

Report

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| Report to: | Planning Committee |
| Date of Meeting: | 3 October 2023 |
| Report by: | Executive Director (Community and Enterprise Resources) |

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| Reference no: | P/23/0797 |
| Proposal: | Erection of outbuilding (retrospective) |
| Site Address: | 11 Drumgray Drive, Cambuslang, G72 8WS |
| Applicant: | Mr Wali Afzal |
| Agent: | Stuart Sandilands |
| Ward: | 14 - Cambuslang East |
| Application Type: | Full Planning Permission |
| Advert Type: | N/A |
| Development Plan Compliance: | Yes |
| Departures: | None |
| Recommendation: | Grant subject to attached condition |
| Legal Agreement: | Not required |
| Direction to Scottish Ministers | Not required |

1. Reason for Report

- 1.1 The application is required to be determined by the Planning Committee under Clause 4.1 of the Decision-Making Process 2015: any application which has attracted more than five objections.

2. Site Description

- 2.1 The application site relates to the curtilage of a detached two-storey dwellinghouse at 11 Drumgray Drive within the designated settlement boundary of Cambuslang. The site is located at the head of a cul-de-sac within an established residential area characterised by similar new-build properties clad with facing brick with residential dwellings on all sides. Vehicular and pedestrian access to the property is taken from Drumgray Drive.

3. Description of Proposed Development

- 3.1 The proposal relates to an application for the retrospective consent of the erection of an outbuilding within the rear garden at 11 Drumgray Drive. The structure has a width of 9.9 metres and a depth of 3.4 metres. Due to a variance in the ground levels, the apex height of the structure ranges from 2.7 metres to 2.8 metres and the rear elevation eaves are approximately 2.6 metres in height from ground level. The development covers approximately 21% of the rear curtilage. The roof of the structure has a slight pitched angle, with the highest point of the roof culminating in overhanging eaves.

4. Relevant Planning History

- 4.1 Prior to the current application, a planning application (P/23/0488) was submitted which sought both retrospective consent for the existing outbuilding and extension of the building, thereby forming an L-shaped structure. The applicant was advised that this proposal would constitute overdevelopment, so the application was withdrawn, and a new application submitted which solely related to the existing building.

5. Supporting Information

- 5.1. None

6. Consultations

- 6.1. None required.

7. Representations

- 7.1. Following the statutory period of neighbour notification and advertisement, a total of 14 representations have been received (6 objections, 8 support). The issues raised are summarised as follows:-

- ◆ Amenity impacts
- ◆ Overbearing impacts
- ◆ Loss of privacy
- ◆ Proposed materials
- ◆ Loss of sunlight and daylight to neighbouring gardens
- ◆ Noise and disturbance
- ◆ Comments confirming that the extension raised no detrimental issues

The above issues will be considered in the assessment below and full copies are available to view on the planning portal.

7.2 Other non-material planning comments were included in representations. These points relate to:-

- ◆ Loss of a view
- ◆ The structural integrity of proposed materials
- ◆ Drainage details
- ◆ The use of a temporary marquee within the rear garden
- ◆ Ground levelling of the rear curtilage

8. Development Plan

8.1. Under Section 25 of the Town and Country Planning (Scotland) Act 1997, all applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan comprises the South Lanarkshire Local Development Plan 2 and National Planning Framework 4.

8.2 National Planning Framework 4

National Planning Framework 4 (NPF4) is Scotland's national spatial strategy for Scotland. It sets out spatial principles, regional priorities, national developments, and national planning policy. NPF4 supports the planning and delivery of sustainable places, liveable places, and productive places.

National Planning Framework 4 Policies

Policy 1: Tackling the climate and nature crises

Policy 2: Climate mitigation and adaption

Policy 16: Quality homes

8.3. South Lanarkshire Local Development Plan 2 (2021)

For the purposes of determining planning applications the Council will assess proposals against the policies contained within the adopted South Lanarkshire Local Development Plan 2 (SLLDP2). In this regard the application site and associated proposals are affected by the following policies contained in the SLLDP2:-

SLLDP2 Volume 1 Policies

Policy 2: Climate Change

Policy 3: General Urban Areas

Policy 5: Development Management and Placemaking

SLLDP2 Volume 2 Policies

Policy DM2: House Extensions and Alterations

South Lanarkshire Council (SLC) Supporting Planning Guidance Development at a dwellinghouse - SPG

9. Guidance

9.1. None

10. Assessment and Discussion

10.1. Introduction

Full planning permission is sought for the erection of an outbuilding at 11 Drumgray Drive, Cambuslang. The main issues to be addressed in the determination of this application includes the acceptability in principle of the proposed development, its layout, siting and design, and an assessment of technical matters. The policies contained within National Planning Framework 4 and the South Lanarkshire Local Development Plan 2 are the main consideration in this case, together with an assessment of any other material planning considerations.

10.2 Principle of Development

The application site is located within the identified settlement boundary of Cambuslang. As such, the proposal is required to be considered against Policy 3 – General Urban Areas and Settlements of the SLLDP2 which establishes that residential developments, and those of an ancillary nature, may be considered acceptable provided that they do not have a significant adverse impact upon the amenity and character of the area. It is considered that the principle of an outbuilding at 11 Drumgray Drive raises no issues within the context of Policy 3 of the SLLDP2.

10.3 Climate Change

Policy 1 – Tackling the climate and nature crises of NPF4 requires that when considering all development proposals significant weight will be given to the global climate and nature crises. Policy 2 - Climate change and mitigation expands on this, requiring all new developments to be sited and designed (1) to minimise lifecycle greenhouse gas emissions as far as possible and (2) to adapt to the current and future risks from climate change. Due to its scale and nature, the proposal does not require a qualitative assessment under NPF4 Policy 2. The SLLDP2 Policy 2 - Climate Change sets out criteria which new development should address to minimise and mitigate against climate change, which is in line with the aims and intentions of NPF4 Policy 2. The scale of the proposal means that it is more appropriate to assess the proposals' climate change impact and mitigation against SLLDP2 Policy 2.

10.4 The proposal is for an outbuilding. The Council as Planning Authority recognises its role in combating the climate crises but given the scale and nature of the proposed development, it is considered that the impact is acceptable. The structure has been built to the applicable insulation requirements in terms of the Building Standard requirements and the site is located sustainably within a recognised settlement. The proposal accords with Policies 1 and 2 of NPF4 and Policy 2 of the SLLDP2.

10.5 Layout, Siting and Design

Policy 16 – Quality homes of NPF4 aims to encourage, promote and facilitate the delivery of more high quality, affordable and sustainable homes, in the right locations, providing choice across tenures that meet the diverse housing needs of people and communities across Scotland. Householder development proposals will be supported where they: do not have a detrimental impact on the character or environmental quality of the home and the surrounding area in terms of size, design and materials; and do not have a detrimental effect on the neighbouring properties in terms of physical impact, overshadowing or overlooking.

10.6 Policy 5 – Development Management and Placemaking of SLLDP2 states that development proposals should be well designed and integrate well with the local area. Proposals should not have unacceptable significant adverse impacts upon adjacent buildings or the streetscape in regard to layout, scale, massing, design, external materials or amenity.

10.7 Policy DM2 – House Extensions and Alterations of SLLDP2 states that house extensions and alterations will be considered favourably where it can be demonstrated that the proposal complies with the following criteria:-

- 1) The siting, form, scale, design and materials respect the character of the existing dwelling and the wider area. Within this context, high quality, innovative design will be encouraged where it complements the character of the building and its surroundings.
- 2) It does not dominate or overwhelm the existing dwelling, neighbouring properties or streetscene in terms of size, scale or height.

- 3) It does not significantly adversely affect adjacent properties in terms of overlooking or loss of privacy, daylight or sunlight.
- 4) It retains adequate car parking, useable garden ground and bin storage within the site.
- 5) It does not have an adverse impact on traffic or public safety.

- 10.8 The application site contains a large rear garden area of approximately 160m² and the rear boundary treatments consist of fencing. It is noted that a hard surface has been constructed covering the entirety of the garden with paving except for a section at the rear comprising of loose stones. The proposed outbuilding has a gross external floor area of approximately 34m². While the outbuilding is relatively substantial, the applicant benefits from a garden of adequate size to accommodate such a structure, so that no unacceptable overdevelopment occurs.
- 10.9 Several representations have been received which express concerns relating to detrimental impacts of the ancillary building to neighbouring properties regarding the scale, massing, noise, loss of privacy, overshadowing and amenity impacts of the structure. Additionally, several of the representations stated concerns for matters that were deemed to be non-material to the assessment of this application. These related to the loss of a view, the structural integrity of proposed materials, drainage details, the use of a temporary marquee within the rear garden and the ground levelling of the rear curtilage. A number of letters have also been received in support of the proposals.
- 10.10 It is noted that some degree of alteration in ground levelling may take place through the installation of paving or a hard surface, though in this instance the works were not deemed to constitute a material change and thereby benefited from permitted development rights under Class 3C of The Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended 2011).
- 10.11 Concerns were also raised relating to the drainage implications resulting from the structure. While the capacity of drainage infrastructure for larger applications is a material consideration, the assessment of drainage details for householder applications is covered under Building Regulations and will be assessed through a Building Warrant rather than a planning application. Though it should be noted that the submitted plans indicate that the outbuilding features rainwater pipes for the purposes of drainage and loose stones are also located adjacent to the outbuilding which have a permeable function. Nonetheless, if there are examples of localised flooding the onus is on the householder to consider and address any private drainage issues.
- 10.12 As the openings of the outbuilding are located on its front elevation, it faces the rear of the applicant's house and the building does not result in any overlooking to neighbouring properties to an unacceptable degree. The highest point of the outbuilding is approximately 2.8 metres, which is 1.2m lower than the maximum height of a roof that can be erected with permitted development rights within 1 metre of the boundary of the curtilage.
- 10.13 It is considered that the proposal will have no significant adverse impact on the neighbouring properties, or the surrounding residential area and it complies with the provisions of Policies 1, 2 and 16 of the adopted National Planning Framework 4 and Policies 3, 5 and DM2 of the adopted South Lanarkshire Local Development Plan 2 (2021). There are no other additional material considerations which would justify refusing planning permission.
- 10.14 Other issues
None

10.15 Technical Matters
None

11 Recommendation and Conditions

11.1. The Committee is asked to agree the following recommendation:-

Grant Planning Permission Subject to the following Condition:-

1. The development to which this permission relates shall be begun no later than the expiration of three years beginning with the date of grant of this decision notice.

Reason: To comply with Section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).

12 Reason for Decision

- 12.1 The proposal will not result in a significant adverse impact on either visual or residential amenity and complies with the provisions of Policies 1, 2, and 16 of the adopted National Planning Framework 4 and Policies 2, 3, 5, and DM2 of the adopted Local Development Plan 2. There are no other material considerations which would justify the refusal of planning permission.

David Booth

Executive Director (Community and Enterprise Resources)

Date: 22 September 2023

Background Papers

Further information relating to the application can be found online:-

[P/23/0797 | Erection of outbuilding \(retrospective\) | 11 Drumgray Drive Cambuslang G72 8WS](#)

Corporate Considerations

The report raises no impacts or risks in terms of equalities or financial implications. Any implications in terms of climate change, sustainability or the environment will have been considered above in terms of the relevant national and local policies.

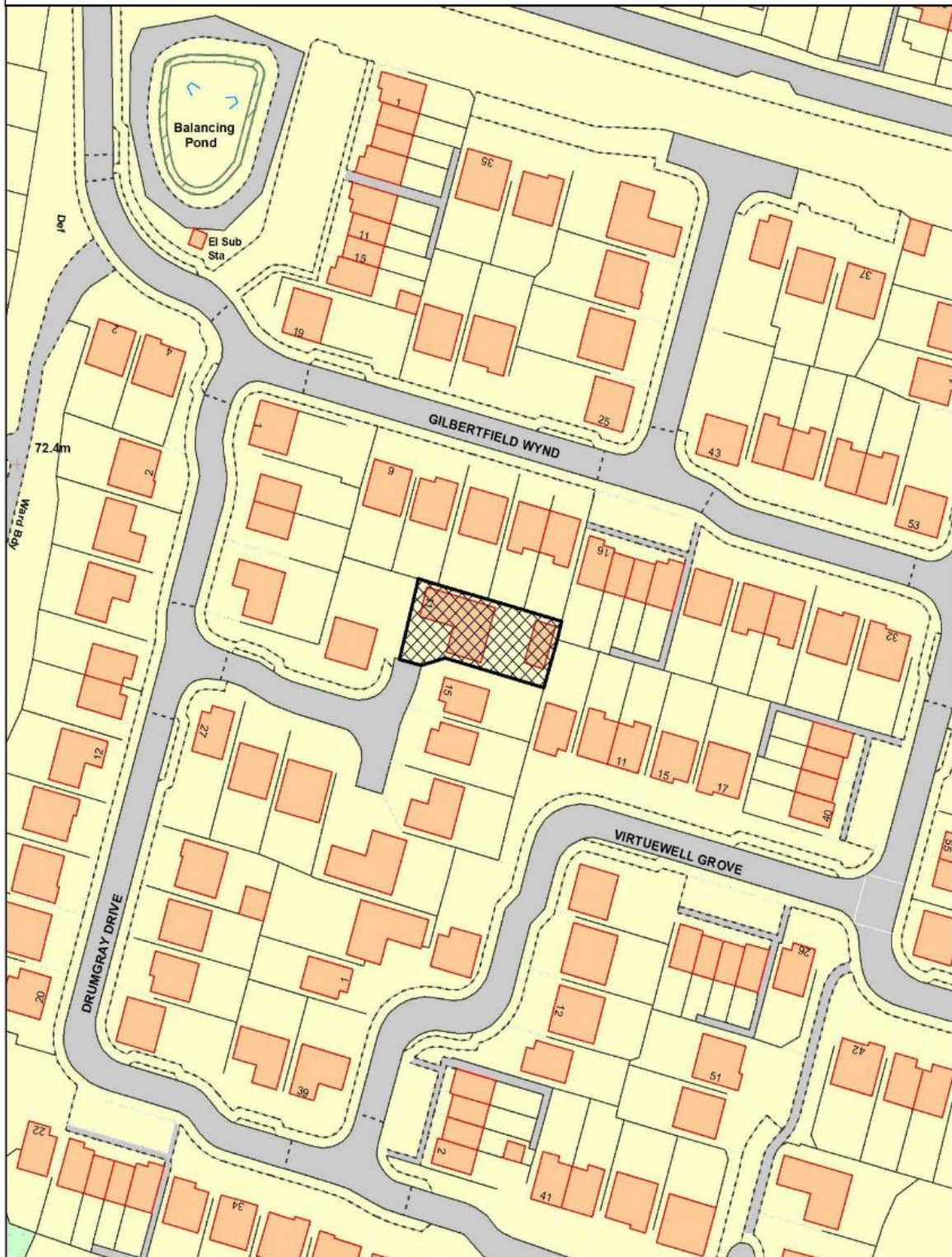
Contact for Further Information

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

Tel: 01698 454867

E-mail: planning@southlanarkshire.gov.uk

P/23/0797 11 Drumgray Drive, Cambuslang



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Scale:
1:1,000
Date:
04/09/2023



South Lanarkshire Council
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