

Report

Report to: **Clydesdale Area Committee**
Date of Meeting: **13 February 2018**
Report by: **Executive Director (Community and Enterprise Resources)**

Application No: CL/17/0517
Planning Proposal: Erection of a 2 Storey Side Extension at 2 Friarsdene, Lanark

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Mr Brian Walls
- Location : 2 Friarsdene
Lanark
ML11 9EJ

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

The Planning Committee has delegated powers to determine this application.

3 Other Information

- ◆ Applicant's Agent:
- ◆ Council Area/Ward: 02 Clydesdale North
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan (adopted 2015)**
Policy 2 - Climate Change
Policy 4 - Development management and placemaking
Policy 6 - General urban area/settlements
DM2 - House extensions and alterations
DM13 - Development within general urban area/settlement
Development management, placemaking and design supplementary guidance (2015)

- ◆ Representation(s):
 - ▶ 11 Objection Letters
 - ▶ Support Letters
 - ▶ Comments Letters

Planning Application Report

1 Application Site

- 1.1 The application site relates to a detached 1½ storey dwelling of traditional stone construction which has previously been extended to the rear. The access and drive to the property are situated within the eastern part of the plot with a side garden, of which part is sunken, located within the western side garden. At the junction of Friars Lane and Friarsdene the land sits higher and ground levels drop down westwards. The neighbouring property at 4 Friarsdene to the west sits at a lower level approximately 1.8m below that of the application site.

2 Proposal(s)

- 2.1 The proposal entails the erection of a 2 storey side extension within the sunken garden area to the west of the house, finished in materials to match the existing dwelling.

3 Background

3.1 Local Development Plan Status

- 3.1.1 In terms of the Adopted South Lanarkshire Local Development Plan (March 2015), Policy 4 – ‘Development management and placemaking’ is relevant and advises that all planning applications are required to take account of the local context and built form and should be compatible with adjacent buildings and streetscape. Policy DM2 – ‘House extensions and alterations’ of the supplementary guidance document is also relevant in this instance and expands on Policy 4. As the site lies within a residential area, Policy 6 – ‘General urban area/settlements’ is applicable and advises that any development detrimental to residential amenity will not be permitted. Policy DM13 – ‘Development in General urban area/settlements’ expands upon Policy 6, providing more detailed criteria relating to urban areas and resisting the loss of important open space or trees. Policy2 – ‘Climate Change’ seeks to ensure all development mitigates against climate change.

3.2 Planning History

- 3.2.1 An earlier application was submitted for a similar proposal upon this site in October 2017 under reference CL/17/0433 but was later withdrawn. The applicant has submitted a further application with more accurate plans.

4 Consultation(s)

- 4.1 No consultations were required.

5 Representation(s)

- 5.1 Following statutory neighbour notification carried out by the Council, 11 letters of objection were received from 6 individuals. The points raised are summarised and responded to below:

(a) Criticism over the quality of the plans, and in particular: lack of detail, no dimensions, inaccurate plans, no materials detailed, lack of scale, no roof plan and does not meet the Council’s Guidance for Submitting a Householder Planning Application.

Response: This is the second application submitted and the plans have been updated and improved from the original attempt. The plans are now accurate with the scale detailed on each plan. The existing building and the proposal are clearly marked and as such the design and proportion can be assessed. Materials proposed consist of a slate roof and blonde render as detailed on Plan no. 1.

(b) The site plan is inaccurate and misrepresents the actual position of proposed extension in relation to the garage at 4 Friarsdene.

Response: These comments are in relation to an earlier application; the site plan now submitted is an OS based plan and is considered to be accurate.

(c) Lack of detail on plans regarding finished floor level of extension, uncertainty as to how the difference in levels will be treated, requirement for a structural and topographical survey, lack of detail of building techniques to be employed, lack of consideration of the impact upon the retaining wall between Nos 2 and 4, and concerns regarding lateral stresses on wall which could compromise the wall's stability which is already inclined to No.4

Response: There are level details shown on plan No. 2 with the cross section showing the finished floor levels of the existing house and proposed extension. The low level garden sits 1m below the existing dwelling and there is a path at the same level as the house between the house and sunken garden – the levels show this path will be removed and lowered to the level of the sunken garden and the extension erected within this area. It is not considered that additional information regarding levels is required in this assessment. Building techniques are not of consideration in planning applications; this is for consideration in the building warrant. The impact of the proposed building on the retaining wall would be assessed as part of any building warrant application.

(d) An accurate scale street elevation showing the relationship in height and spacing between houses and how the rhythm would be affected by the proposed extension is requested.

Response: An assessment of the proposal's impact upon the surrounding area is detailed in Para 6.6. The impact of the proposal in relation to height and spacing between houses can be assessed using site photographs, maps and submitted plans to assess the urban grain and impact of the proposal on the surrounding area. A scaled street elevation is not considered to be required in this instance.

(e) The site and existing dwelling already offers considerable family accommodation.

Response: the need or otherwise for additional family space within the dwelling is not a valid planning matter.

(f) Site is on the edge of the outstanding conservation area of Lanark.

Response: The site is located 43m from the conservation area of Lanark. The assessment of the proposal upon the surrounding area is detailed in Para 6.6.

(g) Proposal will overlook and impact on the privacy of neighbours

Response: The proposal is assessed for the impact from overlooking in Para 6.8 below. It is concluded that it is only the lower level kitchen/living area window on the side elevation which has the potential for overlooking, as the ensuite windows are to non-habitable rooms and are obscured, and this is mitigated by a screen fence.

(h) Construction noise will be excessive and could continue for years. Response:

As the proposal relates to a domestic extension it is not considered the construction noise would be excessive. However any reports of noise nuisance would be investigated by Environmental Services and action taken as appropriate. It is not a valid planning matter to consider how long someone may or may not take to construct an extension.

Planning permission is valid for a period of 3 years but once work starts the permission is live in perpetuity.

(i) Construction traffic will be excessive and additional traffic from the proposal will impact on the junction of Friarsdene and Friars Lane, already a traffic hazard.

Response: As the proposal relates to a domestic extension, it is not considered construction traffic will be excessive. The proposal extends an existing dwellinghouse to provide more living space for that dwelling and it is not considered that this will result in significantly more traffic coming and going to the dwelling.

(j) If granted it 'will open the door' to other similar applications

Response: Each application is considered on the merits of each individual case, however not many other properties within the surrounding area have a large side garden which could accommodate a 2 storey side extension.

(k) The proposal over dominates and represents a 58% increase in width of the original building which fundamentally alters the proportion and architectural rhythm of the original villa. The extension is of such large proportions it would constitute an incongruous and inappropriate large modern construction on the side of a traditional stone detached former manse. The integrity of the original building would be significantly diminished to the detriment of the character and amenity of the surrounding area, contrary to policy DM2. The decorative cast iron eared collars and hopper heads on downpipes and the pronounced chimney breast would be lost by proposal.

Response: The current property measures 13m in a 28m wide plot and the proposal will provide an additional 7.3m of width to the property. The original property consists of a projecting bay to the east side of the property with pitched roof and decorative barge boards. A design replicating the projecting bay could have been considered where the proposal is located. However, to have worked appropriately a replication would have to have been at the same height as the dwelling, require significant under build and would likely have caused unacceptable loss of amenity to neighbouring properties. The proposal is approximately 1m wider than the projecting bay on the other side of the property, however is set back from the main elevation and as such appears subsidiary. It is not considered the proposal over-dominates or overwhelms the existing dwelling. The proposal can be considered a complementary addition to the traditional dwelling, emulating elements of the design of the existing dwelling including barge boards and window placement on the projecting bay. In addition, in relation to comments relating to downpipes being lost these are on the corner of front elevation and would not necessarily require to be removed to implement the proposal. The pronounced chimney breast would be covered by the proposal, however, the applicant could have covered this over by rendering or other works which do not require planning permission. Further assessment of the design of the extension is discussed in Para 6.5 and 6.9.

(l) The proposal is contrary to the Council's placemaking policies which cover scale, massing, height of proposed developments relative to neighbouring buildings, the general pattern of heights in the area and in particular the spaces between buildings which contribute to the local character. The property in question is important in terms of social history, architectural style and the space around the building which contributes to the neighbourhood's sense of place. The design is not in keeping with the Old Manse and is not in keeping with other properties on the road.

Response: The proposed extension and its impact upon the surrounding area is assessed in Para 6.6. As detailed in those paragraphs there is much variety within the surrounding area in terms of spacing between properties and design of other properties. There are some properties with large side garden and others without. In view of this variety it is not considered the development of this side garden would result in overdevelopment or the feeling being 'hemmed in' on the street. It is not considered the proposal is out of place with the Old Manse or other properties on the road, rather that it presents a modern and complementary addition to the property and reflects elements of its original design.

(m) Cumulative effect of minor changes shall erode character and diminish the quality of our townscape and heritage.

Response: Each application is considered on its own merits and assessed by its impact upon the surrounding area. The impact of the proposal on the surrounding area is assessed in Para 6.6.

(n) Given the age and association of the Greyfriars Manse to the ancient and historical nature of the area, the building is worthy of listing.

Response: Historic Environment Scotland are the body which consider whether buildings are worthy of listing and this building has not been identified as warranting such status.

(o) Why does a 5 bedroom need an additional 5 bedrooms, does the applicant plan to run a business?

Response: The existing floor plan show the existing house has 4 bedrooms and the proposal will have the end result of the house having 6 bedrooms. The plans indicate the layout is for bedrooms and ensuites with a kitchen and living area on the ground floor. There is no indication that the applicant intends to run a business from the premises but in such event, the need for planning permission would be dependent on the nature and scale of activity.

(p) Fenestration is at odds with the specific requirements of the council's supplementary guidance, and adversely affects the architectural integrity of Old Manse

Response: The SG requires windows to emulate that of the existing building. The windows proposed to the front elevation of the extension are similar in proportion and design to those on the front of the existing dwelling. Those windows on the side elevation have been designed as such to avoid overlooking and are not viewed in context of the existing dwelling. This is not considered to result in an adverse affect on the character of the existing dwelling.

(q) The proposal will be modern and will constitute an unnecessary overdevelopment and may involve demolition of buildings.

Response: There is no policy which restricts traditional properties from having a modern design; in many cases this can be more successful than attempting a design to replicate the existing. There is no demolition of existing outbuildings detailed on the plan; the demolition of outbuildings would not require planning permission in any case. The proposal will result in a dwelling which occupies approx 21% of the plot area, there are other examples of this ratio in the surrounding area. As detailed in Para 6.10 there is sufficient parking and garden area retained and it is not considered that the proposal constitutes overdevelopment.

(r) The extension appears to 3-4ft longer to the rear than the previous submission and 3-4ft wider, and there are not 3 bedrooms not 2.

Response: The floor plans on the previous submission showed an extension 7.2m by 13.1m. The extension is now proposed at 7.2m by 12.3m. The extension has therefore not been enlarged. There were discrepancies in the last submission between floor plans and site plans which may have resulted in the representee highlighting these comments. There were 3 rooms shown on the first floor plans in the last submission, there are 3 rooms marked as bedrooms shown in this submission.

(s) The proposal may contradict the Council's Placemaking Policy which recognises spaces between buildings and relationship to such neighbouring buildings.

Response: The Council's Development Management Policy guidance requests that extensions are sited at least 1m off neighbouring boundaries; this proposal is sited 2.7m off the neighbouring side boundary. A further assessment of the proposal's impact upon the surrounding area is considered in Para 6.6.

(t) Amended plans have been submitted by the applicant after the deadline for neighbour notification. Why have neighbours not been given the opportunity to comment on these plans?

Response: The amended plans show the removal of a high level bedroom window to the side elevation and relocation of 2 ensuite windows. It was highlighted to the applicant that the original design would be unlikely to meet Building Regulations. The amended plans include a minor change which is not material to the overall assessment of the proposal. It does not increase any potential for loss of residential amenity. The Council are only required to repeat neighbour notification when there is a significant amendment to plans. These amendments are not considered a significant amendment as they would not pose a loss of residential amenity or significantly alter the design of the extension therefore it was considered that there was no need to re-notify neighbours.

6 Assessment and Conclusions

- 6.1 Planning permission is sought for the erection of a 2 storey side extension at 2 Frairsdene, Lanark. The determining issues in the assessment of this proposal are compliance with local development plan policy and in particular its impact on the amenity of the adjacent properties. In this regard the relevant policies in this case are Policies 2, 4, 6, DM2 and DM13. Amended plans were received during the assessment of the proposal which amended the window design on the side elevation and the internal bedroom arrangements. The side elevation initially had 2 ensuite and 1 high level bedroom window but this has been amended to comply with escape window building regulations. Amended plans show 2 ensuite windows on the upper floor of the side elevation.
- 6.2 Policy 2 Climate Change seeks to ensure proposals minimise and mitigate against climate change. The proposal provides additional living space to a property located within an existing town, thus is sustainably located. The proposal avoids areas of high to medium flood risk or significant adverse issues upon air, soil or water environment. The proposal meets the terms of Policy 2.
- 6.3 Policy 4 Development Management and Placemaking seeks to ensure all new development will require to take account of, and be integrated with the local context and built form. Policy DM2- house extensions and alterations contains criteria relating to:

impact upon the character of the existing dwelling and surrounding area; overbearing impact; loss of amenity via privacy, sunlight or daylight; adequate parking, garden space; and road safety. Additional guidelines are provided in relation to each type of proposal to assist proposals in meeting Policy DM2. In relation to 2 storey extensions the guidelines are as follows: the extension shall not have a flat roof, shall carry through the line of the eaves, shall be set below the ridgeline, be set back by 1m from the front elevation, 1m from the side boundary and be designed and positioned such that no significant loss of amenity to neighbours is experienced.

- 6.4 The proposed extension measures 7.3m by 12.2m with a limited part of the rear elevation wrapping around the existing dwelling. The proposed extension measures 6.38m to the eaves and 9.2m in overall height to the ridgeline, the existing dwelling measuring 9.3m in overall height and 5.4m to the eaves. To the west of the dwelling lies a side garden which is sunken in part. There is approximately 1m difference in levels between the existing dwelling and the sunken garden, within which the extension is proposed to be located. As a result the proposal is 1m below the ridgeline of the existing dwelling. The proposal also carries through the line of the eaves and is set 0.6m back from the front elevation of the directly adjacent elevation and more than 1m back from the projecting front bay of the existing dwelling. Therefore, the proposal complies with this aspect of the policy.
- 6.5 The existing dwelling is of traditional construction; a sandstone building with sash and case windows and a projecting bay on the eastern side of the dwelling, with decorative barge boards on the gable ends of the projecting bay and dormer. The proposal does provide a significant addition to the existing dwelling however due to the change in site levels the proposal sits 1m less in height than that of the existing dwelling and sits back from the main elevation to appear subsidiary. For this reason I am satisfied that the extension is in proportion with the existing dwelling and does not dominate or overwhelm. The proposed extension uses similar window design to the existing dwelling, carries though the eaves and presents a simple complementary addition to the existing dwelling. The materials proposed include a blonde render and a slate roof. Conditions can be imposed to consider specific details of these materials and ensure they match satisfactorily the existing dwelling. It is therefore considered that the proposal complements the character of the existing building.
- 6.6 In terms of the surrounding street scene and urban grain the surrounding area is characterized by spacious plots with relatively large rear and front gardens. The neighbouring properties to east and west of the application site are of traditional construction and were all built prior to 1911. All other properties to the rear and front of the application site were built around the 1960s and are of modern construction. There is variety in how much space there is between gable ends and side boundaries, with some having tight boundaries, particularly on Friarsfield Road, and others having more space with 4 properties on Friarsdene having decent to large sized side gardens. There is also variety in the plot to footprint ratio, ranging between 9% and 29% in the surrounding area. The proposal extends into the side garden and increases the area developed within the plot. However, given the variety of design and layout in the surrounding area, and the fact that the property does not breach the forward building line and retains a spacious front and rear garden, I do not consider this proposal to have a significantly adverse impact upon the streetscape or character of the surrounding area which would warrant refusal of the application.
- 6.7 It has to be considered whether the proposal affects the residential amenity of neighbouring residents. Given its proximity to the boundary and change of levels the

impact upon the neighbouring property at 4 Friarsdene was carefully assessed. The property boundary between 4 Frairdene and 2 Frairdene is approximately 15.5m in length measured from the rear of No.4. Currently there are no buildings in close proximity to this boundary. The extension would occupy 6.1m of this boundary albeit set back 2.5m. Consequently, and due to the extension being sited in the side garden between the two property gable ends, 60% of the side boundary would remain free of development. Due to the site levels the proposed extension will be a noticeable feature when viewed from 4 Friarsdene, However given that the majority of the extension faces towards the gable end of 4 Frairdene, the parking area and garage and is situated off the side boundary I am satisfied there would be no significant 'towering' effect experienced by the proposal to the main garden area. Therefore, it is considered that the proposal does not overbear upon the adjacent property to such a degree that amenity would be significantly affected at 4 Friarsdene, Lanark.

- 6.8 In terms of privacy, the proposed extension is sited 2.5m off the side boundary and between 8m and 9m off the angled rear boundary. There are patio doors proposed on the ground floor of the rear of the extension which at the distance of 8m and 9m and with intervening boundary treatments will not result in overlooking to properties to the rear. In relation to the side elevation the windows on the upper floor are to ensuite bathrooms and proposed to be obscured glass; this can be controlled through imposition of a condition on any consent granted. There is a ground floor kitchen window on the side elevation and the proposal includes a screen fence which will obscure views to the neighbouring garden and mitigate against any overlooking. Therefore, the proposal shall not result in loss of privacy to any neighbouring properties.
- 6.9 In addition, the impact of the proposal upon sunlight and daylight to neighbouring properties requires to be considered. Due to situation of the proposal and site levels the potential for the overshadowing of 4 Frairdene was carefully assessed. The Building Research Establishment (BRE) Site layout planning guidance for daylight and sunlight recommends that in order for a garden to be adequately sunlit throughout the year no more than two fifths of any garden or amenity area should be prevented from receiving any sun at all on 21st March (equinox). An overshadowing assessment has been prepared by Council technicians to assist in this assessment. Given the situ of northern facing gardens then a certain element of overshadowing will currently be caused by the dwelling and garage at 4 Frairdene in any case. Currently, there are some areas of garden immediately to the north of the dwelling and garage which are prevented from receiving any sun on the 21st March. These account for much less than two fifths of the available garden area. The proposed extension introduces additional overshadowing in the morning, given that the property is sited to the west, however by the afternoon there would be no overshadowing caused as a result of the proposal. Consequently, the proposal would not result in creating additional areas which would receive no sun at equinox. Therefore, the proposal will not result in an unacceptable degree of overshadowing to 4 Friarsdene, and it is considered that the proposal would not adversely affect adjacent properties in terms of loss of daylight or sunlight.
- 6.10 Finally, the application site is a large plot and there is sufficient space remaining for parking, garden space and bin storage. The proposal does not alter the road geometry nor would it result in a significant increase in traffic.
- 6.11 Therefore, it is concluded that the proposal does not conflict with any of the criteria in Policy DM2. Policy 4 Development Management and Placemaking seeks to ensure all new development will require to take account of, and be integrated with the local context

and built form and considers design issues, visual and residential amenity, access and the environment. It has been assessed above and concluded that the proposal is suitable for the dwellinghouse and surrounding area and therefore meets the terms of Policy 4.

- 6.12 Policy 6 General Urban Area/Settlements seeks to safeguard the character and amenity of urban areas and settlements which are predominately residential, providing guidance on appropriate uses for these areas. Policy DM13 Development in General Urban Areas seeks to ensure proposed developments relate satisfactorily to adjacent and surrounding development in terms of scale, massing and materials and seeks to ensure that the character of the urban area is not impaired by traffic generation or loss of important trees or open space. The proposal has been determined above to be suitable in terms scale and massing for the surrounding area. The proposal will not result in a significant increase in traffic or loss of trees or open space. The proposal therefore meets the terms of Policy 6 and DM13.
- 6.13 The statutory neighbour notification process was carried out by the Council in respect of this proposal. Six letters of representation have been received, the points of which are summarised above. Whilst it is noted that there are concerns relating to the quality of plans, suitability of the proposal for the dwelling and surrounding area and the impact on neighbouring resident, these points have been considered and it has been determined that the plans are fit for purpose, the design is in proportion and suitable for the dwelling and the surrounding area, and no significant loss of amenity would be experienced by neighbouring residents. As such, it is considered there is no justification for refusal of the application.
- 6.14 In conclusion, it is considered that the proposed development at this property is acceptable and I therefore recommend that planning permission is granted subject to the attached conditions.
- 7 Reasons for Decision**
- 7.1 The proposed development will not adversely impact upon residential amenity and/or upon the visual amenity or character of the surrounding area. The proposal raises no issues within the policy context of 2, 4 and 6 of the adopted South Lanarkshire Local Development Plan and Policies DM2 and DM13 of the relevant associated supplementary guidance.

Michael McGlynn
Executive Director (Community and Enterprise Resources)

29 January 2018

Previous References

- ◆ CL/17/0433 – Application withdrawn

List of Background Papers

- Application Form
- Application Plans
- South Lanarkshire Local Development Plan (adopted 2015)
- Development management placemaking and design supplementary guidance (2015)
- Neighbour notification letter dated 19.12.2017

- Representations
 - Representation from : Mr G A Valantine, 3 Friarsfield Road, Lanark, ML11 9EN, 1 letter dated 29/12/17

 - Representation from : Gordon Murray, 4 Friarsdene, Lanark, ML11 9EJ, 2 letters both dated 29/12/2017, 1 letter dated 19/01/2018, 1 letter dated 3/02/18

 - Representation from : Frank Caddell, Fraircroft, Friarsdene, Lanark, ML11 9EJ, 1 letter dated 09/01/2018

 - Representation from : Gill Davenhill, 8 Friarsdene, Lanark, ML11 9EJ,, 1 letter dated 08/01/2018 , 1 letter dated 20/01/18

 - Representation from : Thomas Henry Shanks, 5 Frairfield Road, Lanark, ML11 9EN, 1 letter dated 03/01/2018, 1 letter dated 20/01/18

 - Representation from : Mrs S Russell, 9 Friarsdene, Lanark, ML11 9EJ, 1 letter dated 06/01/18

Contact for Further Information

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

Fiona Bailie, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton ML3 6LB
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E-mail: fiona.bailie@southlanarkshire.gov.uk

CONDITIONS

- 1 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.
- 2 That notwithstanding the terms of Condition 1 above, the roof of the extension hereby approved shall be finished in natural slate, matching barge boards and spire detailing to match the existing roof of the adjacent building.
- 3 That the ensuite windows on the eastern elevation of the extension hereby approved shall be glazed in obscure glass and thereafter shall be maintained as such to the satisfaction of the Council as Planning Authority.
- 4 The windows on the front elevation shall match those on the existing dwelling to the satisfaction of the Council as Planning Authority.
- 5 That notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(Scotland) Amendment Order 2011 (or any such order revoking or re-enacting that order), no further window opening or dormer shall be created on the side elevation as outlined in red on the side elevation plan without prior approval of the Council as Planning Authority.

REASONS

- 1.1 In the interests of amenity and in order to retain effective planning control.
- 2.1 To ensure a satisfactory integration of the proposed development with the existing building both in terms of design and materials
- 3.1 In the interests of amenity.
- 4.1 To ensure a satisfactory integration of the proposed development with the existing building both in terms of design and materials
- 5.1 In the interests of amenity and in order to retain effective planning control.

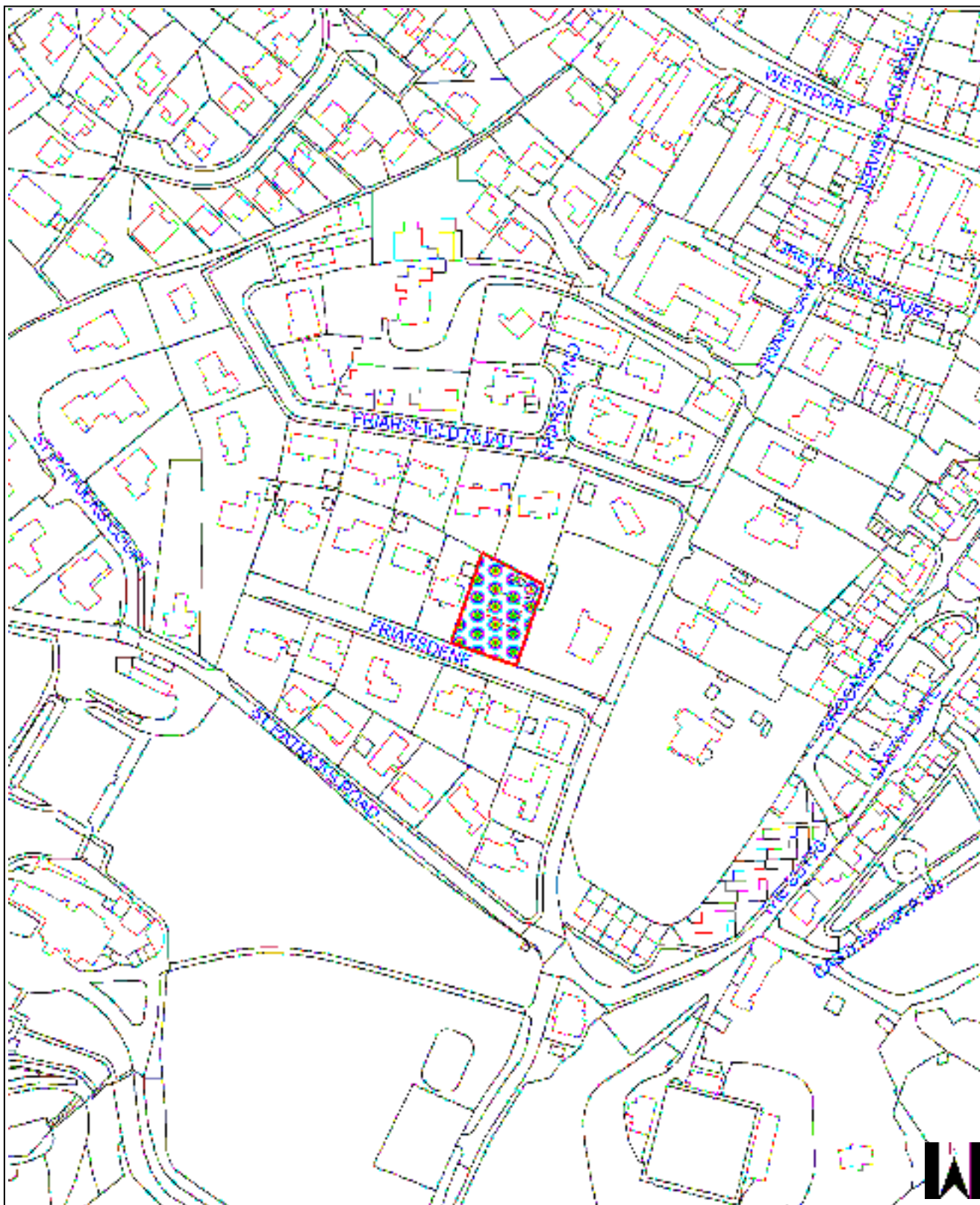
CL/17/0517

2 Friarsdene, Lanark ML11 9EJ

Planning and Building Standards

Scale: 1: 2500

For information only



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