

Report

Report to:	Cambuslang and Rutherglen Area Committee
Date of Meeting:	26 February 2008
Report by:	Executive Director (Enterprise Resources)

Application No	CR/07/0387
Planning Proposal:	Erection of Two Storey Detached Dwellinghouse With Timber Decking, Formation of Vehicular Hardstanding and Alterations to Existing Boundary Wall

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Integrated Design Partnership
- Location : 7 Douglas Drive
Cambuslang

2 Recommendation(s)

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

- (1) Refuse detailed planning permission – for reasons stated

2.2 Other Actions/Notes

The Area Committee has delegated powers to determine this application

3 Other Information

- ◆ Applicant's Agent:
- ◆ Council Area/Ward: 13 Cambuslang West
- ◆ 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):
 - ▶ 15 Objection Letters

◆ Consultation(s):

Environmental Services

Roads and Transportation Services (North Division)

Scottish Water

Planning Application Report

1 Application Site

- 1.1 The application site lies within the rear garden of an existing semi-detached two storey villa at 7 Douglas Drive, Cambuslang. All the rear gardens at this section of Douglas Drive back on to West Coates Road and thus the application site also has a boundary with West Coates Road. The site is bounded on three sides by residential dwellings, many of which are characterised by large rear gardens. To the west the site is bounded by West Coates Road beyond which lies further residential dwellings of a similar type to those already referred to. The existing house and garden covers an area of approximately 1250sqm. The land is generally flat but it does rise up to West Coates Road. The existing vehicular access to the house is taken from Douglas Drive however there is a rear access onto West Coates Road.

2 Proposal(s)

- 2.1 The applicant proposes the erection of a 2 storey dwellinghouse covering a footprint of approximately 86sqm within a plot measuring 468sqm. The proposed dwelling will be located in the rear (West) of the existing garden. The proposed dwelling will have a rear garden depth of 10 metres with side gardens to the south and north of 3m and 3.8m respectively. The rear garden includes decking and patio areas. The proposed design is that of a modern 2 storey villa however the materials to be used will be white render and natural sandstone on the front elevation with white render on the remaining elevations. The roof will be finished in a low profile slate effect concrete roof tile. The size of the existing house plot at 7 Douglas Drive will be reduced from approximately 1250sqm. to 782sqm.
- 2.2 Access to the proposed dwelling will be taken directly from West Coates Road through the existing rear garden access. The applicants intend to reduce and alter the existing rear garden-wall to meet the required sight lines. The applicants have shown a short drive way to the new dwelling which will accommodate three car parking spaces.
- 2.3 The applicants intend to retain a line of existing mature trees which will form the rear boundary of the proposed plot. Five existing trees and some rough vegetation will require to be removed to accommodate the proposed development.

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 (final with modifications) 2007 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. However they also note that on this section of West Coates Road there are house frontages on one side of the road only and therefore parking also only takes place on one side of the road, opposite the application site. The combination of this and the width of the road may make it difficult to enter the proposed driveway which is only 3 metres wide.

Response: Noted.

4.2 **Environmental Services** – no objections subject to advisory notes regarding construction noise and contamination.

Response: Noted.

4.3 **Scottish Water** – advise there is adequate capacity in both the public water and sewerage services but that there maybe network issues regarding the proposed development.

Response: Noted

5 Representation(s)

5.1 Following statutory neighbour notification, 15 letters of objection 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 proposed design is out of keeping of the Victorian style of houses in the vicinity and will upset the balance of West Coates Road at this location.**
Response: Some elements of the design are not suitable in this location and the proposal will be the only property on the east side of West Coates Road with a frontage onto the road. This matter will be discussed in detail in Section 6.0.
- (c) **The proposed house cannot provide gardens, similar in proportion to existing houses in the vicinity.**
Response: Agreed. This will be discussed further in Section 6.0.
- (d) **The proposal will have an unacceptable impact on the privacy of neighbouring properties.**
Response: There is a potential loss of privacy from the development. The proposed upper floor windows will overlook the garden of numbers 5, 7 and 9 Douglas Drive.
- (e) **The design, scale, height, massing and materials of the proposed development and the resultant change to densities will be out of keeping with the area.**
Response: The design is out of keeping with the general locality in a number of respects.
- (f) **The site has drainage and infra-structure problems.**
Response: The applicant will have to satisfy Scottish Water and the other statutory undertakers to proceed with the development.
- (g) **The proposal will have an unacceptable impact on the natural environment and ecology of the site through the loss of trees and removal of vegetation.**
Response: The applicant has indicated that at least five mature trees will have to be removed and there are doubts regarding the survival of the mature tree on the northern boundary during the construction period. However a number of trees will be retained
- (h) **The proposals will lead to traffic problems as the proposed access is on to the narrow but very busy West Coates Road which due to parking on the housing side of the road is virtually a single track road. In addition West Coates Road suffers from over parking related to the nearby West Coates Primary School.**
Response: While acknowledging the narrowness of West Coates Road and the resultant difficulties of gaining access to the site Roads and Transportation Services have not objected to the Proposal.
- (i) **The proposed development will have an unacceptable impact of the built heritage of the area by destroying the rear wall onto West Coates Road and by breaking up the historical layout of the gardens in this area.**
Response: The site does not lie within a Conservation Area and neither the wall nor the garden are associated with a listed building. As mentioned above however it is agreed that in a number of respects the proposed development is not comparable with those nearby.
- (j) **The proposed development will affect the daylight and sunlight available to neighbours and will over-shadow neighbouring properties.**

Response: The proposed house is aligned north-south and thus it is considered that the main impact would be in the evening with respect to the setting sun in the south west. However the layout and alignment are such that the main impact will be on the rear garden of the proposed house itself.

(k) The proposed windows will overlook neighbouring property.

Response: There are no windows on the southern gable end of the proposed house and on the northern gable there is a door and an upper landing window – neither of which is a habitable room. The rear windows of the proposed dwelling will face onto the rear of the existing building at 7 Douglas Drive which lies between 18.4 and 20 metres away, close to or at the minimum distance required by the Council's residential guidelines.

(l) The proposed development will create tiny gardens which are not in keeping with area.

Response: The proposed development will create the minimum rear garden depth for houses required by the Council's residential guidelines.

(m) The proposed development will lower the value of neighbouring property.

Response: The impact of the development on the value of neighbouring property is not a material planning consideration.

(n) Approval of this proposal would set a precedent to the detriment of the locality.

Response: Each application must be considered on its own merits. Nevertheless the proposal if granted could have the potential to establish a model for other similar proposals in this area. In this respect I have noted that the submitted plans identify another neighbouring site "with similar potential".

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 (final with modifications) respectively, apply.
- 6.2 The site is bounded by residential properties on four sides. The proposed plot covers an area of 468 sqm which is substantially smaller than those of the existing houses adjacent on Douglas Drive which are between 800 and 1300sqm. 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 2 storey detached dwelling house within the rear garden ground of 7 Douglas Drive. Currently, this property is in keeping with the layout of other adjacent plots and is approximately 1250sqm in size. The proposed dwelling would considerably reduce the size of the plot leaving two plots of 782 sqm and 468 sqm for the existing and proposed houses respectively, whilst the resulting rear gardens would be 10 metres for both houses, the minimum required by the Council's Residential Development Guide. This does not reflect the character and pattern of development in this area. Finally, I consider that the proposed finishes/design/massing of the house do not reflect the character and appearance of the stone built villas that predominate in this location. This in part is due to the

constraints imposed by the scale of the plot. 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 (final with modification) respectively, also apply. In terms of these policies this type of application has to avoid the effect of “squeezing” in a house plot which would not be in keeping with adjacent properties 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 and influence the scale and appearance of the house itself. As a result, the proposal cannot provide a plot size or layout in keeping with other properties adjacent. In addition, it will significantly reduce the garden ground to the existing property. It is this garden ground which provides the 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 5 Douglas Drive as a result of its orientation and the topography of the site. 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.
- 6.7 However in terms of both policy SLP6 and DM5 it is concluded that for the reasons mentioned above the proposed development cannot meet all the criteria required by the policies and as such there has to be a presumption against the development of the new house. In addition as concluded in paragraph 6.3 above the development does not satisfy the terms of Policy RES9 and Policy RES6. For these reasons it is recommended that the application be refused.

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 (final with modifications). In addition, the proposal would not accord with Policies SLP6 of the Cambuslang/Rutherglen Local Plan and DM5 of the South Lanarkshire Local Plan (final with modifications) as they relate to the sub-division of garden ground.

Iain Urquhart

Executive Director (Enterprise Resources)

18 February 2008

Previous References

None

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ Neighbour Notification Certificate dated 23 November 2007
- ▶ Cambuslang/Rutherglen Local Plan 2002
- ▶ South Lanarkshire Local Plan (final with modifications) 2007
- ▶ South Lanarkshire Council Residential Development Guide (2001)

- ▶ Consultations

Roads and Transportation Services (North Division)	07/01/2008
Environmental Services	19/12/2007
Scottish Water	12/12/2007

- ▶ Representations

- | | |
|-----------------------|---|
| Representation from : | Robert W Anderson, 11 Douglas Drive, Cambuslang G72 8NG, DATED 03/12/07 |
| Representation from : | Mrs Patricia A Beveridge, 59 West Coats Road, Cambuslang G72 8AE, DATED 27/11/07 |
| Representation from : | Mr. Jonathan & Mrs Mary Milne, 53 Westcoats Road Cambuslang G72 8AE, DATED 29/11/07 |
| Representation from : | David Beveridge, 59 West Coats Road, Cambuslang G72 8AE, DATED 29/11/2007 |
| Representation from : | Dr. A. McCluskey, 55 Westcoats Road, Cambuslang G72 8AE, DATED 02/12/07 |
| Representation from : | Ms S Giannasi, 55 Westcoats Road, Cambuslang G72 8AE, DATED 02/12/07 |
| Representation from : | JK and IM Beattie, 5 Douglas Drive, Cambuslang G72 8NG, DATED 12/12/2007 |
| Representation from : | Stanley Grant , 9 Douglas Drive, Cambuslang Glasgow G72 8NG , DATED 10/12/2007 |
| Representation from : | Gordon Morrell, 10 Douglas Drive, Cambuslang, DATED 20/12/2007 |
| Representation from : | Nancy Ritchie, 15a Douglas Drive, Cambuslang, DATED 19/12/2007 |
| Representation from : | Lara Grant, 57 West Coats Road, Cambuslang G72 8AE, DATED 04/11/07 |

- Representation from : Euan Grant, 57 West Coats Road, Cambuslang G72 8AE,
DATED 04/11/07
- Representation from : Jamie Grant, 57 West Coats Road, Cambuslang G72 8AE,
DATED 04/11/07
- Representation from : B H Hartel, 23A Central Avenue, Cambuslang G72 8AY,
DATED 17/01/2008

Contact for Further Information

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

Bill Kerr, Planning Officer, 380 King Street, Rutherglen
Ext: 847 5141 (Tel: 0141 613 5141)
E-mail: Enterprise.cam-ruth@southlanarkshire.gov.uk

REASONS FOR REFUSAL

- 1 The proposal is contrary to Policy SLP 6 of the adopted 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 the South Lanarkshire Local Plan (final with modifications) 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 adopted Cambuslang/Rutherglen Local Plan in that the size 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 (final with modifications) in that the size 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

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