

# Report

Report to:	<b>Planning Committee</b>
Date of Meeting:	<b>26 June 2018</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Application no.	P/18/0587
Planning proposal:	Erection of single storey front, side and rear extension to dwellinghouse

## 1 Summary application information

Application type:	Detailed Planning Application
Applicant:	Mr Robert Patterson
Location:	7 East Milton Grove East Kilbride G75 8SN

## 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: Dorothy Anderson
- ♦ Council Area/Ward: 07 East Kilbride Central South
- ♦ Policy Reference(s): **South Lanarkshire Local Development Plan (adopted 2015)**

Policy 4 - Development management and placemaking  
Policy 6 - General urban area/settlements

### **Development management, placemaking and design supplementary guidance (2015)**

Policy DM2 – House extensions and alterations

### **Proposed South Lanarkshire Local Development Plan 2 (2018)**

Policy 3 – General urban areas and settlements  
Policy 5 – Development management and placemaking  
Policy DM2 – House extensions and alterations

◆ **Representation(s):**

▶ 8  
▶ 0  
▶ 0

Objection Letters  
Support Letters  
Comment Letters

◆ **Consultation(s):**

None

# **Planning Application Report**

## **1 Application Site**

- 1.1 The application site relates to a residential property located at 7 East Milton Grove, East Kilbride. The property is located within an established residential area. It is single storey in scale and appearance although bedroom accommodation is provided in the roofspace. The site, which extends to approximately 700 square metres, is bounded to the north, east and south by adjacent residential properties and to the west by a public path with residential properties located beyond. The property, which is generally flat throughout, is accessed from East Milton Grove. The property is situated at a slightly lower level than the adjacent property to the north at 9 East Milton Grove with a retaining wall of approximately one metre in height located between the two properties.

## **2 Proposal(s)**

- 2.1 The applicant seeks detailed planning consent for the construction of an extension to the existing dwellinghouse. The proposed development would extend the dwellinghouse to the front, rear and side of the property and would allow the provision of an attached garage and additional living space within the property. A small flue, associated with a wood burning stove within the extension, would project from the roof of the proposed extension. The proposed extension would be finished in materials to match the existing dwellinghouse.

## **3 Background**

### **3.1 Local Development Plan**

- 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. In addition, the guidance contained within the supplementary guidance document relating to development management, placemaking and design is of relevance to the proposed development.

- 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 currently 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 and Policy DM2 – House extensions and alterations are relevant to the proposal.

### **3.2 Planning History**

- 3.2.1 The applicant previously submitted a planning application in November 2017 seeking permission to erect a 1.5 storey extension to the dwellinghouse to include the erection of an upper floor balcony (Planning Ref: EK/17/0415). However, this application was subsequently withdrawn and the current application was submitted in its place.

## 4 Consultation(s)

- 4.1 No consultations were required to be undertaken in respect of this planning application.

## 5 Representation(s)

- 5.1 Statutory neighbour notification procedures were undertaken in respect of the application. In response, eight letters of objection were received in respect of the proposals, the points of which are summarised below:

- a) **The proposed extension would create a visual eyesore, would amount to overdevelopment and would be out of character with and detrimental to the landscape character of the street.**

**Response:** It is noted that the proposed extension would be single storey, relatively small in terms of scale and only the section that projects to the north would be visible from the streetscene on East Milton Grove. It is also proposed to construct the extension in materials to match the existing dwellinghouse. The view is therefore taken that the extension would not be out of context with the local character or detrimental to the appearance of the streetscape.

- b) **The proposed development would have an adverse impact on the adjacent property to the north in terms of loss of daylight and sunlight, loss of view and associated amenity issues. In this regard the roof of the extension could have been hipped to reduce the impact.**

**Response:** An assessment of the impact on neighbouring properties due to loss of light was undertaken as part of the consideration of the application. With regard to the property to the north, at 9 East Milton Grove, it was noted that the sunlight impact on this property would be minimal as it would only affect a small area of the rear garden for a limited portion of the day. It was further noted that the applicant's property is situated at a lower level than the objectors' property and, as such, the impact of a single storey extension in terms of loss of sunlight or daylight would be further limited. As such, the view is taken that the proposed extension would not significantly adversely affect the adjacent property in terms of loss of sunlight or daylight. It is not considered necessary to require the shape of the roof to be amended in this case. It should also be noted that loss of view is not a valid planning consideration.

- c) **The proposed development would cause a loss of privacy to the adjacent property to the north.**

**Response:** No windows on the proposed extension would face towards the adjacent property to the north and no balconies or other raised platforms are proposed to be erected. There would, therefore, not be any impact on the privacy of this property in this instance.

- d) **The proposed extension would dominate and overwhelm the adjacent property to the north.**

**Response:** As noted above, the applicants propose to erect a single storey extension that is subservient to the existing dwellinghouse in that it would sit lower than the ridge of the house. The dwellinghouse in question is positioned at a lower level than the adjacent dwellinghouse to the north which would further reduce the impact of the proposal. It is, therefore, not considered that the extension would result in the proposal overwhelming the objector's property.

- e) **The proposed development would create a structural risk to the adjacent property given its proximity to the property boundary at which there exists a retaining wall which requires to be maintained. The minimum distance to the property boundary should be one metre as set out in relevant planning guidelines.**

**Response:** The proposed extension would be set back 620mm from the boundary. While Council planning guidance states that extensions should ideally be set back one metre from property boundaries for amenity reasons, each case is considered on its merits. In this case the distance from the boundary would not adversely affect the amenity of the adjacent property. Any disputes which arise over access or boundaries are not a planning matter. These are civil matters to be resolved between the parties involved.

- f) **The proposed wood burner shown on the drawings would increase odour and dust and would have an adverse impact on air quality for local residents.**

**Response:** While these comments are noted, any concerns with regard to the operation of a wood burner on site should instead be raised with the Council's Environmental Services who can deal with any issues in terms of relevant environmental legislation.

- g) **The proposal does not comply with Policy 4 of the South Lanarkshire Local Development Plan or with the policy and guidance contained within associated supplementary guidance.**

**Response:** The proposal has been considered in detail as set out above and also in Section 6 below. It is considered that the proposed development is fully compliant with Policy 4 and with all relevant associated supplementary guidance in this instance.

- h) **The proposal should not be granted purely because it represents a reduction in scale when compared to the previous proposal for the property. Instead, it should be considered on its own merits.**

**Response:** The proposal has been considered on its own merits in relation to the relevant policies of the South Lanarkshire Local Development Plan (adopted 2015), its associated supplementary guidance and with the relevant provisions of the Proposed South Lanarkshire Local Development Plan 2. It is considered that the proposed development fully complies with all relevant policy in this instance and it is, therefore, considered appropriate for planning consent to be granted for the proposed development.

- i) **The writer raises concerns regarding the timescale for undertaking of the work and queries whether the work would be undertaken by a contractor.**

**Response:** These are not matters of relevance to the planning assessment of this application. However, in the event that consent is granted for the proposed works, the applicant would be required to commence works within three years of the date permission is granted, in order to implement the consent on site. If works have not commenced within three years, the consent would be considered to have expired.

- 5.2 The above letters have been copied and are available for inspection in the usual manner and on the Planning Portal.

## **6 Assessment and Conclusions**

- 6.1 Planning consent is sought for the erection of a single storey front, side and rear extension to the existing dwellinghouse at 7 East Milton Grove, East Kilbride. 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 comprises 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. Policy DM2 - House extensions and alterations of the associated supplementary guidance relating to development management, placemaking and design expands on Policy 4 and, in particular, advises that proposals should have no significant amenity impact in terms of overlooking or loss of privacy, daylight or sunlight. 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 In this instance, following a detailed assessment of the application, the view is taken that the proposed development would not have a significant adverse impact on the surrounding streetscape or on local residential amenity. It is noted that the proposed extension would be single storey in height and would sit lower than the ridge height of the existing house; would be finished in materials to match the existing dwellinghouse and only part of the extension would be visible within the streetscape of East Milton Grove, with a significant portion of the extension projecting to the south of the property, away from public views and adjacent properties.
- 6.4 It is not considered that the proposed extension would have an adverse impact on the privacy of adjacent properties. In terms of overshadowing it is considered that, as the extension would be single storey in height, any impact on adjacent properties would be limited in terms of both the extent of overshadowing and the period of the day during which any overshadowing would occur. It is also noted that the application site is set at a lower level than the adjacent property to the north, further reducing the impact on provision of light resulting from the proposed development. As such, it is not considered that there would be a significant adverse impact in terms of the provision of light to adjacent properties as a result of the proposed development, while the scale of the extension is such that it would not have a dominating physical impact. Additionally, there are no other specific amenity issues that would arise that would require the application to be refused consent in this instance. As such, the view is taken that the proposed extension would be fully compliant with the relevant provisions of the South Lanarkshire Local Development Plan, with specific regard to Policies 4, 6 and DM2.

- 6.5 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, 5 and DM2 in the proposed plan.
- 6.6 Statutory neighbour notification was undertaken in respect of the application, following which eight letters of representation was received. The points raised have been addressed in Section 5 above. It is not considered that the application should be refused consent based on the points of objection raised.
- 6.7 In conclusion, following detailed consideration of the proposed extension as set out above, it has been determined that the proposal is fully compliant with Policies 4 and 6 of the South Lanarkshire Local Development Plan (adopted 2015) and with Policy DM2 of the associated supplementary guidance relating to development management, placemaking and design. The proposal is also considered to be compliant with the relevant policies of the Proposed South Lanarkshire Local Development Plan 2, specifically Policies 3, 5 and DM2. It is, therefore, recommended that planning permission is granted for the proposed extension in this instance.

## **7 Reasons for Decision**

- 7.1 The proposal would have no significant adverse impact on amenity and complies with the relevant policies of the adopted South Lanarkshire Local Development Plan and Supplementary Guidance (Policies 4, 6 and DM2) as well as the Proposed South Lanarkshire Local Development Plan 2 (Policies 3, 5 and DM2). There are no additional material considerations which would justify refusing consent.

**Michael McGlynn**  
**Executive Director (Community and Enterprise Resources)**

7 June 2018

### **Previous references**

- ◆ EK/17/0415

### **List of background papers**

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2015 (adopted)
- ▶ Development Management, Placemaking and Design Supplementary Guidance (2015)
- ▶ Proposed South Lanarkshire Local Development Plan 2 (2018)
- ▶ Neighbour notification letter dated 3 May 2018

► Representations	Dated:
Ed Cameron, Received Via E-mail	24.05.2018
Helen Cameron	24.05.2018
Lindsay Maybury, 9 East Milton Grove, East Kilbride, Glasgow, South Lanarkshire, G75 8SN	16.05.2018
Catriona Maybury, 9 East Milton Grove, East Kilbride, G75 8SN	21.05.2018
Joan Maybury, 9 East Milton Grove, East Kilbride, G74 8SN	21.05.2018
Jean Fulton	24.05.2018
Colin Maybury	15.05.2018
Allan Thomson, West Kirk, 44 Kittoch Street, East Kilbride, G74 4JW	30.05.2018

### **Contact for further information**

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

Declan King, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB  
Ext :5049 Tel (01698 455049)  
Email: [declan.king@southlanarkshire.gov.uk](mailto:declan.king@southlanarkshire.gov.uk)



Detailed planning application

Paper apart – Application number: P/18/0587

**Conditions and reasons**

01. That the facing materials to be used for the external walls and roof of the extension hereby approved shall match in colour and texture those of the existing adjoining building on the site to the satisfaction of the Council as Planning Authority.

Reason: To ensure satisfactory integration of the proposed development with the existing building both in terms of design and materials.

P/18/0587

7 East Milton Grove, East Kilbride



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Scale:  
1:2,500  
Date:  
04/06/2018



**South Lanarkshire Council**  
**Community and Enterprise Resources**  
Planning and Economic Development