

Report

4

Report to:	Cambuslang and Rutherglen Area Committee
Date of Meeting:	13 February 2007
Report by:	Executive Director (Enterprise Resources)

Application No	CR/06/0357
Planning Proposal:	Erection of Detached Dwellinghouse

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Innes Gunn
- Location : 33 Hamilton Drive
Cambuslang

2 Recommendation(s)

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

(1) Refuse Detailed Planning Permission – For the reasons stated

2.2 Other Actions/Notes

The Area Committee has delegated powers to determine this application

3 Other Information

- ◆ Applicant's Agent: Brian John Designs
- ◆ Council Area/Ward: 63 Cambuslang Central
- ◆ Policy Reference(s): Cambuslang/Rutherglen Local Plan 2002
Policy RES9 – 'Residential Land Use'
Policy SLP6 – 'Development Control General'

South Lanarkshire Local Plan (Finalised Draft)
Policy RES6 – 'Residential Land Use Policy'
Policy DM5 – 'Sub-Division of Garden Ground Policy'

- ◆ Representation(s):
 - ▶ 20 Objection Letters

- ◆ Consultation(s):
Roads and Transportation Services (North Division)

Scottish Water

Planning Application Report

1 Application Site

- 1.1 The application site is on the corner of Hamilton Drive and West Coats Road, Cambuslang and relates to the rear garden of an existing detached two storey dwellinghouse at 33 Hamilton Drive, Cambuslang. The site is bounded on all sides by residential dwellings, many of which are characterised by large rear gardens. The existing house and garden covers an area of 920sqm. The land rises up to the north and the existing garden sits above no. 31 Hamilton Road. An existing vehicular access to the house is taken from West Coats Road.

2 Proposal(s)

- 2.1 The applicant proposes the erection of a 1½ storey dwellinghouse covering a footprint of approximately 75sqm within a plot measuring 360sqm. The proposed dwelling will be located in the rear (north) of the existing garden. The existing access will be closed off with a new one formed, to the existing dwelling, on Hamilton Drive. The proposed dwelling will have a rear garden depth of 5 metres with side gardens to the south and north of 5m and 3m respectively. The proposed dwelling will have gable ends and dormer windows, with a “cottage” design. The roof will be finished in grey concrete tiles and the walls in buff painted render. The size of the existing house plot at 33 Hamilton Drive would be reduced from 920sqm. to 560sqm.

3 Background

3.1 Local Plan Status

The site is within the area covered by Cambuslang/Rutherglen Local Plan Policy RES9 – Residential Land Use – which seeks to protect residential amenity and resist bad neighbour uses detrimental to environmental quality and requires development to relate satisfactorily the surrounding area in terms scale massing and materials.

- 3.2 In addition, Policy SLP-6 – Development Control General seeks to ensure that all planning applications fully take account of the local context and built form. As it relates to the sub-division of garden ground, it specifically advises that:

- (a) The proposed house plot and that remaining to the existing house are comparable with those nearby in terms of size, shape and amenity (i.e. the proposal accords with the established pattern of development in the surrounding area);
- (b) The proposed house will have a proper road frontage of comparable size with those of surrounding curtilages;
- (c) The proposed vehicular access is of an adequate standard and will not have adverse implications for traffic safety or amenity (in terms of potential noise or privacy problems);
- (d) The proposed development will not cause an unacceptable reduction in privacy to existing houses and will, itself, enjoy a degree of privacy comparable with surrounding dwellings;
- (e) All existing features such as trees, hedges, walls, fences and buildings that contribute to the character of the area will be retained and not adversely affected by the development;
- (f) Adequate parking for both the proposed and existing house must be provided within the site and must not be harmful to the established character and amenity of the area;

- (g) The proposed house(s) must be of a scale and massing sympathetic to the character and pattern of the development in the area and must not result in a development that appears cramped, squeezed in or visually intrusive;
- (h) The proposal must not jeopardise or be prejudicial to any further desirable development in the vicinity.

3.3 Policies RES6 and DM5 of the South Lanarkshire Local Plan (Finalised Draft) have similar aims to Policies RES9 and SLP6 of the adopted plan. The Council's Residential Development Guide which advises on garden depth, garden size and window to window distance, is also relevant.

3.4 **Relevant Government Advice Policy**
None relevant given the scale of proposal.

3.5 **Planning Background**
None

4 Consultation(s)

4.1 **Roads and Transportation Services** – advise they have no objections subject to conditions relating to access, parking and visibility.

Response: Noted.

Scottish Water – advise there is adequate capacity in both the public water and sewerage networks.

Response: Noted

5 Representation(s)

5.1 Following statutory neighbour notification, 20 letters of representation were received. The points raised are as follows:

(a) **The proposal does not comply with the relevant local plan policies.**
Response: Agreed. This matter will be discussed in detail in Section 6.0.

(b) **The area is detrimentally affected by subsidence. The proposal would accentuate this.**
Response: This is a structural matter which would be dealt with by Building Standards should a Building Warrant be submitted.

(c) **The proposed design is out of keeping of the Victorian style of houses in the vicinity.**
Response: Agreed. The design is not acceptable in this location, particularly the proposed materials.

(d) **The proposed dwelling cannot provide adequate sized gardens, similar in proportion to existing dwellings in the vicinity.**
Response: Agreed. This will be discussed further in Section 6.0.

(e) **The proposal will remove privacy. The change in levels to the house to the east accentuates this.**
Response: There is a potential loss of privacy from the development. The Proposed upper floor windows will overlook the garden of number 31 Hamilton Drive. The change in level contributes to this impact.

- (f) **Wellshot Drive is within a Conservation Area and the design will detrimentally impinge on this.**
Response: Whilst the site is not within the Conservation Area, the design is out of keeping with the general locality.
- (g) **The applicant is motivated by money.**
Response: The applicants motives are not a material consideration.
- (h) **The construction period will cause chaos.**
Response: The construction period is an accepted part of any development. Should any roads problems emerge this will be a matter for Roads and Transportation Service and or the Police.
- (i) **The proposals will lead to traffic problems as the proposed access is on the brow of a hill. West Coats Road already suffers from congestion.**
Response: Roads and Transportation Services have not objected to the Proposal.
- (j) **Approval of this proposal would set a precedent to the detriment of the locality.**
Response: Agreed.
- (k) **The application shouldn't even be considered.**
Response: All planning applications have the right to be considered and determined on their merits.

6 Assessment and Conclusions

- 6.1 The determining issues in this instance are the proposal's compliance with the adopted and proposed local plans and its affect on the amenity of the area. The site lies within a residential area where Policy RES9 and Policy RES6 of the Cambuslang/Rutherglen Local Plan and the South Lanarkshire Local Plan (Finalised Draft) respectively, apply.
- 6.2 The site is bounded by residential properties on four sides. The proposed plot covers an area of 360sqm which is substantially smaller than those of the existing houses adjacent on Hamilton Drive to the South East which are between 800 and 900sqm. The plots in the locality are characterised by long, wide gardens. The properties to the west, whilst narrower, also have long gardens.
- 6.3 The applicant proposes the erection of a 1½ storey detached cottage within the rear garden ground of 33 Hamilton Drive. Currently, this property is in keeping with the layout of other adjacent plots and is 920sqm in size. The proposed dwelling would almost half the plot leaving two plots of 560sqm and 360sqm for the existing and proposed houses respectively, whilst the resulting rear gardens would be less than 5 metres for the proposed house and 2-5 metres for the existing house. This does not reflect the character and pattern of development in this area. Finally, the proposed finishes/design for the house does not reflect the stone built villas that predominate in this location. In view of the above the development does not satisfy the terms of Policy RES9 and Policy RES6.
- 6.4 As regards the sub-division of garden ground to form a house plot, Policy SLP6 – Development Control and Policy DM5 – Sub-Division of Garden Ground – of the

Cambuslang/Rutherglen Local Plan and the South Lanarkshire Local Plan (Finalised Draft) respectively, also apply. In terms of these policies this type of application has to avoid the effect of “squeezing” in a house plot which cannot be in keeping with these properties adjacent in terms of plot size, garden ground and design and not cause an unacceptable reduction in privacy to existing houses. Furthermore, it must be capable of providing a road frontage and a facility for accommodating cars on site.

- 6.5 As described in paragraph 6.3 above the proposed house plot will be substantially smaller than those properties adjacent. As a result, the proposal cannot provide a plot size or layout in keeping with other properties adjacent. In addition, it will vastly reduce the garden ground to the existing property. It is this garden ground which provides a valuable setting to the present property and ensures that it accords with the character of the surrounding area. The proposed house will also overlook the rear garden of 31 Hamilton Drive as a result of its orientation and the topography of the site. In addition, the proposal could not meet the minimum standards for garden ground set out in the Council’s Residential Development Guide. This seeks a minimum rear garden size of 10 metres. In view of the above the development does not satisfy the terms of Policy SLP6 –Development Control and Policy DM5 – Sub-Division of Garden Ground.
- 6.6 In terms of roads and access, the new plot could, however, potentially meet the parking and access requirements of the Roads and Transportation Service and provide a road frontage as required by Policy SLP6 and Policy DM5.

7 Reasons for Decision

- 7.1 The proposal will have an adverse impact on residential amenity and as such fails Policies RES9 of the Cambuslang/Rutherglen Local Plan and RES6 of the South Lanarkshire Local Plan (Finalised Draft). In addition, the proposal would not accord with Policies SLP6 of the Cambuslang/Rutherglen Local Plan and DM5 of the South Lanarkshire Local Plan (Finalised Draft) as they relate to the sub-division of garden ground.

Iain Urquhart
Executive Director (Enterprise Resources)

5 February 2007

Previous References

- ◆ None

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ Neighbour Notification Certificate dated 6th November 2006
- ▶ Cambuslang/Rutherglen Local Plan 2002
- ▶ South Lanarkshire Local Plan (Finalised Draft) August 2006
- ▶ South Lanarkshire Council Residential Development Guide (2001)
- ▶ Consultations

Scottish Water

22/11/2006

Roads and Transportation Services (North Division)

16/11/2006

Representations

Representation from : Margaret Duncan, 30 West Coats Road
Cambuslang G72 8AB, DATED 27/11/2006

Representation from : Julia Marion Little, 8 Wellshot Drive
Cambuslang G72 8BS, DATED 27/11/2006

Representation from : Mr & Mrs R Dunn, 14 Wellshot Drive
Cambuslang G72 8BT, DATED 27/11/2006

Representation from : Mr & Mrs T Connolly, 5 Wellshot Drive
Cambuslang, DATED 27/11/2006

Representation from : Alex D Steen, 12 Wellshot Drive
Cambuslang G72 8BT, DATED 24/11/2006

Representation from : Mrs E Durkin, 27 Cadzow Drive
Cambuslang G72 8NF, DATED 16/11/2006

Representation from : Morna Cowie, 34 West Coats Road
Cambuslang G72 8AB, DATED 16/11/2006

Representation from : Mr A Kennedy, 31 Hamilton Drive
Cambuslang G72 8JQ, DATED 16/11/2006

Representation from : Mrs Jessie L Turner, 18 Westcoats Road
Cambuslang G72 8AB, DATED 16/11/2006

Representation from : Mrs A M McKendrick, 12 West Coats Road
Cambuslang G72 8AB, DATED 22/11/2006

Representation from : Frank Jackson, 30 Hamilton Drive
Cambuslang G72 8JQ, DATED 20/11/2006

Representation from : John Gallagher, 10 Hamilton Drive
Cambuslang G72 8JG, DATED 20/11/2006

Representation from : Mr J Anderson, 36 Cadzow Drive
Cambuslang G72 8NF, DATED 20/11/2006

Representation from : Gordon W Campbell, 24 Hamilton Drive
Cambuslang G72 8JQ, DATED 20/11/2006

Representation from : Mrs Jean M Witheyman, 10 Wellshot Drive
Cambuslang G72 8BS, DATED 20/11/2006

Representation from : John McLaughlin, 29 Hamilton Drive
Cambuslang G72 8JQ, DATED 20/11/2006

Representation from : James McPake, 26 West Coats Road
Cambuslang, DATED

Representation from : David & Mary Jackson, 28 West Coats Road
Cambuslang G72 8AB, DATED

Representation from : E Lynch, 32 Westcoats Road
Cambuslang G72 8AB, DATED 17/11/2006

Representation from : Forbes Knight, 32 Hamilton Drive
Cambuslang G72 8JQ, DATED 17/11/2006

Contact for Further Information

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

Iain Morton, Planning Officer, 380 King Street, Rutherglen G73 1DQ
(Tel: 0141 613 5138)
E-mail: Enterprise.cam-ruth@southlanarkshire.gov.uk

REASONS FOR REFUSAL

- 1 The proposal is contrary to Policy SLP6 of the Cambuslang/Rutherglen Local Plan in that it fails to satisfy all the criteria required to permit the sub-division of garden ground.
- 2 The proposal is contrary to Policy DM5 of the South Lanarkshire Local Plan (Finalised Draft) in that it fails to satisfy all the criteria required to permit the sub-division of garden ground.
- 3 The proposal is contrary to policy RES9 of the Cambuslang/Rutherglen Local Plan, in that the size and shape of the plot and the design of the house would not permit development of a standard that relates to the existing development in the area, and it would therefore have a detrimental impact on its character and amenity.
- 4 The proposal is contrary to policy RES6 of the South Lanarkshire Local Plan (Finalised Draft), in that the size and shape of the plot and the design of the house would not permit development of a standard that relates to the existing development in the area, and it would therefore have a detrimental impact on its character and amenity.
- 5 If approved, the proposal would set an undesirable precedent which could encourage further similar applications for proposals which would exacerbate the problems stated above.

For information only

For information only

