

Report

Report to:	Planning Committee
Date of Meeting:	5 May 2020
Report by:	Executive Director (Community and Enterprise Resources)

Application no.	P/19/1684
Planning proposal:	Erection of dwellinghouse and detached double garage.

1 Summary application information

Application type: Detailed planning application

Applicant: Mrs Margaret MacDonald
Location: 93 Broompark Road
Blantyre
G72 9SQ

2 Recommendation(s)

2.1 The Committee is asked to approve the following recommendation(s):-

- (1) Grant detailed planning permission (subject to conditions) based on conditions attached

2.2 Other actions/notes

- (1) The Planning Committee has delegated powers to determine this application.

3 Other information

- ◆ Applicant's Agent:
- ◆ Council Area/Ward: 15 Blantyre
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan (adopted 2015)**
Policy 4 - Development Management and Placemaking
Policy 6 - General Urban Area/Settlements

Proposed South Lanarkshire Development Plan 2 (2018)

Policy 3 - General Urban Areas

Policy 5 - Development Management and Placemaking

Residential Design Guide

◆ Representation(s):

▶	8	Objection Letters
▶	0	Support Letters
▶	0	Comment Letters

◆ Consultation(s):

SEPA Flooding

Roads Flood Risk Management

Roads Development Management Team

Environmental Services

Scottish Water

Planning Application Report

1 Application Site

- 1.1 The application site is roughly triangular in shape (on an east west axis), extends to 550 square metres or thereby and is located at the rear of the Doon Inn Public House, 93 Broompark Road, Blantyre.
- 1.2 The land to the rear of the Doon Inn Public House is currently used as an informal car park. As a result of the proposed development, the depth of the informal car park will be reduced to approximately 14 metres. The site is bounded to the north by Watson Street (private road) beyond which are residential properties (semi-detached bungalows) approximately 16-18 metres away. The site is bounded to the south by residential properties off Stonefield Crescent, approximately 22 metres away.
- 1.3 The site at present is relatively level, unmaintained and enclosed by a low boundary wall along Watson Street.

2 Proposal(s)

- 2.1 The applicant seeks detailed planning consent for the erection of a dwellinghouse and detached double garage. The application site will be accessed off Watson Street.
- 2.2 The proposed 3 bedroom dwellinghouse will be set 2 metres off both side boundaries and will have a rear garden 10 metres in depth.
- 2.3 It should be noted that the applicant has submitted amended drawings resulting in the proposed dwellinghouse moving approximately 1 metre closer towards Watson Street and the removal of the existing wall (which fronts onto Watson Street) within the curtilage of the application site. Neighbour notification was reissued.

3 Background

3.1 Local Plan Status

- 3.1.1 With regard to the South Lanarkshire Local Development Plan (adopted 2015) the site falls within the general urban area where Policy 6 – General urban area/settlements applies. Policy 4 – Development Management and Placemaking is also of relevance to the proposal.
- 3.1.2 On 29 May 2018, the Planning Committee approved the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) and Supporting Planning Guidance on Renewable Energy. The new plan builds on the policies and proposals contained in the adopted South Lanarkshire Local Development Plan. For the purposes of determining planning applications the proposed South Lanarkshire Local Development Plan 2 is now a material consideration. In this instance, Policy 3 - General urban areas and settlements, Policy 5 - Development management and placemaking are relevant to the proposal.

3.2 Relevant Government Advice/Policy

- 3.2.1 Given the nature and scale of the proposed extension, there is no specific government guidance relative to the determination of this application.

3.3 Planning Background

- 3.3.1 A planning application (P/19/0354) for the erection of a detached dwellinghouse, associated double garage and formation of off street parking was withdrawn in 2019.

4 Consultation(s)

- 4.1 **Environmental Services** – no objection subject to the imposition of a standard informative relating to noise.

Response: Noted.

- 4.2 **Scottish Water** – no objection.

Response: Noted.

- 4.3 **S.E.P.A** – no objection.

Response: Noted.

- 4.4 **Roads (Flood Risk Management)** – no objection.

Response: Noted.

- 4.5 **Roads and Transportation Services** – no objection subject to standard planning conditions relating to driveway design, car parking and statutory undertaker's apparatus.

Response: Noted.

5 Representation(s)

- 5.1 Statutory neighbour notification procedures were undertaken in respect of the proposal. In response, eight letters of objection were received from five neighbouring proprietors.

- 5.2 The grounds of objection are summarised as follows: -

(a) Watson Street is a private road in need of repair. It has had a huge increase in traffic in recent years with cars randomly parking to access Carrigans pub, the local school, community centre and shops. Additional traffic and construction vehicles will exacerbate the existing parking issues to the detriment of public safety, create further deterioration in the road and the proposed development will have access issues. The reduction in car parking at the Doon Inn with the closure of the proposed application site has already increased car parking congestion.

Response: It is considered that the erection of one additional dwellinghouse and a reduction in the depth of the informal Doon Inn 'car park' to approximately 14 metres would not have a materially significant impact on car parking congestion that would merit refusal of the application. Indeed, Roads and Transportation Services have raised no objections to the proposal as detailed previously.

- (b) **The amended plan has moved the proposed house one metre towards Watson Street with a new fence being built on the grass verge which will look out of character in the street. It will also have safety implications as the grass verges are used as a passing place and turning area.**

Response: It is considered that a boundary treatment to enclose the garden ground is acceptable. Indeed, several properties throughout South Lanarkshire Council have fences along their boundaries adjacent to roads. The imposition of a planning condition, should consent be granted, will ensure that details of all boundary treatment(s) shall be submitted to and approved by the Council as Planning Authority. As detailed previously, Roads and Transportation Services have raised no objections to the proposal.

- (c) **Loss of privacy/overlooking.**

Response: The application site and neighbouring properties are within an established residential area where a degree of mutual overlooking already occurs. Given the distances and juxtaposition of the proposed dwellinghouse and all neighbouring properties it is considered that the proposal will be within acceptable parameters all aspects considered and will not result in a material loss of privacy that would merit refusal of the application.

- (d) **Loss of sunlight/daylight. The house will dominate and overshadow neighbouring houses on the opposite side of the road.**

Response: All forms of development will generate a shadow of some description and, therefore, it is the extent and duration of shadow that is important. Given the position/relationship of the existing dwellings and the location of the proposed dwellinghouse, it is considered that any impact on neighbouring properties will not be a significant or material degree in terms of overshadowing/loss of daylight that would justify refusal of this application.

- (e) **Loss of private view.**

Response: The loss of view/outlook does not constitute a material planning consideration in the assessment of a planning application.

- (f) **Noise and disturbance – construction traffic and additional traffic.**

Response: The erection of a dwellinghouse is likely to result in some form of disruption for a temporary period only. This is not unusual or unreasonable. Any issues of inconvenience including noise associated with a development will not be permanent and with appropriate site management can be minimised. In any event the possibility of temporary inconvenience is not sufficient grounds to justify the refusal of planning consent. Whilst it is not anticipated that noise nuisance would occur once the development is complete, any such noise issues during construction would be a matter initially for Environmental Services to address.

- (g) **The proposed access road (Watson Street) is in a state of disrepair and the increased use with additional vehicles and construction traffic will exacerbate this. No maintenance has been undertaken by the Doon Inn on the Watson street side of the property. The wall is an eyesore.**

Response: Watson Street is a private road and any potential damage/repairs is a civil issue and does not constitute a material planning consideration in the assessment of a planning application.

(h) The proposed dwelling will have a side elevation facing the street which is in contrast to other homes in the area.

Response: The application site which is located behind a public house is relatively unique and the position and orientation of the proposed dwellinghouse will ensure that there is no direct overlooking of neighbouring properties from 'habitable' windows. Indeed the shape of the plot results in a particular design solution in respect of the siting of the dwelling, and, in turn, provision of garden ground. Whilst acknowledging that this layout is not conventional, it is considered that, in this instance, it is acceptable. Further, it is considered that the bespoke design and layout in itself does not provide sufficient grounds to refuse planning consent in this instance.

(i) A previous proposal for a bungalow was rejected approximately 30 years ago.

Response: Notwithstanding that there are no current planning records of this, every planning application must be assessed on its own merits in accordance with the relevant development plan.

(j) The foundations for the proposed garage will damage the roots of a large sycamore tree at the bottom of the garden of 12 Stonefield Crescent making it unsafe.

Response: There are no planning records to suggest that the tree is protected by a tree preservation order. Nevertheless, any potential damage to the roots of a neighbouring proprietor's tree as a result of the proposed development is a civil issue and does not constitute a material consideration in the assessment of a planning application.

- 5.3 The letters of objection have been copied and are available for inspection in the usual manner and on the Planning Portal.

6 Assessment and Conclusions

- 6.1 The applicant seeks detailed planning consent for the erection of a dwellinghouse and detached double garage at 93 Broompark Road, Blantyre. The determining issues in the assessment of this application are its compliance with local development plan policy as well as its impact on surrounding amenity. Under the terms of Section 25 of the Town and Country Planning (Scotland) Act 1997, all applications must be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan framework against which the proposal requires to be assessed is the South Lanarkshire Local Development Plan (adopted 2015), its associated supplementary guidance and the Proposed South Lanarkshire Local Development Plan 2 (2018).
- 6.2 With regard to adopted planning policy as set out in the South Lanarkshire Local Development Plan (adopted 2015), Policy 4 – Development management and placemaking requires all proposals to take account of and be integrated with the local context and built form. The policy advises that proposed developments should not have any significant adverse impact on adjacent buildings or the surrounding streetscape in terms of layout, scale, massing, design, materials or amenity. In addition, Policy 6 – General urban area/settlements is also of relevance and states that, while the principle of residential developments will be supported within the

general urban area, 'bad neighbour' developments will not be permitted if they are detrimental to the amenity of existing residents.

6.3 It is considered that the proposed development from a land use perspective raises no issues. In relation to policies 4 and 6 of the South Lanarkshire Local Development Plan and DM2 of the Development Management, Place Making and Design Supplementary Guidance, it is noted that:

- It is considered that the proposed dwellinghouse and detached double garage will not have a negative impact on the visual quality and amenity of neighbouring properties and the local environment. The imposition of a planning condition, should consent be granted, would ensure that before any development commences on site or before any materials are ordered or brought to the site, details and samples of all materials to be used as external finishes on the development shall be submitted to and approved by the Council as Planning Authority.
- The application site and neighbouring properties are within an established residential area where a degree of mutual overlooking already occurs. Given the distances and juxtaposition of the proposed dwellinghouse and all neighbouring properties, it is considered that the proposal will be within acceptable parameters and will not result in an unacceptable loss of privacy that would merit refusal of the application.
- Given the position of the existing dwellings and the proposed extension, along with the travel path of the sun, it is considered that there will not be a significant or unacceptable impact in terms of overshadowing/loss of sunlight/daylight.

6.4 On 29 May 2018, the Planning Committee approved the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) and Supporting Planning Guidance on Renewable Energy. Therefore, the Proposed SLLDP2 is now a material consideration in determining planning applications. The proposed development has been considered against the relevant policies in the proposed plan and it is noted that these policies are broadly consistent with the current adopted South Lanarkshire Local Development Plan. It is considered that the proposal accords with Policies 3 and 5 in the proposed plan.

6.5 Statutory neighbour notification was undertaken and 8 letters of objection have been received. The points of representation have been summarised in Section 5 above. It is considered that the concerns raised, either individually or collectively, are not of sufficient weight or merit from a planning perspective that could justify the refusal of consent.

6.6 In conclusion, following detailed consideration of the proposed development as set out above, it has been determined that the proposal generally complies with Policies 4 and 6 of the South Lanarkshire Local Development Plan (adopted 2015). The proposal is also considered to be compliant with the relevant policies of the Proposed South Lanarkshire Local Development Plan 2, specifically Policies 3 and 5. It is therefore recommended that planning permission is granted for the proposed dwellinghouse and detached double garage in this instance.

7 Reasons for Decision

- 7.1 The proposal generally complies with the relevant policies of the adopted South Lanarkshire Local Development Plan (Policies 4 and 6) and the proposed Local Development Plan 2 (Policies 3 and 5). There are no other material considerations which would justify the refusal of planning permission.

Michael McGlynn
Executive Director (Community and Enterprise Resources)

Date: 6 April 2020

Previous references

- ◆ HM/02/0174 – Formation of pitched roof to public house, granted 2002.
- ◆ HM/10/0171 – Installation of 2 new window openings, granted 2010.
- ◆ P/19/0354 - Erection of detached dwellinghouse, associated double garage and formation of off street parking, withdrawn 2019.

List of background papers

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2015 (adopted)
- ▶ Proposed South Lanarkshire Development Plan 2
- ▶ Neighbour notification letter dated 12.11.2019 and 25.02.2020

- ▶ Consultations
 - SEPA Flooding 18.11.2019
 - Roads Flood Risk Management 20.11.2019
 - Roads Development Management Team 09.12.2019
 - Environmental Services 13.11.2019
 - Scottish Water 18.11.2019

- ▶ Representations Dated:
 - Andy Macgregor, 10 Stonefield Crescent, Blantyre, Glasgow, 28.01.2020
South Lanarkshire, G72 9TJ
 - Mr And Mrs Buchanan, 40 Watson Street, Blantyre, Glasgow, 04.02.2020
South Lanarkshire, G72 9SJ
 - Mrs Elizabeth Anderson, 46 Watson Street, Blantyre, 03.12.2019
Glasgow, South Lanarkshire, G72 9SJ
 - Mr William Henderson, 48 Watson Street, Blantyre, Glasgow, 28.01.2020
South Lanarkshire, G72 9SJ

James Mackie, Received Via Email	28.01.2020
James Mackie, Received Via Email	03.12.2019
Mrs Elizabeth Anderson, 46 Watson Street, Blantyre, Glasgow, South Lanarkshire, G72 9SJ	30.01.2020
Mrs Elizabeth Anderson, 46 Watson Street, Blantyre, Glasgow, South Lanarkshire, G72 9SJ	07.02.2020

Contact for further information

If you would like to inspect the background papers or want further information, please contact:-

Murray Reid, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB

Phone: 01698 453625

Email: murray.reid@southlanarkshire.gov.uk

Conditions and reasons

01. That before any development commences on site or before any materials are ordered or brought to the site, details and samples of all materials to be used as external finishes on the development shall be submitted to and approved by the Council as Planning Authority.

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

02. That before the development hereby approved is completed or brought into use, a visibility splay of 2.5 metres by 20 metres measured from the road channel shall be provided on both sides of the vehicular access and everything exceeding 0.9 metres in height above the road channel level shall be removed from the sight line areas and thereafter nothing exceeding 0.9 metres in height shall be planted, placed or erected within these sight lines.

Reason: In the interests of traffic and public safety.

03. That before the development hereby approved is completed or brought into use, 2 no. parking spaces (3m x 6m modules) shall be laid out, constructed and thereafter maintained to the specification of the Council as Roads and Planning Authority.

Reason: To ensure the provision of adequate parking facilities within the site.

04. That before the development is completed or brought into use, the surface of the driveway shall be so trapped and finished in hardstanding as to prevent any surface water or deleterious material from running onto or entering the road.

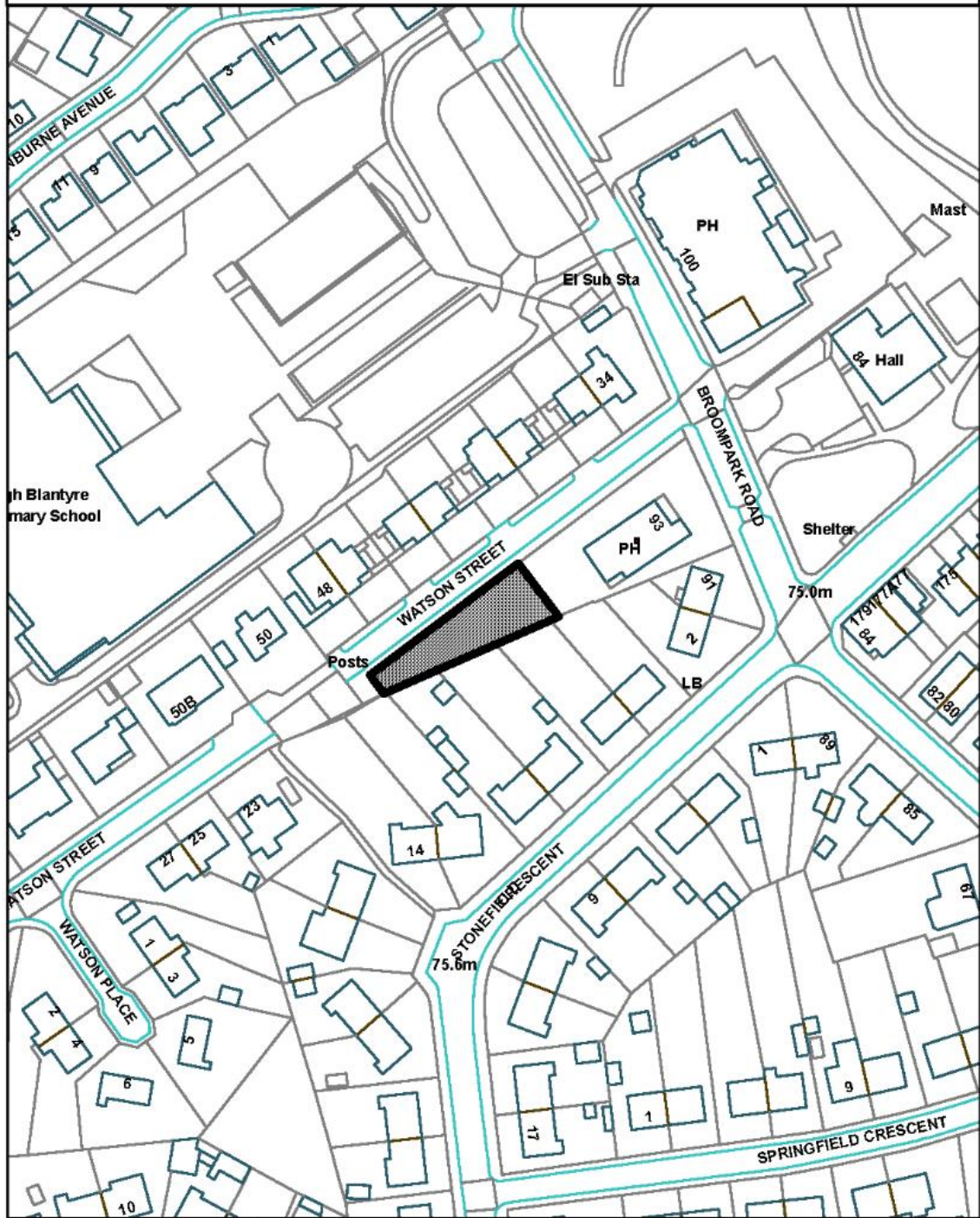
Reason: In the interests of traffic safety and to prevent deleterious material entering the road.

05. That before development starts, details of all boundary treatment(s) shall be submitted to and approved by the Council as Planning Authority and thereafter all approved works shall be completed to the satisfaction of the Council prior to the development hereby approved being occupied or brought into use.

Reason: To ensure the development is satisfactory in appearance and to maintain the visual quality of the area.

P/19/1684

93 Broompark Road, Blantyre



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Scale:
1:1,250
Date:
25/02/2020



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