

	<h1>Report</h1>	Agenda Item <h1>8</h1>
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Report to: **Planning Committee**
 Date of Meeting: **10 October 2006**
 Report by: **Executive Director (Enterprise Resources)**

Application No EK/06/0400
 Planning Proposal: Demolition of Existing Two Storey Dwellinghouse and Erection of 6
 No. Flats in a Two Storey Block with Associated Parking

1 **Summary Application Information**

- Application Type : Detailed Planning Application
- Applicant : Mr Peter Kiel
- Location : 8 Graham Avenue
 The Village
 East Kilbride

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 the attached conditions)

2.2 **Other Actions/Notes**

The Planning Committee has delegated powers to determine this application.

3 **Other Information**

- ◆ Applicant's Agent: DTA Chartered Architects
- ◆ Council Area/Ward: 19 East Mains
- ◆ Policy Reference(s): **East Kilbride and District Local Plan**
(adopted 2003)
 Policy STRAT1 – Development Strategy,
 ENV6 – Protection of the Natural and Built
 Environment,
 DC1 and SLP6 – Development Control General,
 RES5 – Residential Amenity
 RES6 – New Housing Development

South Lanarkshire Local Plan (Finalised Plan August 2006)

Policy ENV29 – New Development Design
 Policy, ENV30 – New Housing Development
 Policy, ENV35 – Foul Drainage and Sewerage
 Policy, ENV36 – Sustainable Urban Drainage

Systems Policy,
DM1 – Development Management Policy,
DM9 – Demolition and Redevelopment for
Residential Use,
RES6 – Residential Land Use Policy,
ENV11 – Design Quality Policy

◆ Representation(s):

- ▶ 17 Objection Letters
- ▶ 4 Support Letters

▶ Consultation(s):

S.E.P.A. (West Region)

Scottish Water

Public Protection - Environmental Health (East Kilbride)

East Mains Community Council

Roads and Transportation Services (East Kilbride)

Planning Application Report

1 Application Site

- 1.1 Graham Avenue lies just to the north of the Village Conservation Area in East Kilbride and is characterised by predominately large, detached dwellings, most of which are constructed in stone. To the south of the application site are flats on Dundas Court, to the east and west detached dwellings and to the north, Graham Avenue. The application site extends to 0.18 hectares and is currently occupied by a very large, modern detached dwelling and garage.

2 Proposal(s)

- 2.1 The proposal is to demolish an existing two-storey dwellinghouse and erect a 2 ½ storey block of flats consisting of six units, together with 12 car parking spaces to the front. The flats would consist of three 2-bed properties and three 3-bed properties. The third bedroom of each of the flats would be located in the roofspace of the property. The existing dwelling has external materials of artificial stone and concrete roof tiles and the proposed building is to have materials of white render, stonework, concrete roof tiles and upvc windows. There is also a large garage towards the rear of the plot, which will be removed as part of the development

3 Background

3.1 Local Plan Status

East Kilbride and District Local Plan (Adopted)– Policy STRAT1 states that the local plan will seek to direct new development to sites within existing settlement boundaries utilising vacant, derelict and under-used sites where possible. Policies DC1 and SLP6 state that all planning applications should take fully into account the local context and built form i.e. development should be compatible in terms of scale, massing and external materials of adjacent buildings and surrounding streetscape. Proposals should seek to incorporate quality external materials. All new developments should aim to enhance the quality and appearance of the local environment. Policy RES5 states that the Council will resist any development that will be detrimental to the amenity of residential areas. Policy RES6 – New Housing Development states that new housing development will be required to be of a design, scale and materials appropriate to the site and its surroundings. Policy ENV6 – Protection of the Natural and Built Environment states that the Council will oppose any proposals for development which, in the Council's opinion, would have an adverse impact on the character and amenity of the built and natural environment within the Local Plan area.

- 3.2 South Lanarkshire Local Plan (Finalised Plan August 2006) – Policies ENV11, ENV29 and ENV30 state that new development will require to promote quality and sustainability in its design and layout and should enhance or make a positive contribution to the character and appearance of the urban or rural environment in which it is located. Policies DM1 and RES6 largely re-iterate Policies DC1, SLP6 and RES5 of the Adopted Local Plan. Policy DM9 (Demolition and Redevelopment for Residential Use) is of specific relevance to this application. It is stated that the scale and design of development should be sympathetic to the scale/mass/height/materials of adjacent buildings and to development in the immediate area. Redevelopment proposals should not be cramped, out-of-keeping with or occupy a significantly greater footprint than the demolished building or of those flanking the site, where this is to the detriment of the visual character of the area or results in other criteria of this policy being unable to be met. Amenity, parking and road safety implications are also covered by this policy.

3.3 Planning History

The existing dwelling at the site is a modern replacement house and gained planning permission (EK/99/0402) in December 1999. Planning permission (EK/06/0064) was refused on 28/6/2006 for the erection of 6 flats.

4 Consultation(s)

4.1 SEPA – No response

4.2 Scottish Water – No objections Response: Noted.

4.3 Environmental Services - No objections Response: Noted

4.4 East Mains Community Council – EMCC is still of the opinion that the proposed development at No.8 Graham Avenue is not in keeping with the neighbourhood and therefore formally object to the proposal. Response: The issue of design is fully addressed in Sections 5 and 6 below.

4.5 Roads and Transportation Services – No objections subject to the widening of the road to the car park to 5.5m, provision of bin storage facilities, appropriate, surface materials and provision of a suitable footway connection. Response: Noted and the above requirements can be achieved by imposing planning conditions on any consent issued.

5 Representation(s)

5.1 Seventeen letters of representation (17 objections and 4 letters of support) have been received, the grounds of which can be summarised below:

5.2 Letters of support – The development is both innovative and unique in its design. The landscaped and garden areas in particular will offer positive benefits for residents. Response: It is considered that the proposed flats would have sufficient garden grounds for amenity purposes.

5.3 Letters of objections

a) **Visual amenity and loss of character - Graham Avenue is an important street in East Kilbride in terms of its historic value and its character in particular in relation to dwelling types, mature trees and front garden areas. The proposal is of a scale and mass that does not match the streetscape in this area. The car parking to the front would detract from visual amenity. The flats are bland, characterless and are not in keeping with the street or current house on the site. The design, scale and materials are all out of character with the surrounding buildings.**

Response: It is acknowledged that Graham Avenue has some historic value and has a strong character resulting from the large plots, the age and style of the houses, the external materials and the landscaping in front gardens. I consider that the altered frontage for this application is an improvement in design terms from the previous application as the bulk of the proposed building has been reduced by setting back the front wall and reducing the overall width. The applicant is proposing to incorporate landscaping to the front to screen the car parking area. The proposed flats incorporate a varied façade in terms of gables, set backs, window detailing and

materials. I consider that as a modern introduction to the street the architecture is acceptable and is an improvement on the style of the existing dwelling at the site. Design issues are explored further in Section 6 below.

- b) **Overdevelopment – Graham Avenue is a low density street and the flats would result in a high density development. The site formerly housed a bungalow before it was demolished to make way for the current dwelling.**

Response: The general principle of development on under-used sites is supported by Policy STRAT1 of the adopted Local Plan. It is considered that the plot can accommodate a larger building than the current dwelling on the site and that taking into account the remaining undeveloped land within the site the proposal does not represent overdevelopment. The South Lanarkshire Council Residential Development Guide supports in principle high density developments in central locations that are highly accessible by a variety of transport options.

- c) **Traffic safety – Graham Avenue is a quiet residential street and the increase in traffic would have a negative impact on pedestrian safety.**

Response: No objections have been received from Roads and Transportation Service and I do not consider that this is a significant factor. It is acknowledged that this is a quiet residential area, however it is considered that the resulting increase in traffic could be safely accommodated.

- d) **Loss of Privacy – The balconies will result in overlooking of neighbouring properties.**

Response: I consider that there is sufficient distance to both side boundaries of the site to ensure that no loss of privacy will occur as a result the proposed balconies on the rear elevation.

- e) **There are several discrepancies in the submitted plans**

Response: It is acknowledged that there are some inconsistencies and errors in the labeling of the elevations and plans. However I do not consider that these are significant enough to prevent a full assessment of the application being made. The Agent has been asked to correct the plans for our records.

- f) **The proposal will set an undesirable precedent.**

Response: Each planning application is considered on its individual merits, therefore I do not consider that an undesirable precedent will be set.

- g) **The scheme is not commercially viable/impact on property values.**

Response: Any potential impact on property values of nearby properties is not a material planning consideration, nor is the commercial viability of the scheme.

- h) **The proposal will result in demographic changes to the street.**

Response: A variety of housing types and different age groups of residents in an area is generally a positive factor in terms of attempting to create sustainable, mixed communities.

- i) **Proposal is not in accordance with government guidance**

Response: There are several Planning Advice Notes that relate to design quality and are designed to encourage Planning Authorities to adopt high design standards. It is considered that this advice has been incorporated into the adopted Local Plan and recently produced Finalised South Lanarkshire Local Plan (August 2006).

Therefore the relevant policies outlined above are considered to cover all relevant issues in this regard. A full discussion of the design is set out in Section 6.

j) **This application differs only slightly from previous refused application**

Response: The overall width of the frontage has been reduced by approximately 1.7m and a section of the building has been set back by two metres from the main elevation. The ridge height of the set back area is also 0.5m lower than the rest of the roof. The result is a recognisable alteration to the front elevation, which reduces the visual mass and bulk of the building.

k) **The comparisons given by the applicant with No.11 Graham Avenue are misleading. The study of green amenity space is not relevant.**

Response: Although the comparison of greenspace/garden ground to other developments in East Kilbride, submitted by the applicant has been considered, it has not informed the assessment of this application as each application is considered on its merits and the local context is the defining factor in this regard. Equally the comparison to No.11 Graham Avenue is not considered directly relevant to the assessment as there are clear differences in the scale and mass of both buildings. The overall impact on the street scene is the main consideration and a direct comparison with one dwelling is considered to be limited.

6 Assessment and Conclusions

6.1 As the application site is within the residential area of East Kilbride, the principle of residential development is supported by Local Plan Policy (STRAT1), subject to a detailed assessment of design and any potential impacts on residential amenity. The previous application (EK/06/0064) was refused on the following grounds:

1. The proposed building would have a detrimental impact on visual amenity and the character of the surrounding area by virtue of its size, mass and scale, resulting in an obtrusive form of development within the streetscape. The proposal is therefore contrary to Policies (DC1 and SLP6 – Development Control General) and (ENV6 – Protection of the Natural and Built Environment) of the East Kilbride and District Local Plan 2004.
2. The proposed area of hardstanding and the parking of cars to the front of the site would result in an incongruous feature compared to the existing front gardens on Graham Avenue, resulting in a loss of visual amenity. The proposal is therefore contrary to Policies (DC1 and SLP6 – Development Control General) and (ENV6 – Protection of the Natural and Built Environment) of the East Kilbride and District Local Plan 2004.

6.2 The applicant has submitted a supporting statement with the application. In relation to the first reason for refusal it is stated that the changes in width and depth have given the building a similar mass and bulk to a large detached villa with an extension that is subsidiary in appearance. I am satisfied that the alterations have reduced the visual impact of the building and help to blend it in with the streetscape. The existing dwelling is a substantial modern replacement and the materials for the proposed scheme would, in my opinion, be an improvement on the current dwelling. In relation to the second reason for refusal, the applicant has indicated a willingness to incorporate landscaping in this area to screen the parking. I consider that a robust landscaping scheme could successfully reduce the visual impact of the parking spaces to an acceptable level and a planning condition can be imposed to this affect.

- 6.3 In relation to Policy DM9 (Demolition and Redevelopment for Residential Use) I consider that the scale and design of the development is broadly sympathetic to the scale, mass and materials of adjacent buildings and to development in the immediate area. The proposal will not result in a breach of any established building lines. Whilst the footprint of the proposed building is greater than the existing, it is considered that due to the size of plot a flatted development is acceptable and can be accommodated within the application site, with sufficient garden ground and distance to boundaries remaining. In addition, it is considered that the proposal will not have a detrimental impact on residential amenity in terms of overlooking, overshadowing, traffic safety and general disturbance. The proposed scheme also complies in principle with the South Lanarkshire Council Residential Development Guide in relation to garden sizes, parking and distance to boundaries. There is no requirement for a financial contribution to the improvement of recreational facilities due to the size of available private garden space (in excess of 500sqm).
- 6.4 In conclusion, the principle of developing this site at an increased density is considered acceptable as it is a large plot within the central area of East Kilbride. It is considered that the proposal will not have a detrimental impact on the amenity currently enjoyed by the residents of Graham Avenue in terms of overlooking, privacy, road safety and general environmental disturbance. In relation to design, it is considered that the proposal under consideration is an improvement in design terms and that the impact of the building on visual amenity and the character of the area is not sufficient to merit refusal of this application. In this regard the proposal is considered to comply with the relevant policies of the development plan. I would therefore raise no objections to the proposal and recommend that planning permission is granted.

7 Reason for Decision

- 7.1 The proposal will not have a detrimental impact on residential or visual amenity and complies with Policies STRAT1, ENV6, RES5, RES6, DC1 and SLP6 of the East Kilbride and District Local Plan 2003 and Policies ENV11, ENV29, ENV30, ENV35, ENV36, DM1, DM9 and RES6 of the South Lanarkshire Local Plan (Finalised Plan August 2006).

Iain Urquhart
Executive Director (Enterprise Resources)

3 October 2006

Previous References

- ◆ EK/06/0064, Demolition of existing 2 storey dwellinghouse and erection of 6no flats in a two storey block with associated parking – Refused 28/6/06

List of Background Papers

- ▶ Application Form
- ▶ Application Plans

- ▶ Consultations
 - Roads and Transportation Services (East Kilbride)

18/08/2006

East Mains Community Council	16/08/2006
Public Protection - Environmental Health (East Kilbride)	28/08/2006
Scottish Water	04/09/2006

► Representations

- Representation from : R S Duff, 10 Graham Avenue, East Kilbride, G74 4JZ, DATED 03/08/2006
- Representation from : Dr William Barr, 8 Stuarton Park, East Kilbride, G74 4LA, DATED 18/08/2006
- Representation from : Mr & Mrs SP & R Kennan, 5 Graham Avenue, The Village, East Kilbride, G74 4JZ, DATED 28/08/2006
- Representation from : W Allan Thomson, 2 Graham Avenue, East Kilbride, G74 4JZ, DATED 28/08/2006
- Representation from : L Davie, 5 Stuarton Park, East Kilbride, G74 4LA, DATED 15/08/2006
- Representation from : Malcolm Mackenzie CA, 7 Graham Avenue, East Kilbride, G74 4JZ, DATED 14/08/2006
- Representation from : Sir Ken Collins, 11 Stuarton Park, East Kilbride, G74 4LA, DATED 14/08/2006
- Representation from : Valerie and Dugald Baird, 9 Stuarton Park, East Kilbride, G74 4LA, DATED 14/08/2006
- Representation from : Fiona Mortimer, 1 Stuarton Park, East Kilbride, G74 4LA, DATED 11/08/2006
- Representation from : East Mains Community Council, Rena Anderson, 1 Bosfield Road, East Kilbride, G74 4BE, DATED 16/08/2006
- Representation from : Mr John Dolan, 4 Graham Avenue, The Village, East Kilbride, G74 4JZ, DATED 25/08/2006
- Representation from : M. O'Boyle, 6 Dalrymple Drive, East Kilbride, G74 4LE, DATED 24/08/2006
- Representation from : Anthony Cullen, 40 Glen Farg, St Leonards, East Kilbride, G74 2JW, DATED 23/08/2006
- Representation from : Michael Sanaghan, 11 Graham Avenue, The Village, East Kilbride, G74 4JZ, DATED 23/08/2006
- Representation from : Wanda A M Sanaghan, 11 Graham Avenue, The Village, East Kilbride, G74 4JZ, DATED 23/08/2006

- Representation from : East Mains Community Council, FAO Rena Anderson, 1 Bosfield Road, East Kilbride, G74 , DATED 22/08/2006
- Representation from : RS Duff, 10 Graham Avenue, East Kilbride, G74 4JZ, DATED 22/08/2006
- Representation from : M Shields, 4 Graham Avenue, East Kilbride, G74 4JZ, DATED 30/08/2006
- Representation from : Chris Butcher, 34 Stewartfield Drive, Stewartfield, East Kilbride, G74 4UA, DATED 04/09/2006
- Representation from : RR Knox, 7 Stewartfield Drive, East Kilbride, G74 4UA, DATED 19/09/2006
- Representation from : F McCartney, 17 Dalrymple Drive, East Kilbride, G74 4LF, DATED 07/09/2006

Contact for Further Information

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

Alan Pepler, Planning Officer, Civic Centre, East Kilbride
Ext. 6315 (Tel :01355 806315)
E-mail: Enterprise.ek@southlanarkshire.gov.uk

CONDITIONS

- 1 That the development hereby permitted shall be started within five years of the date of this permission.
- 2 That the development shall be carried out strictly in accordance with the plans hereby approved and no change to the design or external finishes shall take place without the prior written approval of the Council as Planning Authority.
- 3 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.
- 4 That before development starts, full details of the design and location of all fences and walls, including any retaining walls, to be erected on the site shall be submitted to and approved by the Council as Planning Authority.
- 5 That before any work commences on the site, a scheme of landscaping shall be submitted to the Council as Planning Authority for written approval and it shall include: (a) an indication of all existing trees and hedgerows plus details of those to be retained and measures for their protection in the course of development; (b) details and specification of all trees, shrubs, grass mix, etc.; (c) details of any top-soiling or other treatment to the ground; (d) sections and other necessary details of any mounding, earthworks and hard landscaping; (e) proposals for the initial and future maintenance of the landscaped areas; (f) details of the phasing of these works; and no work shall be undertaken on the site until approval has been given to these details.
- 6 That the approved landscaping scheme shall be completed to the satisfaction of the Council as Planning Authority during the first available planting season following occupation of the building(s) or completion of the development hereby approved, whichever is the sooner, and shall thereafter be maintained and replaced where necessary to the satisfaction of the Council.
- 7 That prior to starting on site and notwithstanding the approved plans, a revised plan shall be submitted to and approved in writing by the Planning Authority that shows the access and driveway widened to 5.5m. No dwelling unit shall be occupied until this plan has been implemented to the satisfaction of the Council as Planning Authority.
- 8 That before any development commences on site, details of the facilities for the storage of refuse within the site, including design, location and external finishes, shall be submitted to and approved in writing by the Council as Planning Authority. No dwelling unit shall be occupied until these facilities have been provided in accordance with the approved scheme or such alternative as may be agreed in writing with the Council as Planning Authority.

- 9 That no dwelling shall be occupied until the vehicle access and footpaths leading thereto from the existing public road have been constructed in accordance with the specification of and to the satisfaction of the Council as Roads and Planning Authority.
- 10 That before the development hereby approved is completed or brought into use, all of the parking spaces shown on the approved plans shall be laid out and constructed to the satisfaction of the Council as Roads and Planning Authority and thereafter shall be maintained to the entire satisfaction of the Council.
- 11 That no dwelling shall be occupied until the site is served by a sewerage scheme constructed in accordance with Scottish Water standards and as approved by the Council as Planning Authority in consultation with Scottish Water as Sewerage Authority.
- 12 That prior to any work starting on site, a Drainage Assessment in accordance with 'Drainage Assessment - A Guide for Scotland', shall be submitted to and approved in writing by the Council as Planning and Roads Authority (and the Scottish Executive as Trunk Roads Authority).
- 13 That no development shall commence until details of surface water drainage arrangements have been submitted to and approved in writing by the Council as Planning Authority; such drainage arrangements will require to comply with the principles of sustainable urban drainage systems and with the Council's Sustainable Drainage Design Criteria and requirements.

REASONS

- 1 To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.
- 2 In the interests of amenity and in order to retain effective planning control.
- 3 In the interests of amenity and in order to retain effective planning control.
- 4 These details have not been submitted or approved.
- 5 In the interests of the visual amenity of the area.
- 6 In the interests of amenity.
- 7 To ensure satisfactory vehicular access facilities to the site.
- 8 To ensure that adequate refuse arrangements are implemented that do no prejudice the enjoyment of future occupiers of the development or neighbouring occupiers of their properties and to ensure that a satisfactory external appearance is achieved.
- 9 To ensure satisfactory vehicular and pedestrian access facilities to the dwellings
- 10 To ensure the provision of adequate parking facilities within the site.
- 11 To ensure the provision of a satisfactory sewerage system
- 12 To demonstrate that a satisfactory means of waste and surface water drainage can be achieved.
- 13 To ensure that the disposal of surface water from the site is dealt with in a safe and sustainable manner, to return it to the natural water cycle with minimal adverse impact on people and the environment and to alleviate the potential for on-site and off-site flooding.

For information only

For information only



