

Report

Report to:	Hamilton Area Committee
Date of Meeting:	2 May 2018
Report by:	Executive Director (Community and Enterprise Resources)

Application No	HM/17/0531
Planning Proposal:	Installation of 3 no rooflights (retrospective) (listed building consent)

1 Summary Application Information

- Application Type : Listed Building Application
- Applicant : Mr. Andrew McArthur
- Location : 15C Main Street
Uddingston
G71 7ES

2 Recommendation(s)

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

- (1) Grant Listed Building Consent.

2.2 Other Actions/Notes

3 Other Information

- ◆ Applicant's Agent: Alistair McArthur
- ◆ Council Area/Ward: 16 Bothwell and Uddingston
- ◆ Policy Reference(s): **South Lanarkshire Local Development Plan (adopted 2015)**

Policy 4 - Development Management and Placemaking
Policy 6 - General Urban Area/Settlements
Policy 15 - Natural and Historic Environment

Supplementary Guidance

NHE3 - Listed buildings

DM2 - House extensions and alterations
DM13 - Development within general urban area/settlement

Historic Environment Scotland: Policy Statement - Listed buildings

◆ Representation(s):

▶	6	Objection Letters
▶	0	Support Letters
▶	0	Comments Letters

◆ Consultation(s):

Historic Environment Scotland

Planning Application Report

1 Application Site

- 1.1 The application site is a three storey tenement building with shops at ground floor on the west side of Main Street, Uddingston close to the junction with Bellshill Road.. The block (7-25 Main Street and 4 Bellshill Road) is a listed building, category B.
- 1.2 On the opposite side of Main Street there are relatively modern flats. Main Street is the main thoroughfare in Uddingston. The site is bounded on both sides by further tenemental properties which also form part of the listed building.
- 1.3 The rear of the building faces onto a car park and other residential properties at Old Glasgow Road and thereafter Uddingston Trinity Parish Church.

2 Proposal(s)

- 2.1 The application seeks retrospective listed building consent for the installation of 3 rooflights at 15 Main Street, Uddingston.
- 2.2 Two rooflights have been installed on the roof of the principal (front) elevation with one roof light installed at the rear of the building.
- 2.3 There are other rooflights installed on the roof of the neighbouring tenements which are also part of the block listed building (7 to 25 Main Street).
- 2.4 The roof lights are 600mm in length and 400mm in width.

3 Background

3.1 Relevant Government Advice/Policy

- 3.1.1 Scottish Planning Policy (2014) (SPP) highlights that the presumption in favour of development does not change the statutory status of the development plan as the starting point for decision-making. Proposals that accord with up-to-date plans should be considered acceptable in principle.

3.2 Local Development Plan

- 3.2.1 In determining this application for listed building consent the Council must assess the proposed development against the policies contained within both the South Lanarkshire Local Development Plan (2015) and associated Supplementary Guidance (SG) produced in support of the SLLDP.
- 3.2.2 The adopted South Lanarkshire Local Development Plan (2015) contains general policies that deal with design quality and general amenity considerations. Policy 4- Development Management and Placemaking and associated supplementary guidance DM2 and DM13 states '*that all proposals will require to take account and be integrated with the local context and built form.*' It also states '*that there should be no significant adverse impact on adjacent buildings or streetscape in terms of design, scale and materials.*'

3.2.3 Policy NHE3 - Listed Building- is of prime importance to the assessment of this application. This policy acknowledges that listed buildings make an important contribution to the townscape and architectural heritage of a place and therefore the Council will seek to ensure their preservation, protection and proper maintenance. The policy also recognises that alterations must relate to the original sensitivity of the building and that materials scale and siting should respect the character and appearance of the listed building.

3.2.4 The development must also be assessed against Historic Environment Scotland's Policy Statement regarding listed buildings. This Policy states, amongst many other aspects, that *'where a proposal does not adversely affect the special interest of the building, consent should normally be granted.'*

4 Consultation(s)

4.1 **Historic Environment Scotland** - Have no objection to the proposal.

5 Representation(s)

5.1 Following the display of a site notice and an advert in the local newspaper and Edinburgh Gazette, six letters of objection have been received. The grounds of objection can be summarised as:

(a) The installation of the velux windows is forbidden by the terms contained within the title deeds.

Response: The terms within title deeds relate to legal aspects. In this respect it is well established that such legal matters are not material to the consideration and assessment of a planning or listed building application as there are well established legal process to adjudicate on such matters.

(b) There are concerns regarding the roof trusses and soil/rain pipes.

Response: Any alteration to roof trusses does require a Building Warrant and application 16/HM/0534 has been submitted for this consent. Accordingly aspects' relating to the structural integrity of the roof are assessed under other legislative provisions and is therefore not a material planning consideration. Ultimately however it is the applicants' responsibility to ensure that any work undertaken at the property is carried out in a satisfactory manner. Application 16/HM/0534 has received consent.

(c) Any changes to the building could affect other owners financially.

Response: It is well established that financial aspects such as perceived impact on communal maintenance charges are not a material consideration. Accordingly this aspect can not unduly influence the determination of this application.

(d) The building is listed and therefore velux windows should not be installed.

Response: The fact that a building is listed does not preclude development whether it is an extension or rooflights. Any development however must respect the special architectural character of the building and not impact in a negative manner. Clearly there is no automatic presumption against development just because the property is listed.

6 Assessment and Conclusions

- 6.1 The main issues in the determination of this application are its compliance with the Local Development Plan policy in terms of amenity, character and appearance of the listed building.
- 6.2 This Listed Building application is retrospective. This is unfortunate and disappointing but the application must be assessed as if the development had not taken place.
- 6.3 The rooflights have been installed at the front and rear of the building to allow habitation of the roof space. Given that the property is three storeys' high the visual impact and presence of the roof lights are minimised. Accordingly the impact of the roof lights on the architectural character of the building is within acceptable limits. There are also similar rooflights in neighbouring properties.
- 6.4 Historic Environment Scotland has offered no adverse comments to the development. The issues raised in the representations received are primarily related to legal or financial aspects neither of which should unduly influence the determination of this listed building application.
- 6.5 Overall I am of the view that the rooflights in respect of size, siting and materials do not have an adverse impact on the listed building, adjacent buildings or streetscape. It should be noted that no application for planning permission was required as the roof lights are considered to be 'permitted development'.

7 Reasons for Decision

7.1 The proposed roof lights are considered acceptable as they will have no significant adverse impact on the character and appearance of the listed building and therefore comply with Policies 4, 6 and 15 and Policy NHE3 of the South Lanarkshire Local Development Plan (adopted June 2015) and the associated Supplementary Guidance. There are no additional material considerations which would justify refusing listed building consent.

Michael McGlynn
Executive Director (Community and Enterprise Resources)

16 April 2018

Previous References

- ◆ ENF/HM/17/0055
- ◆ 16/HM/0534

List of Background Papers

- Application Form
- Application Plans
- South Lanarkshire Local Development Plan (adopted 2015)
- Development Management Placemaking and Design Supplementary Guidance (2015)
- Natural and Historic Environment Supplementary Guidance
- Historic Environment Scotland Policy Statement 2016

► Consultations
Historic Environment Scotland

21/11/2017

► Representations

- Representation from : Elizabeth Sinclair, 5 Strathclyde Path
Uddingston
Glasgow
G71 7QD
DATED 27/11/2017
- Representation from : Robert Sinclair, Townfoot Cottage,
Townfoot Farm
UDDINGSTON
G717RR
DATED 27/11/2017
- Representation from : Caroline Hunter, 7 Caerlaverock Place
Blantyre
G72ORP
DATED 27/11/2017 11:27:35
- Representation from : Robert Sinclair Snr, 5 Strathclyde Path
Uddingston
Glasgow
G71 7QD
DATED 27/11/2017 15:14:59
- Representation from : David Curle, DATED 22/11/2017
- Representation from : E Rough, 13 Main Street
Uddingston, DATED 23/11/2017

Contact for Further Information

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

Mohammed Hussain, Enforcement Officer
Ext: 5269 (Tel: 01698 455269)
E-mail: mohammed.hussain@southlanarkshire.gov.uk

Listed Building Application

PAPER APART – APPLICATION NUMBER: HM/17/0531

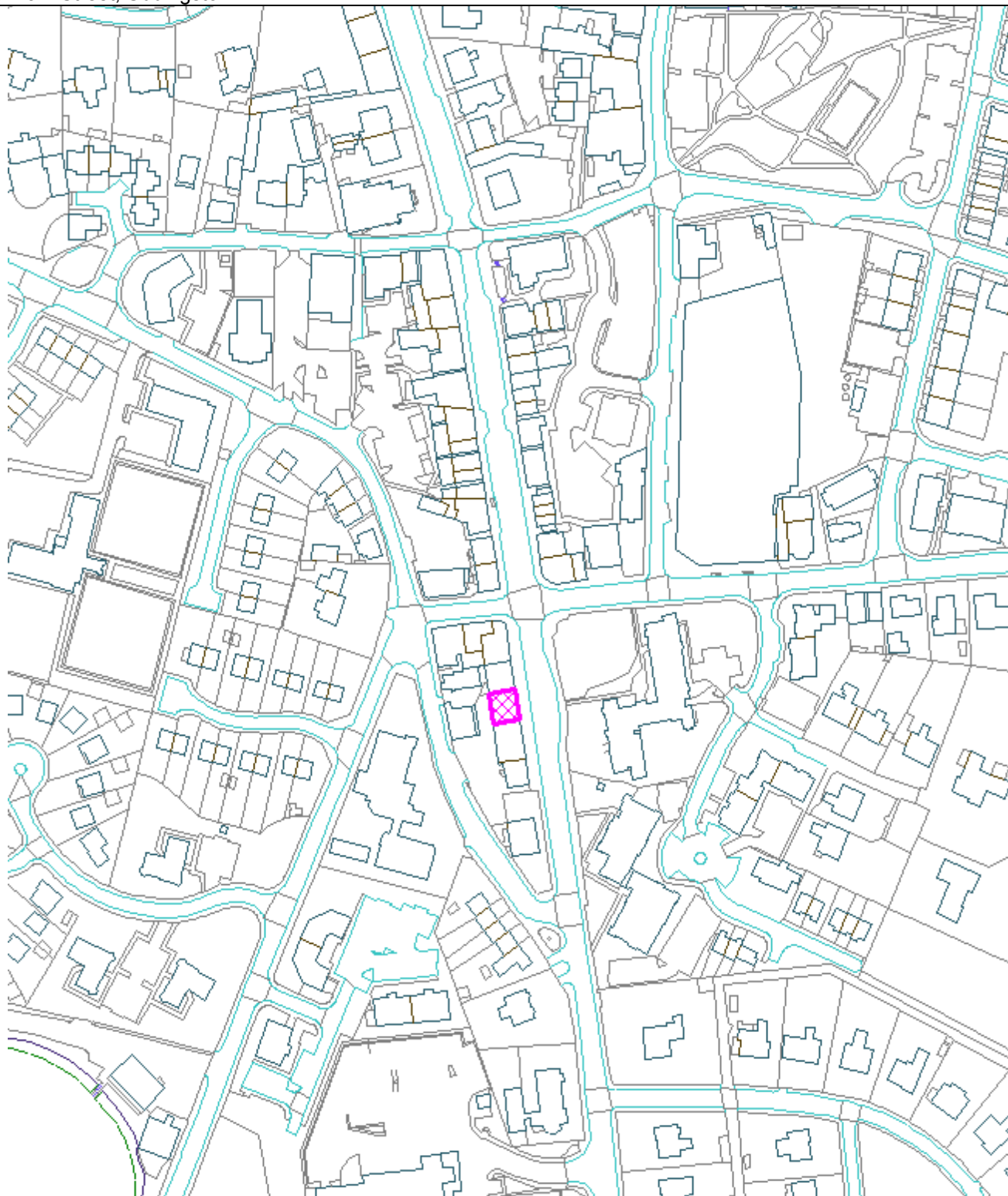
CONDITIONS

1 None

REASONS

1.1 Listed Building Consent is granted unconditionally.

15 Main Street, Uddingston

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