

Report

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Report to: Cambuslang and Rutherglen Area Committee

Date of Meeting: 7 October 2008

Report by: Executive Director (Enterprise Resources)

Application No CR/08/0053

Planning Proposal: Erection of Side Extension (4 Additional Rooms) and Rear Extension

(Caretaker Accommodation) to Guest House and Formation of

Additional Off Street Parking

## 1. Summary Application Information

Application Type : Detailed Planning Application

Applicant : Mr & Mrs D RooneyLocation : 35 Howieshill Road

Cambuslang

### 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 conditions attached)

#### 2.2. Other Actions/Notes

The Area Committee has delegated powers to determine this application.

### 3. Other Information

Applicant's Agent: Alastair MacFarlane RIBA
 Council Area/Ward: 14 Cambuslang East

◆ Policy Reference(s): Cambuslang/Rutherglen Local Plan 2002,

Policy RES 9 – Residential Land Use Area Policies DC 1 and SLP 6 – Development

**Control General** 

South Lanarkshire Local Plan (Final after

Modification) 2007,

Policy RES 6 – Residential Land Use Policy Policy DM 1 – Development Management.

#### ♦ Representation(s):

Objection Letters

Support Letters

Comments Letters

♦ Consultation(s):

**Environmental Services** 

Roads and Transportation Services (Cambuslang/Rutherglen Area)

### **Planning Application Report**

## 1. Application Site

- 1.1. On the southern side of Howieshill Road, Cambuslang the application site relates to a large detached two storey villa of traditional design and construction within a relatively generous feu of 1150 square metres. The property is centrally positioned within the site and at its eastern side has a flat roofed free standing double garage (three metres wide by 13 metres deep). Indeed most of the properties in the immediate vicinity of the site, including a number of more modern properties, do have large garden areas.
- 1.2. Access and egress to the site, both vehicular and pedestrian, is by means of a centrally positioned driveway from Howieshill Road which, as it passes the front of the site, is steeply rising until it reaches a summit approximately 45 metres west of the site's access. Despite the topography of the road the front garden is relatively level, with a predominant ground covering of grey stones. There are however small landscaped areas adjacent to the front mutual boundaries which contain a number of tress and bushes. Indeed one noticeable feature of the site is the tree/bush lined boundaries which in certain locations is supplemented by walls or fencing.
- 1.3. A slabbed driveway exists at the western side of the property giving access to the rear garden area which has a general downward slope across it. As a result the back garden, which is predominantly grass covered, is at a lower level than the front, especially its north eastern corner. Indeed a retaining wall exists close to the rear of the house against which a 'conservatory,' divorced from the house, has been erected as a sun house. Again the rear garden has a well established and effective tree line along its rear boundary such that the neighbouring dwellinghouses of Huntly Drive are barely noticeable.
- 1.4. The property is presently used as a guest house/bed and breakfast establishment. In this regard there are eight bedrooms of different sizes, which are used to provide accommodation for residents along with a common lounge, dinning room and kitchen. Notwithstanding this use and a nearby nursing home (Dunvegan), the surrounding area is residential in nature. Indeed the property to the west of the site (another large detached property) is of similar scale to the application property but at a higher level whilst the house to the east (a modern bungalow) is at a lower level such that its roof is visible from the site.
- 1.5. At the rear of the site the neighbouring houses have back gardens with a minimum depth of 33 metres, these rear gardens having a section of tunnel (Kirkhill to Newton railway line) below them.

#### 2. Proposal(s)

- 2.1. It is now proposed to erect two extensions to the property and increase (and formalise) the number of off street parking spaces. In detail this will involve:
  - ◆ The demolition of the free standing double garage and the erection, in approximately the same location, of a two storey side extension which will have a floor area of 4000 by 10500 mm (both levels) and will provide four additional twin bedrooms (with en suite facilities). Externally the extension will be finished with stone/facing brick and a tiled roof whilst in design terms it will reflect a number of the original characteristics of the villa whilst being subsidiary in scale and mass; indeed the roof line of the extension will be 3500 mm lower than the original villa.

No windows are proposed for the side elevation of the extension which will be off set from the mutual boundary by 1000 mm.

- ◆ The erection of a two storey rear extension (5500 by 11700 mm) with pitched roof to provide care takers accommodation. This extension will provide two public rooms and a bedroom at ground level and two bedrooms and a study at the upper level. All bedrooms will be en-suite with the existing kitchen in the villa being 'shared.' The extension will be finished externally with similar materials to the side extension and in terms of distances will be off set from the rear boundary by a minimum of 11 metres and 4.6 metres from the side mutual (eastern) boundary with number 37 Howieshill Road. Side windows (bathroom) are proposed and due to the lower ground levels within the rear garden area, underbuilding with a maximum height of two metres, will be necessary.
- The provision within the site of 12 off street parking spaces. These spaces will be distributed throughout the site with four spaces being within the front garden area (two being in front of the proposed side extension), two along the side of the existing driveway and the formation of a parking courtyard for six vehicles in the south western corner of the rear garden. Two trees will be felled to accommodate the proposed parking.

N.B. Since the application was first lodged the proposed rear extension has been revised. Initially it was more of a freestanding structure with a link corridor and was only 9 metres minimum from the rear boundary. It was however further away (6 metres) from the mutual boundary with the neighbouring house at 37 Howieshill Road. In addition the proposed car parking spaces have been revised.

## 2.2. In support of the proposal the applicant has advised:

- (a) The existing property has been substantially refurbished to bring it up to modern day standards; approximately £100 K has been spent already rewiring, replumbing refurbishing etc the property.
- (b) The proposed care takers accommodation will allow management to oversee the day to day running of the business and in the first instance it will be occupied as their family home.
- (c) The rooms are mainly occupied by employees in the construction industry who require temporary accommodation and breakfast. Occasionally other guests may stay including visitors to the Cambuslang area.
- (d) No bar is provided.
- (e) There is no intention of operating as a hotel with non residents using the premises for meals or offering accommodation to permanent residents; no application for multiple occupancy will be applied for.
- (f) The proposed care takers accommodation has been purposely designed to provide accommodation for their family needs, notwithstanding that the existing kitchen will be shared.

#### 3. Background

3.1. In terms of the adopted Cambuslang/Rutherglen Local Plan 2002 the site is within a Residential Land Use Area, policy RES 9 applicable. This policy seeks to protect the character and amenity of such areas by resisting proposals which will detract from it whilst supporting development which satisfies a range of criteria. In amplification of this the local plan acknowledges that a range of compatible uses such as schools, local shops and community, health and social facilities can be accommodated in residential areas.

- 3.2. The South Lanarkshire Local Plan (Final after Modification) 2007 has a similar Residential Land Use policy (RES 6) to the adopted local plan in that it opposes the loss of houses to other uses and resists 'bad neighbour' development that would be detrimental to the amenity of those areas. Again however the policy acknowledges that developments of an ancillary nature may be acceptable e.g. guest houses, children's nurseries, medical or dental surgeries etc with each application being treated on its own merit. Particular consideration however has to be given to the impact on residential amenity and/or proposed servicing and parking arrangements, and an assessment of the contribution of the proposal to meeting identified need.
- 3.3. The other applicable policies of both local plans (DC1, SLP6 and DM1) all require new development to respect and take account of the local built environment and ensure that any new buildings, extensions etc are compatible with adjacent buildings and the surrounding area in terms of scale, mass, design, external finishes and impact on amenity.

### 3.4. Relevant Government Advice/Policy

None directly applicable given the scale and nature of the proposal.

### 3.5. **Planning Background**

No previous planning applications within the last ten years. Planning consent however was issued in April 1984 for the part change of use of dwelling to guest house (GDC 132/84).

## 4. Consultation(s)

4.1. **SLC Roads and Transportation Services –** Originally highlighted the need for additional information/clarification relative to the access, visibility splays and layout of car parking within the site. Following however the receipt of revised/amended drawings, now offer no objections subject to conditions.

**Response:** Noted. The recommended conditions can be imposed on consent should planning permission be issued.

- 4.2. **SLC Environmental Services –** No objections subject to appropriate conditions regarding noise and dust control/mitigation during construction operations. **Response:** Noted. The recommended conditions can be imposed on consent should planning permission be issued.
- 4.3. In summary, none of the consultees have generated any concerns or issues that are prejudicial to the favorable determination of the application, notwithstanding their recommendation that certain conditions be imposed on any consent that is issued.

#### 5. Representation(s)

5.1. Statutory neighbour notification was undertaken following which four letters of representation were received. In addition, these objectors were contacted after the receipt of revised drawings and two of these parties reaffirmed their previous comments. The issues raised can be summarised as:

#### (a) Absence of drawing information/annotation/detail.

**Response:** The drawings when first lodged did not identify the use of every room. This however has since been addressed and the objector advised in appropriate terms.

(b) Inaccurate description on neighbour notification form.

**Response:** The notification to neighbours is issued by the applicant or agent and therefore the Council have no control or influence over the description of the development in this notice. Nevertheless when the application is registered an accurate description of the proposal is used and although this may differ with the description in the notification issued by the applicant or agent, this does not materially prejudice the recipients opportunity to inspect the drawings or contact the appropriate planning office to ascertain further information, including a detailed understanding of the full nature and extent of the development proposed.

# (c) Overdevelopment of plot; number of bedrooms increased by 50% and an additional 'house'.

Response: The proposal does represent a significant increase in floorspace of approximately 56% when compared with the original house, double garage excluded. The site however is relatively large and in my opinion can accommodate the proposed extensions without adverse consequences. Indeed the proposed side extension will, in general terms, occupy the footprint of the double garage thereby helping to reduce its overall impact. In addition the mass of the proposed extensions, in comparison with the original villa, is substantially less and again this helps contain the physical impact and presence of the proposed extensions.

With respect to the increase in bedrooms these will be accommodated within the proposed side extension which notwithstanding its greater height, will essentially replace an existing double garage. The design of this extension is reasonable as it reflects a number of features pertaining to the villa and when viewed from the front will clearly be subsidiary to the original property. Consequently the proposed increase in bedrooms numbers does not appear unreasonable, all factors considered.

# (d) Scale of proposed extension far too great for original building; out of keeping with the rest of the area.

**Response:** The existing villa would appear to be of Victorian design and construction and therefore amongst many Victorian attributes it has high floor to ceiling heights and a steep pitched roof. Consequently the scale and mass of the property is impressive especially when compared to some neighbouring houses which are of more recent construction.

The proposed extensions are of modern design and specification notwithstanding the replication of some similar features. Nevertheless the proposed extensions will still be of modest scale when compared with the original property which due to its greater height will dominate both extensions. This in conjunction with the use of appropriate external materials should ensure that the extensions will not over dominate the property or site thereby ensuring that they will not be out of character with the property or the surrounding area.

## (e) Significant loss of privacy in rear garden area especially given the difference in levels

Response: The rear and side boundaries of the site are well established by large bushes and semi mature tress which in times of leaf provide a high degree of seclusion to the property. Indeed any direct line of sight between the properties at the rear (Huntly Drive) and the neighbouring bungalow is severely constrained. Given these circumstances it is difficult to support the contention that there would be a significant loss of privacy. Given the importance of the tress along the

boundary it would be prudent to prevent their removal by imposing an appropriate condition should consent be issued.

I acknowledge that during the winter months when tress are not in leaf, the privacy barrier provide by the boundary trees/bushes will not be so effective notwithstanding the existence of a few coniferous trees. Nevertheless the separation distances between the proposed rear extension and neighbouring houses is significant and the use of rear garden areas is likely to be less due to inclement weather. On balance therefore I do not accept that the impact on privacy will be to a material or significant extent.

The same considerations apply to the neighbouring bungalow which is at a lower level. I do acknowledge that small bathroom/en-suite windows are proposed for the side elevation but the applicant has highlighted that these windows will be opaque glazed. Again therefore any impact on privacy will be within acceptable limits.

## (f) Potential for water run off into garden

**Response:** This possibility has been discussed with the applicant and confirmation has been received that the parking areas will be properly drained and all surface water will be collected in such a way to ensure no surface run off to neighbouring properties. Furthermore an appropriate condition can be imposed on consent to ensure this.

## (g) Noise/pollution from parked vehicles/increased cars with resultant impact on health

Response: Should consent be issued it is reasonable to assume that additional vehicles will be parked on site. This itself however does not automatically mean that there will be an adverse impact on amenity. In this respect the site is relatively large and vehicles already park in the front garden area near to the mutual boundary with the neighbouring bungalow and the proposal will not change this. Clearly noise from vehicles parking/starting already occurs in this location and the proposal will not alter this. It is therefore likely that there will be no material increase in noise at this location.

With respect to the other parking locations it is not unusual for vehicles to park in rear gardens close to common boundaries; indeed the neighbouring property to the west of the site has such an arrangement for parking vehicles. In addition the separation distance to the neighbouring houses at this location, coupled with the existing boundary treatments and a neighbours garage persuades me that the likely increase in noise will not be excessive or to an extent that will have a negative impact on the amenity of the locality.

The perceived health effects are also difficult to support. Whilst additional exhaust fumes will result any increase, in the context of car usage and exhaust fumes in the wider area, will be minimal. In addition given the prevailing westerly wind it is likely that the exhaust fumes will be directed towards the nearby railway line rather than towards neighbouring houses.

#### (h) Increase in traffic on Howieshill Road with resultant safety implications.

**Response:** Similar to (g) above I accept that there is potential for increased traffic and acknowledge that the implications for traffic safety will increase proportionally. In this context however the proposal will result in an extra four

bedrooms which is unlikely to create a significant and noticeable increase in the amount of traffic using Howieshill Road. Indeed I am confident that increased car ownership and usage within the wider Cambuslang area will result in far more traffic using Howieshill Road than the proposal will.

I acknowledge that the vertical alignment of the road in close proximity to the site does not meet modern road engineering standards and that the 'blind summit' is not ideal. It is however approximately 45 metres west of the entrance and as long as all road users exercise due care and diligence there is no reason to believe that the increased use of the access/egress which has appropriate visibility, will generate adverse traffic conditions or safety concerns.

# (i) No notification for previous application in 1984 and hence no earlier opportunity to object.

**Response:** The requirement for applicants to notify neighbours was introduced in the early 1980's and therefore it is difficult to understand why neighbours were not notified at this time. In any event this concern relates to a historical procedure which is not material to the present submission.

## (j) Increase in noise and disturbance from property

Response: The property received planning consent over 20 years ago to be used as a guest house and since 1996 there have been no complaints lodged with the planning department regarding any aspect associated with this use. Clearly the guest house would appear to have co-existed at least since 1996 without adverse comment from neighbours and there is no reason to believe that this situation will change just because of an additional four bedrooms. Indeed with the proposed care takers accommodation on site there will be resident management and as the first party most likely to be affected by any noise, it is not unreasonable to expect that they would have established policies and procedures to prevent noise disturbance or nuisance.

#### (k) Area is characterised by residential houses

**Response:** The area is residential in character and this is not disputed. In such areas however it is not unusual (and in many instances expected) to find uses that are incidental to such areas as long as they can co-exist without adverse or detrimental impact to the character and amenity of the area. Indeed the applicable policies of both local plans acknowledge that compatible uses can exist in residential areas. Furthermore although the property is not a dwellinghouse its use is, to a degree, related in that it provides residential accommodation.

#### (I) No provision for disabled access or facilities

**Response:** The proposed drawings do not specifically indicate barrier free access and other adaptations/provisions for those with mobility difficulties. This however is not unusual with drawings lodged in support of a planning application as this aspect is properly considered as part of a Building Warrant submission.

#### (m) Inappropriate external materials

**Response:** The applicable local plan policies require any extensions etc to match or be compatible with the existing property. In this regard I accept that the use of concrete tiles and facing brick does not respect the provisions of the local plan and therefore a condition in this regard will be necessary to ensure the use of more appropriate external materials.

(n) Previous unacceptable use/management of property in the early 1990's Response: From information provided I understand that there were difficulties

associated with the premises in the early 1990's. These difficulties appear to have been resolved by management at the time and since then I am unaware of any reoccurrence of these issues. Indeed the ownership of the property has changed recently and it would be inappropriate to curtail the ambitions and aspirations of the new owners (assuming all other related aspects to be satisfactory) because of historical factors outwith their control.

#### 6. Assessment and Conclusions

- 6.1. It is a statutory requirement when determining all planning applications to consider and assess the proposal in relation to the provisions of the development plan and all other material planning considerations. In addition when the proposal complies with the development plan there is a natural presumption in favour of issuing consent.
- 6.2. The development plan as it relates to the site is the Glasgow and Clyde Valley Joint Structure Plan and the adopted Cambuslang/Rutherglen Local Plan. In this respect the nature and scale of the development is not of strategic significance and therefore the Structure Plan is not, in my opinion, material to the assessment of this application. Clearly the policies of the adopted Cambuslang/Rutherglen Local Plan are of the utmost importance and to a lesser extent those of the South Lanarkshire Local Plan (Final after Modification) have also to be considered.
- 6.3. In terms of both local plans the site is undoubtedly within a residential land use area. As a result the applicable policies of both local plans are formulated, in the first instance, to protect and when possible enhance, residential amenity. Clearly any development which has a significant detrimental impact will not receive support. This however does not automatically preclude non residential uses such as children's nurseries, doctors surgeries, local shops, guest houses or schools, all of which to some extent or degree are used by residents.
- 6.4. The property at Howieshill Road has a planning history which suggests that it has been used as a guest house since the mid 1980's. This use may have intensified over the years but for all intents and purposes this use is lawful and the application must be assessed on this basis. Indeed the local plan acknowledges that ancillary uses such as guest houses can be accommodated within residential areas as their impact is generally within acceptable limits.
- 6.5. Clearly the impact of the proposal on the amenity of the area in general and neighbouring properties in particular is of prime importance. In this respect the proposed extensions are in my opinion acceptable in terms of their impact and design both of which are satisfactory in planning terms. In particular the size and position of both extensions are such that their physical presence will not impact on neighbours to a material extent or degree, especially in view of the existing trees and bushes along a number of the mutual boundaries and the separation distances involved. Furthermore there will not be any significant loss of daylight or sunlight to neighbouring houses and neighbouring gardens are of such a size that residents will still be able to benefit from them. In addition there are no windows associated with habitable rooms within 20 metres of each other.
- 6.6. In terms of traffic and associated considerations the site is large enough to provide the number of off street parking spaces required by Roads and Transportation

Services. In addition their proposed location within the site is such that any impact in terms of noise, pollution etc will be negligible, all factors considered. Furthermore the existing access has suitable visibility (there are other accesses nearer the crest of the hill than the one associated with the site) and as long as all drivers respect road conditions and circumstances there should be no material affect on traffic manoeuvres/movement from a safety perspective, notwithstanding its increased use.

6.7. The representations received have received due and careful consideration and for the reasons highlighted in section 5 previously, I am of the view that they are of insufficient weight and merit to justify refusal of consent. On this basis and as all other aspects can be viewed satisfactorily from a planning perspective, I am of the view that the issue of consent subject to conditions, is soundly based and justified given all material planning considerations.

#### 7. Reasons for Decision

7.1. The proposal accords with the relevant policies of both the adopted local plan and its future replacement and its impact in terms of residential amenity can be contained to an acceptable degree and extent by the imposition of the recommended conditions.

lain Urquhart
Executive Director (Enterprise Resources)

23 September 2008

## **Previous References**

♦ None

## **List of Background Papers**

- Application Form
- Application Plans
- Neighbour notification certificate dated 19 February 2008
- Cambuslang/Rutherglen local Plan 2002
- South Lanarkshire Local Plan (Final after Modifications) 2007
- Previous application GDC 132/84
- E-mail dated 10 March 2008 from Mr. J Cooper
- ► E-mail dated 11 March 2008 to Mr. J Cooper
- ► E-mail dated 20 March 2008 to agent
- ► E-mail dated 22 April 2008 from applicant
- ► E-mail dated 30 April 2008 from applicant
- ► E-mail dated 2 May 2008 to applicant
- Letter dated 27 May 2008 from agent
- Letters dated 12 June 2008 to all who had lodged representation
- ▶ E-mail dated 27 June 2008 to agent
- ► E-mail dated 30 June 2008 from agent
- ► E-mail dated 3 July 2008 to Mr. Cooper

#### Consultations

Roads and Transportation Services (Cambuslang/Rutherglen Area) 20/03/2008

Environmental Services 08/04/2008

Representations

Representation from: Mrs Sheila Reid, 22 Huntly Drive, Cambuslang G72 8PU,

DATED 20/03/2008

Representation from: James and Violet Cooper, 24 Huntly Drive, Cambuslang

G72 8PU, DATED 20/03/2008

Representation from: David Breslin, 21 Huntly Drive, Cambuslang G72 8PY,

DATED 25/03/2008

Representation from: Mrs Margaret Maycock and Mr Michael Maycock, 37

Howieshill Road, Cambuslang G72 8PW, DATED

25/03/2008

Representation from: M. Maycock, 37 Howieshill Road, Cambuslang G72 8PW,

DATED 27/06/2008

Representation from: James and Violet Cooper, 24 Huntly Drive, Cambuslang

G72 8PU, DATED 26/06/2008

**Contact for Further Information** 

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

Steven Clark, Planning Team Leader, Royal Burgh House, 380 King Street, Rutherglen G73 1DQ (Tel:0141 613 5140)

E-mail: Enterprise.cam-ruth@southlanarkshire.gov.uk

#### PAPER APART – APPLICATION NUMBER: CR/08/0053

#### CONDITIONS

- 1 That the development hereby permitted shall be started within five years of the date of this permission.
- That the development shall be carried out strictly in accordance with the plans hereby approved and no change to the design shall take place without the prior written approval of the Council as Planning Authority.
- 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.
- That notwithstanding the generality of condition No. 3 above, the facing materials to be used for the external walls and roof of the extensions hereby approved shall be sandstone, roughcast and slate to match in colour and texture those of the existing building on the site to the satisfaction of the Council as Planning Authority.
- That for the avoidance of doubt the rear extension hereby approved shall only be used as care takers accommodation and occupied by an employee (and their family) of the guest house and at no time shall it be used or occupied as accommodation for paying customers.
- Prior to development commencing on site, a scheme for the control and mitigation of dust shall be submitted to and approved in writing by the Council as Planning Authority. No changes to the approved scheme shall take place unless agreed in writing by the Council as Planning Authority. The scheme shall thereafter be implemented in accordance with a programme to be agreed in writing with the Council as Planning Authority.
- That no trees within the application site shall be lopped, topped, pollarded or felled, and no shrubs or hedges shall be removed from the application site without the prior written consent of the Council as Planning Authority.
- 8 That before the extensions hereby approved are completed or brought into use, a turning space shall be provided within the site to enable vehicles to enter and leave the application site in forward gears at all times.
- That before the development hereby approved is completed or brought into use, a visibility splay of 2 metres by 60 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.
- That before the development hereby approved is completed or brought into use, a pedestrian visibility splay of 2.4 metres by 2.4 metres measured from the heel of the footway shall be provided on both sides of the vehicular access and everything

exceeding 0.6 metres in height above the road channel level shall be removed from the sight line areas and thereafter nothing exceeding 0.6 metres in height shall be planted, placed or erected within these sight lines.

The surface of the parking forecourts shall be so trapped and finished in hard standing as to prevent any surface water or deleterious material from running onto neighbouring land or entering the public highway, details of the proposed drainage arrangements being submitted for the written approval of the Council as Planning Authority prior to work commencing on site and thereafter the approved details shall be implemented on site to the satisfaction of the said Authority.

#### **REASONS**

- 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.
- To ensure satisfactory integration of the proposed extension with the existing building both in terms of design and materials.
- 5 In the interests of amenity and in order to retain effective planning control.
- To minimise the risk of nuisance from dust to nearby occupants.
- 7 To ensure the protection and maintenance of the existing trees and other landscape features within the site.
- 8 In the interest of public safety
- 9 In the interest of road safety
- 10 In the interest of public safety
- 11 In the interest of public safety