

Report

Report to:	Hamilton Area Committee
Date of Meeting:	14 May 2008
Report by:	Executive Director (Enterprise Resources)

Application No	HM/07/0872
Planning Proposal:	Retrospective Works To Install 2 Velux Windows, 5 Timber 'Tilt and Turn' Windows And The Erection Of Timber Decking (Listed Building Consent) at 1 Lanark Road, Rosebank, Carluke

1. Summary Application Information

- Application Type : Listed Building Application
- Applicant : Mrs Monica Lennon
- Location : 1 Lanark Road
Rosebank
Carluke

2. Recommendation(s)

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

- (1) Grant Listed Building Consent based on Conditions Listed Overleaf.

2.2. Other Actions/Notes

- (1) The Area Committee has delegated powers to determine this application.

3. Other Information

- ◆ Applicant's Agent: None
- ◆ Council Area/Ward: 20 Larkhall
- ◆ Policy Reference(s): **Hamilton District Local Plan**
Policy EN25 – Heritage Preservation
Finalised South Lanarkshire Local Plan
(after modifications)
Policy ENV23 – Listed Buildings Policy
Policy ENV4 – Protection of Natural and Built Environment

- ◆ Representation(s):
 ▶ None

- ◆ Consultation(s):

Conservation Officer

Planning Application Report

1. Application Site

- 1.1. The application relates to an extended single storey semi-detached sandstone cottage which sits immediately adjacent to the main Lanark Road in Rosebank. The site forms part of a long narrow plot bounded to the north by land owned by the Popinjay Hotel and to the west by a Public Park. Residential properties are located to the east and south of the application site, which is located within the Rosebank Conservation Area.
- 1.2. The house is a Category C(S) listed building built in the mid 19th Century with later additions in the form of a modern brick built lean-to extension to the rear and the more recent rear extension which has been constructed over two levels which was approved by the Hamilton Area Committee on the 28th November 2006 under planning references HM/06/0378 and HM/06/0379. The main building comprising of sandstone walls, slated roof and traditional timber sliding sash and casement windows (in part).

2. Proposal(s)

- 2.1. This proposal is retrospective in nature as the works have already been undertaken. The applicant now seeks to regularise the position in respect of these minor amendments which have been carried out to the recently approved rear extension which are not in accordance with the approved plans. The applicant seeks consent in respect of the installation of two additional timber velux windows into the roofplane of the proposed extension the installation of five timber 'tilt and turn' windows as opposed to sash and case and the erection of timber decking along the rear elevation of the extension.
- 2.2. One velux window is located on the roofplane of the east elevation of the rear extension whilst the other one is located on the roofplane of the west elevation. The velux windows are conservation timber styled velux windows which each measure 560mmx410mm. The velux windows have been installed to provide a source of natural light to the applicant's kitchen and living room. Internally the velux windows are located within the ceiling of the kitchen and living room and as such create no concerns in respect of overlooking or impact on privacy.
- 2.3. In addition the applicant seeks to alter the opening mechanism of five of the approved timber windows from 'sash and case' to 'tilt and turn'. Three of these windows are located on the northern rear elevation of the property and two on the western elevation. All five windows are therefore to the rear of the house.
- 2.4. The decking which is set back approximately 1.0 metre from the eastern boundary adjoining the neighbouring property measures approximately 3.6m by 6.2m with a finished floor level approximately 425 mm at its highest point off ground level. The decking is enclosed by a 1m high timber balustrade.
- 2.5. After discussions with the Planning Service the applicant has agreed to erect a 2m high screen along the eastern boundary of the decking in order to ensure that the privacy of the adjoining resident is maintained.
- 2.6. A detailed planning application has also been submitted in relation to these retrospective works (Planning Reference HM/08/0014) and this application has also been put forward to this Committee for consideration. The report for the detailed

planning application will assess the proposal's impact on both the amenity of Rosebank Conservation Area and the adjoining residential area. The application for listed building consent will only consider listed building issues.

3. Background

3.1. Local Plan Status

3.1.1. In terms of the adopted Hamilton District Local Plan Policy EN25 – Heritage Preservation is applicable whereby the Council will operate a general presumption against development that would destroy, adversely impinge or significantly damage any heritage feature; including ancient monuments, listed buildings, conservation areas, historic gardens, designed landscapes and ancient woodlands etc.

3.1.2. In terms of the Finalised South Lanarkshire Local Plan (after modifications) the proposal requires to be assessed against Policy ENV23 – Listed Buildings and Policy ENV4 – Protection of the Natural and Built Environment. Both policies seek to preserve and enhance the character of the historic environment. However in particular Policy ENV23 states that development affecting a listed building or its setting should preserve the building or its setting, or any features of special architectural or historic interest which it has. In addition, the layout, design, materials, scale and siting and use of any development shall be appropriate to the character and appearance of the listed building and its setting.

3.2. Planning History

3.2.1. There have been 3 previous applications relating to this site. These are:

- a) HM/06/0378 – Erection of extension to rear of dwelling and erection of garden store. This application was approved on the 28th November 2006 by the Hamilton Area Committee
- b) HM/06/0379 – Erection of extension to rear of dwelling and erection of garden store. (Listed Building Consent) This application was approved on the 28th November 2006 by the Hamilton Area Committee
- c) HM/07/0087 – Amendment to Garden Store (Amendment to HM/06/0378). This application was approved on the 26th March 2007 under the Council's delegated powers.

3.3. Relevant Government Guidance

3.3.1. Government guidance on proposals which may have an affect on the character of a listed building or a Conservation Area is set out within Historic Scotland's Memorandum of Guidance on Listed Buildings and Conservation Areas. The proposal must therefore be assessed against this guidance which aims to protect and enhance the built heritage.

4. Consultation(s)

4.1. **The Council's Conservation Officer** - was consulted in respect of this proposal and had no objection to the installation of the 2 conservation style timber velux windows or decked area. However during the site inspection the Conservation Officer noted that the applicant had installed timber tilt and turn windows on the proposed extension rather than timber sash and case as per the approved drawings.

Response: The Council's Conservation Officer's comments in respect of the installation of timber tilt and turn windows have been investigated and this alteration also forms part of the proposed scheme to be assessed. Within the general area there are a number of UPVC windows of ranging styles all located in the Rosebank Conservation Area and on listed buildings within close proximity of the site.

Therefore although the opening mechanism of five of the approved windows has been altered given these windows have still been formed in timber and are all located to the rear of the property, it is not considered that the existing character or amenity of the listed building would be detrimentally affected.

5. Representation(s)

- 5.1. The planning application was advertised as development requiring listed building consent and no letters of representation were received. However although one letter of objection was received in relation to the detailed planning application also being presented to Committee today (HM/08/0014) the grounds of concern raised did not relate to any issues in respect of the proposal's potential impact on the listed building.

Strictly speaking this application does not require to be referred to Committee but could be determined in accordance with the Council's Scheme of Delegation. However, as it is closely related to planning application HM/08/0014, it has been included on the agenda.

6. Assessment and Conclusions

- 6.1. The listed building application which is retrospective in nature seeks to regularize the amendments carried out during the construction of an approved extension to the listed building (HM06/0378 and HM/06/0379) which do not accord with the approved drawings. The applicant seeks planning permission to install 2 additional conservation style velux windows, to alter the opening mechanism of 5 timber windows to tilt and turn and to erect timber decking.
- 6.2. The main determining issue in the consideration of this listed building application relate to its ability to comply with local plan policy and its impact on the character and amenity of the existing C(s) Listed Building.
- 6.3. Policy EN25 of the adopted Hamilton District Local Plan and Policies ENV4 and ENV23 of the finalized South Lanarkshire Local Plan (After Modifications) are applicable. These policies seek to preserve and enhance the historical environment and the Council's Conservation Officer was consulted in this regard in respect of this planning application. In terms of the proposed velux windows and decking, the Council's Conservation Officer is satisfied that these amendments are acceptable and do not adversely affect the character of the listed building. However, it was highlighted that in addition to these alterations that five of the timber windows had a 'tilt and turn' mechanism as opposed to the approved sash and case mechanism. In consideration of this alteration the windows of the surrounding area within Rosebank Conservation Area were assessed as well as the adjoining category C (s) listed building and given the number of existing UPVC windows of a variety of styles it is considered that as the 5 windows amended are still timber and that as they are to the rear of the property the proposed development would not be significantly detrimental to the character or amenity of the listed building.
- 6.4. .In view of the above I therefore recommend that listed building consent be granted subject to conditions.

7. Reasons for Decision

- 7.1. The proposal has no adverse impact on the character or amenity of the listed building and complies with Policy EN25 of the adopted Hamilton District Local Plan and Policies ENV4 and ENV23 of the Finalised South Lanarkshire Local Plan (after modifications).

Iain Urquhart
Executive Director (Enterprise Resources)

28 April 2008

Previous References

- ◆ HM/06/0378
- ◆ HM/06/0379
- ◆ HM/07/0087
- ◆ HM/08/0014

List of Background Papers

- ▶ Application Form
- ▶ Application Plans

- ▶ Consultations
Conservation Officer DATED 24/01/08

- ▶ Representations
None

Contact for Further Information

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

Christine Laird, Planning Officer, Brandon Gate
Ext 3551 (Tel :01698 453551)
E-mail: Enterprise.hamilton@southlanarkshire.gov.uk

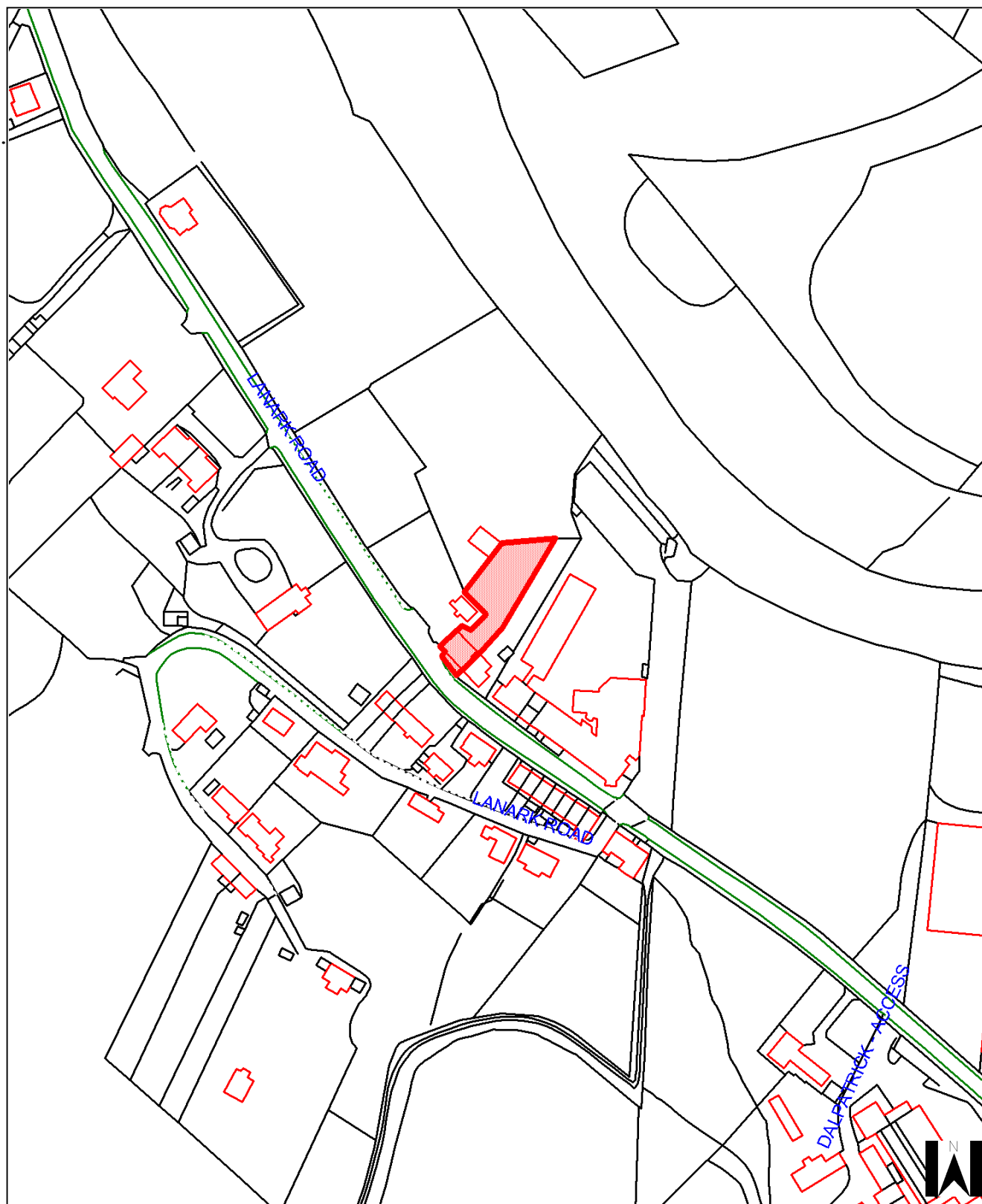
CONDITIONS

- 1 That the development hereby permitted shall be started within five years of the date of this permission.
- 2 That the development shall be carried out strictly in accordance with the plans hereby approved and no change to the design or external finishes shall take place without the prior written approval of the Council as Planning Authority.
- 3 That within 2 months of this application being approved a 2 metre high screen to be agreed with the Council as Planning Authority shall be erected and thereafter maintained along the boundary marked YELLOW on the approved plans.
- 4 That the facing materials to be used for the external walls and roof of the extension hereby approved shall match in colour and texture those of the existing adjoining building on the site to the satisfaction of the Council as Planning Authority.
- 5 That notwithstanding the terms of Condition 4 above and for the avoidance of doubt the roof of the extension hereby approved shall be finished in natural slate and the walls finished in wet-dash render to match the existing building on the site.
- 6 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.
- 7 All external colours shall be agreed in writing with the Council as Planning Authority prior to the commencement of works.

REASONS

- 1 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.
- 4 To ensure satisfactory integration of the proposed extension with the existing building both in terms of design and materials.
- 5 To ensure a satisfactory integration of the proposed development with the existing building both in terms of design and materials
- 6 In the interests of amenity and in order to retain effective planning control.
- 7 In the interests of amenity and in order to retain effective planning control.

For information only



For information only

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