	<h1>Report</h1>	Agenda Item <h1>15</h1>
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Report to:	Planning Committee
Date of Meeting:	20 March 2007
Report by:	Executive Director (Enterprise Resources)

Application No	HM/06/0851
Planning Proposal:	Partial Demolition of Existing Dwellinghouse and Erection of Rear and Side Extensions Including Redevelopment of Roof (Amendment to HM/04/0348)

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Mr & Mrs T Coakley
- Location : 5 Fife Crescent
Bothwell

2 Recommendation(s)

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

- (1) Grant Detailed Permission (Subject to Conditions – based on the conditions attached).

2.2 Other Actions/Notes

The Planning Committee has delegated powers to determine this application.

3 Other Information

- ◆ Applicant's Agent: G.D. Lodge & Partners
- ◆ Council Area/Ward: 39 Bothwell South
- ◆ Policy Reference(s): **Adopted Hamilton District Local Plan**
Policy RES1 – Residential Areas – General
Policy DC1 – Development Control General
Policy EN4 – Conservation Areas
Finalised South Lanarkshire Local Plan (after modifications)
Policy RES6 – Residential Areas
Policy DM1 – Development Management
Policy ENV4 – Protection of the Natural and Built Environment
Policy ENV24 – Conservation Areas

- ◆ Representation(s):



6

Objection Letters

◆ Consultation(s):

Environmental Services

Planning & Building Control HQ (Conservation Officer)

Roads and Transportation Services

Planning Application Report

1 Application Site

- 1.1 The application site is formed by a large detached building set in a very large curtilage. The building is centrally located within the application site and has a large parking area to the front and significant space to the sides along with a large rear garden.
- 1.2 The red sandstone villa has been partially demolished, with the front facade of the building remaining intact. The remaining decorative frontage has a two storey bay window feature and detailed stonework around the front elevation windows.
- 1.3 The surrounding area is primarily residential with the majority of properties being detached villas or flatted villas. The exceptions to this is Fife Court which is a more recent red brick development approved in the early 1980's which is of a less attractive style and the Lindens Home which was finished in blonde sandstone. Dunlop Crescent is located to the rear of the application site and is located outwith the Conservation area.
- 1.4 The site is set on a corner of Fife Crescent meaning that the building frontage and sides are more prominent in the street and afforded relatively uninterrupted views from both directions on the street. The curtilage has the largest area in the street although the width of the site frontage is comparable to the other dwellings in the street.
- 1.5 The site is set within the Bothwell Conservation Area.

2 Proposal

- 2.1 The applicant seeks detailed planning permission for material changes to the design of the 'extension' of the original dwellinghouse. Two previous applications have been approved planning permission for the change of use of the building from a guest house to a dwellinghouse, HM/05/0010, and extensions to the original dwellinghouse, HM/06/0348 (see section 3 for further details).
- 2.2 The application primarily involves the replacement of the 'roof garden' with a pitched roof to the rear of the property, alterations to the roof profile on the front elevation, a change to the footprint of the dwellinghouse, the relocation of the 'home cinema' extension and the creation of a pedestrian access to the rear of the property and a 2nd vehicular access to the front of the property onto Fife Crescent.

3 Background

3.1 Local Plan Status

- 3.1.1 The application site is designated as a residential area under Policy RES1 of the adopted Hamilton District Local Plan and Policy RES6 of the Finalised South Lanarkshire Local Plan. Policies RES1 & RES6 state that within areas identified for primarily residential use, the Council will oppose the loss of houses to other uses and resist any development which will be detrimental to the amenity of these areas.
- 3.1.2 Policies DC1 of the adopted Hamilton District Local Plan and Policy DM1 of the Finalised South Lanarkshire Local Plan provide general development management guidance. These policies require all planning applications to take due regard to the

local context and built form of the area. Proposals should take cognisance of scale, position and materials of surrounding buildings and landscape.

- 3.1.3 The site is also identified in the development plan as being within a Conservation Area. As such, Policy EN4 – Conservation Areas of the adopted Hamilton District Local Plan and Policies ENV4 and ENV24 of the Finalised South Lanarkshire Local Plan are relevant when determining this application. These policies seek to preserve and enhance the character of the conservation area. Developments will be assessed in terms of their effect on the character and amenity of the natural and built environment. Proposals should take account of design, materials, scale and siting within the conservation area and should respect their setting within the conservation area.

3.2 Relevant Government Guidance

- 3.2.1 Relevant guidance is provided in National Planning Policy Guideline (NPPG) 18 Planning and the Historic Environment and Planning Advice Note (PAN) 71 – Conservation Area Management.
- 3.2.2 NPPG18 notes that it is desirable to protect and enhance the character and appearance of conservation areas. Local Planning Authorities have a duty to bring forward proposals for the preservation or enhancement of conservation areas and the designation of conservation areas should not, therefore simply be used as a way of increasing control exercised over development.
- 3.2.3 PAN71 notes that the designation of conservation areas are a means to safeguard and enhance the sense of place, character and appearance of our most valued historic spaces.
- 3.2.4 ‘A Guide to Conservation Areas in Scotland’, published by the Scottish Executive, also provides general guidance to the control of development within Conservation Areas. The guide notes that the designation of a conservation area does not place a ban on development within its boundaries, however planning permission will normally only be granted if it can be demonstrated that the development will not harm the character or appearance of the conservation area.

3.3 Site History

- 3.3.1 In terms of site history, a planning application was approved for the Change of Use of the building from a Hostel to a Guest house in February 2001 (HM/00/0598).
- 3.3.2 Planning permission was then approved for the change of use of the building from a Guest House to a dwellinghouse and the partial demolition, alteration and extension to the dwellinghouse in July 2005 (HM/05/0010).
- 3.3.3 Planning permission was then sought and subsequently granted for further extensions to the dwellinghouse and changes to the design of the extended dwellinghouse. Planning permission was granted in June 2006 (HM/06/0348).

4 **Consultations**

- 4.1 Environmental Services – raised no objections to the proposed development. Comments were made with regards to the control of noise during the construction phase of the development and the requirement for a survey to establish the potential

of asbestos on the site and details of any mitigating measure which would be required to be undertaken.

Response: Noted. The issue of restricting construction noise from the site are matters that are best controlled through Environmental Services legislation.

- 4.2 **Planning & Building Control HQ (Conservation Officer)** – raises no objections to the proposal and notes that the proposed alterations will not result in a dwellinghouse of scale and size which is markedly different from the other traditional substantial villas in the vicinity. The proposed dwellinghouse, when viewed from the primary vantage point of Fife Crescent, will not give the appearance of being too large for the site and the extensions should not visually dominate the original house to an unacceptable degree. Concern was expressed with regards to the proposed painting of the front façade of the building. Furthermore, the Conservation Officer raised reservations with regards to the proposed 2nd vehicular access onto Fife Crescent.

Response: Noted. With regards to the painting of the front façade, the applicants agent has verbally confirmed that they are willing to construct the extensions which will be visible from public in red sandstone and Condition 3 is proposed to be attached to the planning permission, should the application be approved. This will ensure samples of the external materials to be used are submitted to and approved in writing by the Planning Service. In terms of the second vehicular access, this issue is discussed in Section 6 of the report.

- 4.3 **Roads and Transportation Services:** have raised no objections to the proposed development and have noted that the visibility splays from the widened existing access and the new access onto Fife Crescent is 2.5 metres by 35 metres.

Response: Noted. Condition 7 is proposed to be attached to the planning permission, if approved, ensuring that the Roads and Transportation requirements are met.

5 Representations

- 5.1 Statutory neighbour notification was carried out and as a result six letters of objection were submitted from neighbouring properties

- 5.2 The representations can be summarised as follows.

- a) **The location plan submitted with the neighbour notification is years out of date.**

Response: The location plan accurately demonstrates the location of the application site in relation to adjoining properties and I am therefore satisfied that the location plan is acceptable.

- b) **The demolition of the existing building works directly against the principles of a conservation area, with particular reference to 'The British Standard Guide to the Principles of the Conservation of Buildings', BS7913:1998.**

Response: In terms of the 'The British Standard Guide to the Principles of the Conservation of Buildings', this guide provides general guidance to steer development within conservation areas. This guide is neither definitive nor prescriptive however and does not carry a significant weight when determining applications within conservation areas. The application will be assessed against relevant National Planning Policy in Section 6 of this report.

- c) **The proposed alterations to the design of the dwellinghouse will result in a significant impact of privacy to our dwellinghouse and gardens at No. 3 Fife Crescent.**

Response: The proposed development does not involve the installation of any additional windows which will overlook the dwellinghouse and gardens of No.3 Fife Crescent, than that already approved under planning applications HM/05/0010 & HM/06/0348. I am therefore satisfied that the alterations proposed under this application will not create a negative impact on the privacy enjoyed by adjoining properties.

- d) **The finishes to the extensions of the dwellinghouse should be in keeping with other dwellinghouses within the vicinity/conservation area.**

Response: Noted. Conditions requiring the applicant to utilise materials appropriate to conservation areas are proposed to be attached to the decision notice, should planning permission be granted. These conditions require the applicant to submit samples of external finishes, which are to be approved in writing by the Council.

- e) **Ferry Road is in a bad state of repair and adding a further entrance from the application site onto this road would undoubtedly create further damage to this road surface.**

Response: The proposal involves the installation of a pedestrian access onto Ferry Road from the application site. No additional traffic should therefore be generated on Ferry Road as a result of this proposal, with the exception of pedestrians, who are unlikely to create any significant damage to the private road.

- f) **Adding a second vehicular access onto Fife Crescent challenges the uniformity and appearance of the street which was designed and built more than a century ago. As such the layout of the street should be preserved under the principles of a conservation area.**

Response: Many, but not all, properties located along Fife Crescent have a single vehicular access to their property. There is however an example of two vehicular accesses onto Fife Crescent at Fife Court. The principle of the second access has therefore been established and the proposed access is not considered likely to adversely affect the appearance of the street, nor the layout of the Conservation area.

- g) **The proposed 2nd vehicular access would detract from the character of the Crescent.**

Response: The applicant has provided no specific details of the proposed vehicular access, and it is considered that the consent, should planning permission be granted, can be conditioned to ensure these details are submitted to and approved in writing by the Planning Service prior to the construction of the entrance/exit. In this way the Planning Service can ensure that the proposed entrance and associated gates are of an appropriate scale and design to integrate into the area with minimal impact.

- h) **Three accesses to the application site is 'excessive'**

Response: This is not a material planning consideration.

- i) **The proposal will result in the loss of a beautiful building which is located amongst a row of like properties. The further reduction of the building to a mere façade would further add to the destruction of this house.**

Response: The proposal involves minor alteration to the design of a dwellinghouse which was approved planning permission under applications HM/05/0010 & HM/06/0348. The proposal involves the retention of the existing façade, which will maintain the appearance of the existing dwellinghouse. The proposed dwellinghouse, when viewed from Fife Crescent, will not be visually dominated by the extensions to an unacceptable degree. A condition is proposed to be attached to the decision notice, should planning permission be approved, requiring samples of the materials to be submitted and approved by the Planning Service.

- j) **The foundations of the extensions will be very close to my boundary.**

Response: All extensions to the dwellinghouse will be at least 1m from the boundary of adjoining properties and as such can be built and maintained from within the application site.

- k) **The proposed 'rooftop garden' will overlook my property.**

Response: This proposal involves a different design from that previously approved and does not involve a 'rooftop garden'.

- l) **The Scottish Civic Trust stated, with regards to a previous application, that "The applicant would be better seeking a vacant site to build a confident contemporary house to satisfy his architectural aspirations rather than compromise a good example of late 19th century to such a considerable degree".**

Response: The partial demolition of the building was discussed within the Committee report for application HM/05/0010, which was approved planning permission in June 2006.

- m) **The external materials of the alterations to the dwellinghouse should be a of a red sandstone nature.**

Response: Noted. Conditions requiring the applicant to utilise materials appropriate to conservation areas are proposed to be attached to the decision notice, should planning permission be granted. These conditions require the applicant to submit samples of external finishes, which are to be approved in writing by the Council.

These letters have been copied and are available for inspection in the usual manner.

6 Assessment and Conclusions

- 6.1 The applicant seeks detailed planning permission for the partial demolition of the existing dwellinghouse, retaining the existing façade, and a number of changes to the design of the extended dwellinghouse. The proposal also involves the creation of a pedestrian access to the rear of the plot, leading onto Ferry Road and a second vehicular access onto Fife Crescent. The determining issues relate to the sites previous history, compliance with local plan policy and affect on amenity.
- 6.2 In terms of site history, two planning applications relating to this development precede this planning application. Through these applications the principle of the

large extension to the dwellinghouse has been approved and this application is therefore required to assess the change in design of the extended dwellinghouse and the formation of the new accesses.

- 6.3 terms of local plan policy, the application site is located within a residential area designated by Policy RES1 of the adopted Hamilton District Local Plan and Policy RES6 of the Finalised South Lanarkshire Local Plan. In this respect, I am satisfied that the proposed changes to the design of the dwellinghouse will not adversely effect these local plan designations.
- 6.4 The application site is also located within the Bothwell Conservation Area and as such Policy EN4 – Conservation Areas of the adopted Hamilton District Local Plan and Policies ENV4 and ENV24 of the Finalised South Lanarkshire Local Plan are relevant when determining this application. These policies aim to protect and enhance the conservation area.
- 6.5 The proposed changes in the design of the dwellinghouse, which include alterations to the roof line on the front elevation, the installation of a pitched roof to replace a 'roof garden' on the rear elevation and slight changes to the root print of the dwellinghouse, will create minimal impact to the conservation area in comparison to the previously approve scheme. The applicant has confirmed willingness to utilise materials such as slate for the roof, timber for the windows and doors and natural sandstone for the facing material on the public elevations, which are considered appropriate for a Conservation Area.
- 6.6 In terms of the new pedestrian access proposed to the rear of the dwellinghouse, no objections have been received from third parties or consultees regarding this issue. The Conservation Officer has requested that details of the pedestrian gate be submitted for written approval prior to work taking place. Condition 6 is proposed to be attached to the planning approval to ensure the details are provided and that the gate will be satisfactory.
- 6.7 In terms of the 2nd vehicular access to the front of the property, it is noted that the Conservation Officer and third parties have raised reservations regarding this issue. The principle of the second access onto Fife Crescent has however been established at 2 Fife Crescent, 7 Fife Crescent and Fife Court. The proposed access is not considered likely to adversely affect the appearance of the street, nor the layout of the Conservation area and Condition 6, proposed to be attached to planning approval should planning permission be granted, will ensure the proposed access gate and gatepeirs are of an appropriate design and material.
- 6.8 In summary, the proposed development complies with Local Plan policy and I am satisfied that all matters raised within the consultation responses received during the determination of the application have been adequately addressed. The amendments to the design of the dwellinghouse are considered appropriate for the setting and conservation area and it is further considered that the proposal will not detract from the amenity currently enjoyed by the neighboring residents. It is therefore considered that the application is acceptable and I recommend the application for approval subject to conditions.

7 Reasons for Decision

- 7.1 The proposal complies with Policy RES1, DC1 and EN4 of the adopted Hamilton District Local Plan and Policies RES6, DM1, ENV4 & ENV24 of the Finalised South Lanarkshire Local Plan as well as relevant government guidance detailed within NPPG18, PAN71 and the 'Guide to Conservation Areas in Scotland'.

Iain Urquhart
Executive Director (Enterprise Resources)

28 February 2007

Previous References

- ◆ HM/00/0598
- ◆ HM/05/0010
- ◆ HM/06/0348

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ Consultations

Planning & Building Control HQ (Conservation Officer)	07/02/2007
Environmental Services	19/02/2006
Roads and Transportation Services	22/02/2007

Representations,

- Representation from : L. W. & S Donaldson, 11 Dunlop Crescent, Bothwell, G71 8SG, DATED 12/12/2006
- Representation from : Robert Carty, 6 Fife Crescent, Bothwell, , DATED 20/12/2006
- Representation from : D & S Murphy, 3A Fife Crescent, Bothwell, G71 8DG, DATED 13/12/2006
- Representation from : Mr S A B Dinsmore, 'Hunting Tower', 4 Fife Crescent, Bothwell, G71 8DG, DATED 13/12/2006
- Representation from : Elsa & Stephen Kenyon, 3 Fife Crescent, Bothwell, G71 8DG, DATED 22/12/2006
- Representation from : L, W & S Donaldson, 11 Dunlop Crescent, Bothwell, G71 8SG, DATED 05/01/2007

Contact for Further Information

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

Donald Wilkins, Planning Officer, Brandon Gate, Hamilton

Ext 3513 (Tel: 01698 453513)

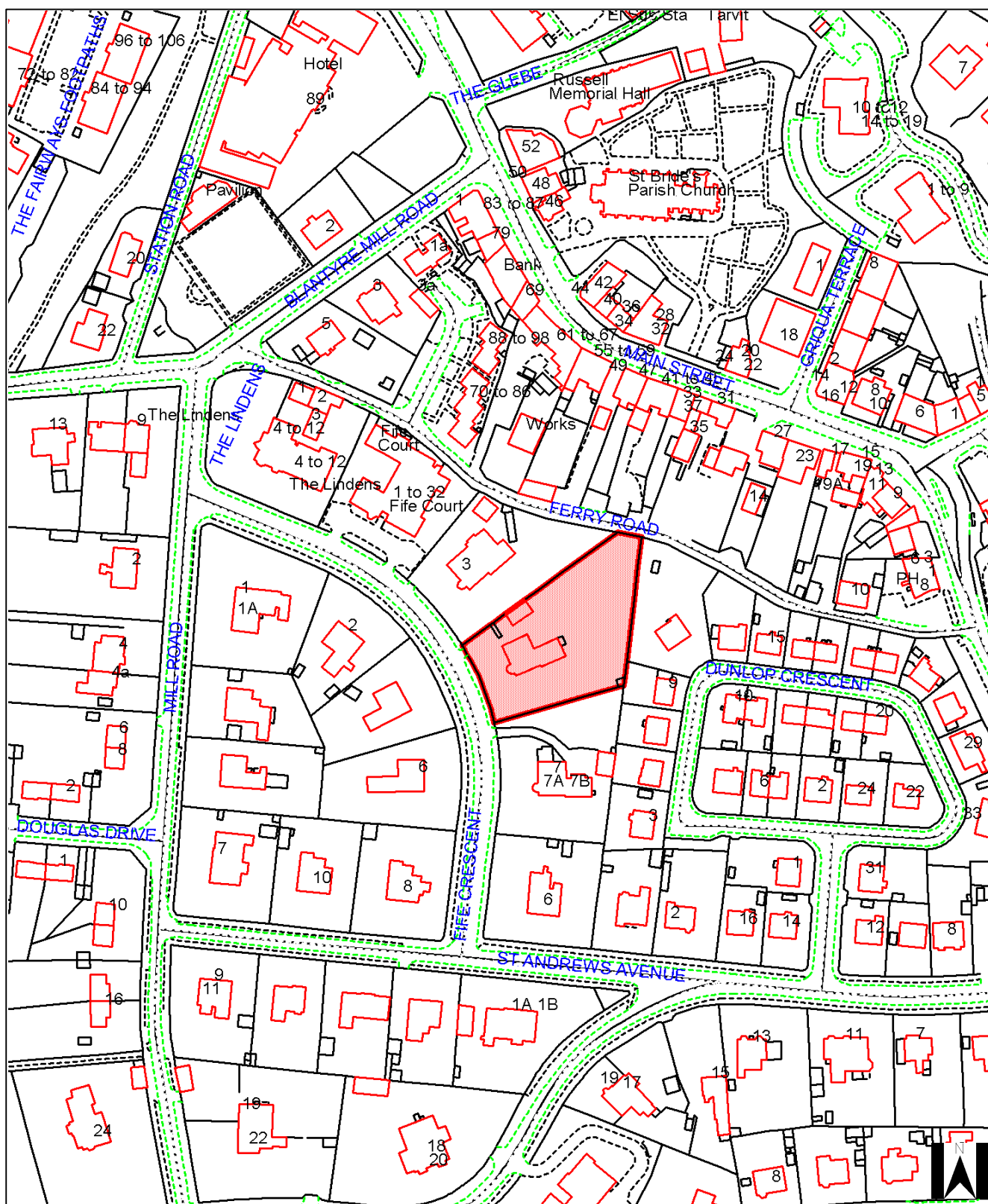
E-mail: Enterprise.hamilton@southlanarkshire.gov.uk

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 the roof of the dwellinghouse shall be clad externally in natural slate.
- 5 That the external rainwater goods shall be made of cast iron and painted black to the satisfaction of the Council as Planning Authority.
- 6 That before development starts, full details of the design and location of all fences, walls, pedestrian and vehicular gates and any retaining walls, to be erected on the site, shall be submitted to and approved by the Council as Planning Authority.
- 7 That before the dwellinghouse hereby approved is completed or brought into use, a visibility splay of 2.5 metres by 35 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.
- 8 That the front façade of the dwellinghouse shall be externally finished in natural sandstone.
- 9 That before development starts, full details of the approved vehicular access to be created from the application site onto Fife Crescent shall be submitted to and approved by the Council as Planning Authority.

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 In the interests of amenity and in order to retain effective planning control.
- 5 In the interests of amenity.
- 6 These details have not been submitted or approved.
- 7 In the interest of road safety
- 8 In the interests of amenity and in order to retain effective planning control.
- 9 These details have not been submitted or approved.



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