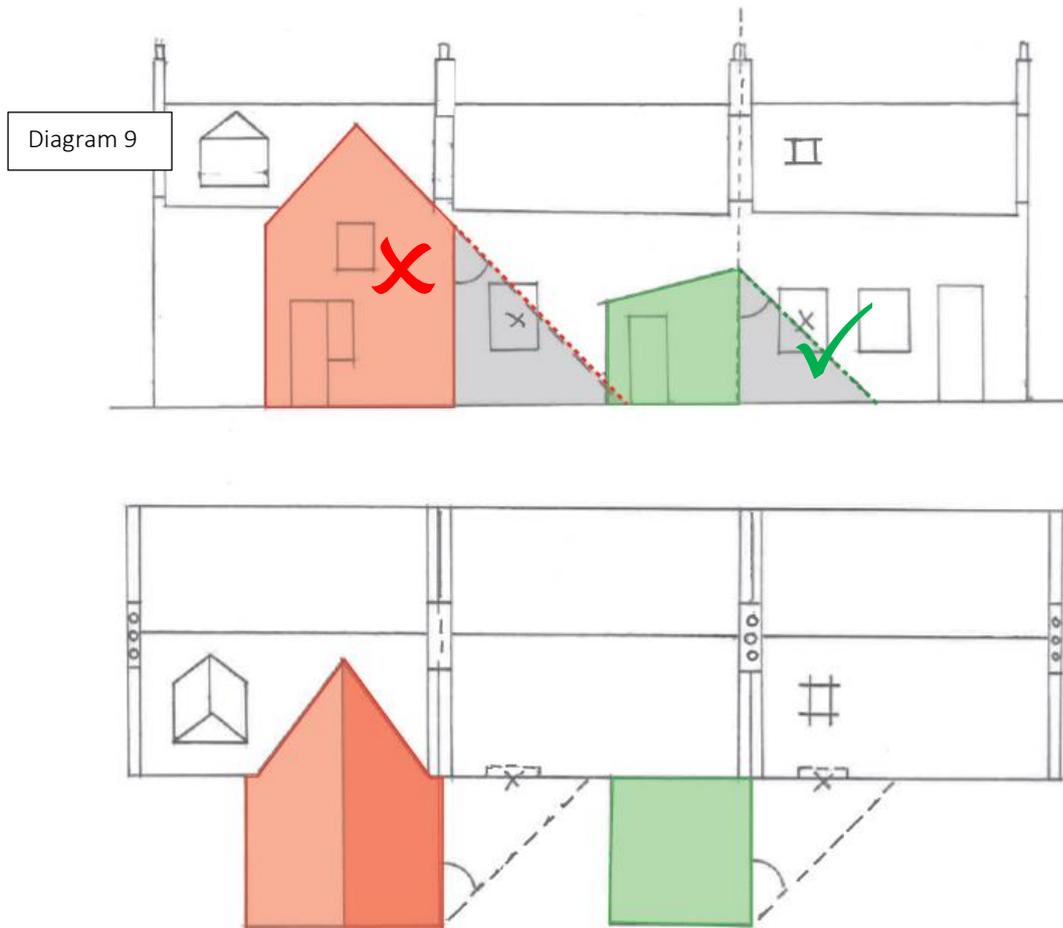
Privacy distances between window openings – tangential (horizontal or vertical plane).



Amenity - Loss of daylight

Where extensions are proposed, especially on or close to mutual boundaries, consideration must be given to the amenity of the adjoining property.

Single storey extensions should be designed so as not to cross a 45° line from the midpoint of the nearest window of the adjoining house. The shadow created by the proposed extension should not overshadow more than 50% of the adjoining window in both elevation and plan.



45° line crosses mid-point of affected window on both plan and elevation.

45° line crosses mid-point of affected window in plan but not in elevation.

3. Residential Conversions

3.1 What is a residential conversion?

The range of building types and sizes that are potentially suitable for conversion to residential use is almost endless and consequently, it is not practicable to provide bespoke design guidance for every eventuality.

The following section is intended to provide a brief overview of the subject and emphasise the need to seek further advice before submitting a planning application.

3.2 Identifying suitable sites

Identifying an empty building does not mean that it can automatically be deemed suitable for residential conversion.

Many buildings are listed – they do not need to look attractive, impressive or be in good upkeep to be so designated.

As such, in addition to securing planning permission, the applicant may also require listed building consent and/ or conservation area consent. If the building is in a conservation area or listed, you may face restrictions on what alterations can be made⁹. If the conversion involves a church, you may also require permission from the relevant church authorities.

It should also be noted that older buildings, which may have been vacant/ derelict for some time, may have been colonised by wildlife and may be home to species protected by legislation¹⁰.

Residential conversions proposing the potential loss of retail provision within town centres, as part of the determination process, will be considered against town centre policies¹¹.

Opportunities for residential conversions may be located within settlement boundaries or in the countryside. Within the rural area, residential development is more tightly controlled, and as a result, less scope exists for residential conversions to occur. The principle policies designed to assess applications for residential conversions are LDP policies RES 9 and RES 13.

⁹ Historic Environment Scotland

¹⁰ Professional advice should be sought if protected wildlife is thought to be present. In many cases, well designed conversions can continue to provide space for both bats and owls.

¹¹ Policy TC 2: Footfall generating uses outside of town centres and TC 4: Town Centre Living.

Policy RES 9: Conversions to Residential Use

Within both settlements and the rural area, the Council will be supportive of proposals relating to the conversion of properties to residential use, where all of the following criteria can be met:

- (i) the Council is satisfied that the structural condition of the building is suitable for its conversion to residential use. A structural engineer's report may be required in this regard;
- (ii) the proposal reflects the style and design of the original building located on the site;
- (iii) any extension proposed in association with the conversion is of an appropriate size and scale, commensurate and in keeping with the size and scale of the existing building to which the conversion relates¹².

Within rural areas, Council support for the conversion of properties to residential use will be restricted to:

- (i) the conversion of large residential properties or other residential uses of an institutional or care related nature into smaller residential units; and
- (ii) the conversion of traditionally designed and constructed, non-residential buildings of a domestic scale.

The conversion to residential use of modern, purpose built, large scale storage barns, byres, cubicle houses, stables or other outbuildings constructed of non-traditional **materials such as breeze blocks, corrugated iron, profiled sheeting etc. will not be supported by the Council.**

RES 13: Enabling Development

Where a proposal relates to works to a large listed residential or institutional building located within its own grounds (including by conversion to a sympathetic alternative use), and where it can be clearly shown that the works are the only means of preventing the loss of the asset and securing its long term future, an associated enabling development of new build housing may be considered acceptable by the Council. Any new development must be the minimum necessary to bridge any gap in funding and must be designed and sited to ensure that the character and setting of the historic asset is preserved and enhanced.

Any permitted enabling residential development will be made the subject of an appropriate Section 75 obligation regarding the phasing of construction and other

¹² Refer to previous section.

related design and layout matters, through the submission of a detailed business plan for the overall development.

In all cases the Council will appoint independent accountants to assist in examining the viability of proposals and their business plans and in any Section 75 Obligation. The Council will require developers to share detailed financial information to ensure that the terms of this policy are met.

Notwithstanding the above provisos, it may be useful to consider - in general terms, a list of basic general standards which will be applied to any residential conversion project.

3.3 General design standards

Proposals for conversions and subdivisions should comply with the following general standards:

- All dwellings should, ideally, have a dual aspect (proposed flats with their sole aspect into a parking court or shared rear area will generally be unacceptable). An exception may be made, however, within a listed building, where, if the proposal is otherwise deemed acceptable, the applicant can clearly demonstrate that the conversion/ subdivision costs are so excessive as to necessitate a more intensive subdivision.
- All habitable rooms should receive natural daylight and ventilation in order to minimise energy use. No residential accommodation should be formed solely in basement cellars or under-buildings.
- A minimum of 18 metres should be provided between habitable room windows directly facing windows in buildings on adjacent sites, wherever possible. Where the adjacent site is vacant, no new habitable room windows should be formed on an elevation less than 9 metres from the common boundary¹³.
- Access to upper floors should be provided internally. External stairs should not be visible from any public area, as they detract from the visual amenity of buildings and the surrounding street scene.
- There should be internal access from each dwelling to both the front and rear of the building, to enable occupants to reach refuse/ recycling facilities and private amenity space (an exception may be made in properties where a path is provided around the side of the building).
- Parking provision should accord with the policy requirements of Ayrshire Roads Alliance.

¹³ Diagram 7.

- In some situations, grounds attached to the building will be feued separately, to provide a *residential private open space*¹⁴ for each flat. Where this is not proposed, the developer should provide usable communal private garden space for residents; a shared ‘backcourt’ or ‘backcourts’. These areas should be screened from public view and secured from public access.
 - Provision of garden space, refuse/ recycling space etc. should not result in the removal of trees, important to the amenity of the area. On sites with mature trees, a tree survey should be submitted with the application to allow assessment of any likely impacts.
 - Where the building and/ or the site makes the provision of residential private open space difficult, developers should look at the possibility of creative alternative solutions, such as shared roof gardens or private terraces or balconies for flats.

¹⁴ EA Open Space Standards Supplementary Guidance.

4. Glossary of Terms

Amenity open space: Landscaped areas separating different buildings or land uses for environmental, visual or safety reasons and used for a variety of informal or social activities.

Building line: The line formed by the frontages of buildings along a street; generally does not include elements such as the front of any porches, canopies, garages or bay windows.

Curtilage: is accepted to mean land which is used for the comfortable enjoyment of a building and which serves the purpose of that building in some necessary or reasonably useful way. It need not be marked off or enclosed in any way. Normally the curtilage would relate to the property boundary of the dwelling house.

Enlargement: Any development that increases the internal volume of the original dwelling house and includes a canopy or roof, with or without walls, which is attached to the dwelling house, but does not include a balcony.

Habitable rooms: Includes bedrooms and living rooms, but does not include bathrooms, utility rooms, WCs or kitchens when not accompanied by dining facilities.

Overshadowing: The effect of a development or building on the amount of natural light presently enjoyed by a neighbouring property, resulting in a shadow being cast over that neighbouring property.

Permitted development rights: planning permission granted for certain classes of development by the 1992 Order as amended by the Amendment Order 2014 and further amended by the Amendment (No 2) Order 2014.

Roof hip: The external angle at which adjacent sloping sides of a roof meet.

Terracing effect: Extensions that reach a property boundary causing the appearance of continuous development.

5. Sources of Further Information

- East Ayrshire Development Management team <https://www.east-ayrshire.gov.uk/PlanningAndTheEnvironment/Planning-applications/Planning-guidance/Guidanceonplanningapplications.aspx>
- [A guidance note on the national standards for the validation and determination of planning applications and other related consents in Scotland](#)
- Scottish Government <http://www.gov.scot/Topics/Built-Environment/planning/Development-Management>
- [Circular 1/2012: Householder Permitted Development](#)
- [Circular 3/2013: Development Management Procedures](#)
- e Planning <https://www.eplanning.scot/ePlanningClient/default.aspx>
- Planning Aid Scotland <http://pas.org.uk/>

Contact details:

Policy advice:

Planning Policy

01563 576000

localdevelopmentplans@east-ayrshire.gov.uk

Application and pre-application advice:

Planning & Building Standards

01563 576790

submittoplanning@east-ayrshire.gov.uk



East Ayrshire Council
Comhairle Siorrachd Àir an Ear

Planning & Economic Development
The Johnnie Walker Bond, 15 Strand Street
Kilmarnock, East Ayrshire KA1 1HU

www.east-ayrshire.gov.uk