

Report

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Report to: **Hamilton Area Committee**
Date of Meeting: **22 June 2011**
Report by: **Executive Director (Enterprise Resources)**

Application No HM/11/0064
Planning Proposal: Erection of One and Half Storey Rear Extension Incorporating Single Storey Element, Replacement Garage onto Side Gable with Accommodation above and Installation of 2 Front Dormers

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Mr Colin Chambers
- Location : 8 Barriedale Avenue
Hamilton
ML3

2 Recommendation(s)

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

- (1) Grant detailed planning permission (subject to the following conditions)

2.2 Other Actions/Notes

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

3 Other Information

- ◆ Applicant's Agent: McEwan Designs
- ◆ Council Area/Ward: 17 Hamilton North and East
- ◆ Policy Reference(s): **South Lanarkshire Local Plan (adopted 2009)**
Policy RES6 – Residential Land Use
Policy DM1 – Development Management
Policy DM4 – House extension and alterations

- ◆ Representation(s):
 - ▶ 19 Objection Letters
 - ▶ 0 Support Letters
 - ▶ 0 Comments Letters

- ◆ Consultation(s):
None

Planning Application Report

1 Application Site

- 1.1 The application site accommodates a detached bungalow located within a large feu at 8 Barriedale Avenue, Hamilton. This area is a popular low density, high amenity, residential area of Hamilton. The area is characterised by a range of traditional individually built properties ranging from bungalows to 2 storey dwellings. Over the years, a number of the properties within the street have been enlarged by the installation of dormers or by means of side and/or rear extensions.
- 1.2 The property is surrounded on all sides by similar style housing within plots of comparable size excluding those on the opposite side of Barriedale Avenue which are larger. The application site has a substantial level rear garden which measures 19 metres deep with a width of 18 metres. The boundary treatment enclosing the rear garden is a mixture of 1.8 metre high fencing and hedging. The existing dwelling excluding the garage and rear sun porch has a footprint of approximately 106.5 square metres.
- 1.3 There is a slight level difference of approximately 700mm with the property to the north east of the application site (number 6) as the street lies on a gentle gradient.

2 Proposal(s)

- 2.1 The applicant seeks detailed planning permission for the erection of 2 small front dormers, a one and half storey pitched roofed rear extension (which incorporates a single storey element on its eastern side towards no. 6) and the erection of a replacement garage with accommodation above (in the roof space) located onto the side gable nearest no.10 Barriedale Avenue.
- 2.2 It is the applicant's intention to extend and remodel the house internally and provide upper floor accommodation. The proposal will necessitate the demolition of the existing flat roofed attached garage and sun lounge to the rear. The remodeled house will provide lounge, sun lounge, dining kitchen, utility, and bedroom accommodation at ground level. At first floor level three bedrooms all with en-suite accommodation and a family bathroom will be created. The design of the proposed rear and side extensions have been amended to ensure that the ridge of the pitched roofs will be below that of the existing house with the eaves aligned with the existing property. All external finishes will complement the existing dwelling.
- 2.3 The one and half storey rear extension will project 4.8 metres beyond the rear building line with an overall width of 9.8 metres and will incorporate a small single storey element which measures approximately 2.5 metres by 2.5 metres, thus giving the rear extension a footprint of approximately 53 square metres. The rear extension will provide a sun lounge and utility room on the ground floor with a bedroom and en suite on the upper floor. The proposed front dormers, which are a common feature within the streetscape, will provide upper floor bedroom accommodation. The proposed garage, which will be erected on the same footprint as the existing garage, will be changed from flat roof to pitched roof to provide bathroom/dressing room accommodation at first floor level.

- 2.4 The original proposal was for the erection of 2 front dormers, a 2 storey rear extension and a replacement garage onto the side elevation which extended to the front building line and tied through with the ridgeline of the existing dwelling. However following receipt of objections from surrounding residents, primarily in respect of the rear extension and garage the Planning Service entered into discussions with the applicant and the design of the proposed rear extension has been amended to one and half storey with the garage set back from the front building line and the height of the ridgeline dropped. In addition the eaves level of the rear extension will now match that of the existing dwelling. These amendments will ensure a more satisfactory integration with the existing dwelling, adjoining properties and will help minimize the overall visual impact.
- 2.5 Sufficient garden ground will be left and sufficient off street parking provided on site to serve the extended property.

3 Background

3.1 Local Plan Status

- 3.1.1 In terms of the South Lanarkshire Local Plan the site is identified as being within a Residential Area therefore Policy RES6 – Residential Land Use – is relevant. Policy RES6 states that the Council will oppose the loss of houses to other uses and will resist any development that will be detrimental to the amenity of those areas. Policy RES6 notes that developments must relate satisfactorily to neighbouring properties in terms of scale, materials and massing. Development should also be of a good quality design.
- 3.1.2 Policy DM1 – Development Management – is also relevant and requires all planning applications to take account of the local context and built form and should be compatible with adjacent buildings and surrounding streetscape in terms of scale, massing, design, external materials and impact on amenity. Developments should enhance the quality and appearance of the local environment and when assessing planning applications, the Council will require proposals to comply with a number of criteria.
- 3.1.3 Policy DM4 – House Extensions and Alterations – provides detailed criteria with respect to house extensions and alterations. Proposals should have regard to the character of existing dwellings and the wider area in terms of their scale, design and materials. Proposals should not dominate or overwhelm the existing dwelling or neighbouring dwelling and should not adversely affect neighbouring properties in terms of privacy, sunlight or daylight. House extensions should retain adequate off street car parking and useable garden ground.

3.2 Relevant Government Advice/Guidance

- 3.2.1 Given the nature of the proposal there is no specific government guidance relative to the determination of this application.

3.3 Planning Background

- 3.3.1 None

4 Consultation(s)

- 4.1 No consultations were undertaken in respect of this proposal.

5 Representation(s)

5.1 Statutory neighbour notification was undertaken when the application was lodged and again upon receipt of the revised drawings. Following this publicity 19 letters of representation were received. It should be noted however that a number of the objectors have responded twice.

5.2 The grounds of objection can be summarised as follows: -

a) **The proposal is also out of keeping with the character and appearance of the dwelling and the surrounding area and will have a negative visual impact especially for the properties on the even side of Barriedale Avenue and the properties on Wellhall Road that back onto Barriedale Avenue. In addition all other houses in this area which have had extensions have been single storey. As such the proposed rear extension will be over dominant, out of scale and does not respect the character of both the existing dwelling and the wider area and will ruin the balance of the area.**

Response: Each application must be considered on its own individual merits. In this instance it is considered that the proposed rear extension has been amended to reflect and integrate well with the existing house without detriment to visual amenity and in many ways resembles other extensions that have been approved by the Council. The garden is large and I am convinced that there is easily sufficient space for the extension to be accommodated. In addition the impact of the proposed extension will be minimized by the existing boundary treatments which will be retained (1.8 metre high hedging and fencing). That said the property is not located within a conservation area or other recognised environmentally sensitive location and on this basis the house must have potential to extend all other factors being acceptable. Indeed a number of houses in the street and elsewhere have already been extended, some in a similar form/manner to that now proposed.

b) **Due to the size and scale of the proposed extension the sun lounge of the adjoining house and garden will be substantially affected. It is ironic that the applicants are erecting a sun lounge for their own use whilst depriving their neighbours the use of theirs. The proposal should therefore be reduced to single storey**

Response: All forms of development will generate a shadow of some description and therefore it is the extent and size of shadow that is important. In this regard the gardens of neighbouring houses are relatively large. The single storey part of the proposed rear extension which is under 4 metres in height and set back off the mutual boundary by 1.8 metres is unlikely to cast a shadow that will be significant in the context of the shadow cast by the existing house. Indeed this element of the development practically replaces the existing sun porch that will be demolished, notwithstanding the different roof design. In addition the proposed storey and half extension will be located, at its nearest point, approximately 7.5 metres from the side gable of number 6 (the property most likely to be affected given its orientation in relation to the sun's travel path). Given these distances, the fact that the highest part of the extension (roof ridge line) will be approximately 10 metres away, the size of gardens and the relationship with the property at No 6, I am of the view that there will not be a material impact in terms of overshadowing. Consequently I am not persuaded that the proposed extension will have a material or adverse impact on the neighbour's property in terms of overshadowing sufficient to justify refusing the application.

- c) **The upper floor french doors proposed to the rear will lead to a loss of privacy for adjoining residents as there will be overlooking of neighbouring houses and gardens.**

Response: The proposed french doors will serve a 'Juliet' balcony positioned on the upper floor of the rear extension and will be set approximately 35 metres from the nearest property to the rear. This is well in excess of the 20 metre window to window requirement stipulated in the Council's Residential Design Guide. As such any overlooking or impact on privacy will not, from a planning point of view, be to an unacceptable degree or extent. Furthermore, the application site is within a built-up residential area adjacent to other properties where it is inevitable that gardens and properties will be over looked to some degree. It is therefore considered that there will be no significant loss of privacy/overlooking that would merit refusal of this planning application.

- d) **The excessive development of a bungalow into a very large 2 storey house will increase its size by 2 to 3 times that of the original property and the rear extension will dominate the existing house. The rear extension is also much larger than other extensions along the street and when completed will result in the property being out of proportion with the surrounding properties.**

Response: The proposed increase in the footprint is less than 50% of the floorspace of the existing dwelling. The rear extension does not extend the full width of the property and is only 4.8 metres in depth. In addition the proposed rear and side extensions reflect local plan guidance in that they are set down from the existing ridgeline, tie through at eaves level with the garage extension set back from the front elevation. It is therefore considered that the proposed extensions are subservient to the main dwellinghouse and will not over dominate the existing property. It is further considered that the application site can easily accommodate the extension without 'cramping' the site. Given the diversity of properties and extensions which currently exist within the street it is not considered that the extended property will be out of proportion or be visually discordant.

- e) **The proposed garage extension which extends to the boundary line with the objectors property will obstruct virtually all light into the objector's upstairs sitting room resulting in the room being in near darkness during daylight hours. The development will also result in a total loss of outlook from this window.**

Response: Following receipt of the objectors concerns and in line with Council policy the proposed side extension has been amended and now has a dropped ridgeline and is set back from the front elevation of the existing dwellinghouse by approximately 1.3 metres. Whilst it is only set off from the side boundary by approximately 0.3 metres it is off set from the neighbouring property's side elevation (No.10) by approximately 2.5m. In addition the orientation of the window in question is such that it receives very little natural sunlight at present. In light of this it is not considered that the proposal would have a serious enough impact on the neighbour's property sufficient to merit refusing the application. Loss of outlook is not a material planning consideration.

- f) **Given that the property at 8 Barriedale Avenue already sits at a higher level than number 6 the sheer physical presence and its elevated position will dominate our property. The position and size of the extension will cause**

adverse overshadowing resulting in a loss of light and sunlight into the property and garden area until late in the afternoon.

Response: While the objector's concerns are noted and it is accepted that practically all forms of development cast a shadow, it is considered that no excessive degree of overshadowing will be created by the extension. Clearly the extension will have an impact but the increase in shadowing is unlikely to be to a material extent especially in the summer months when the sun is at its highest in the sky. The rear extension is single storey nearest the objector and is approximately 4.5 metres from the objector's property. It is therefore considered that the proposal has been designed in such a manner that its physical presence will be minimized in respect of the objector's rear garden and side windows. It is considered that the single storey element will help reduce the impact of the extension as any overshadowing is likely to affect only a small area of the objector's garden ground and unlikely to materially affect their sun lounge to such an extent to justify refusal of the proposal.

- g) There is no major difference in the revised extension; the amendments made are minimal and cosmetic. The proposal is still considered to be out of character with surrounding properties. It is an eyesore and is excessive in terms of size, scale, design, sheer physical impact and loss of natural light and privacy.**

Response: These concerns will be discussed in more detail in the Assessment section of the report. However whilst it is accepted that the revised proposal is similar to the extension originally submitted in terms of accommodation provided, it should be noted that the two storey element has been reduced in height to a storey and a half with the ridge height lowered. The replacement garage will now also be built on the same footprint as the existing garage, set back from the front building line with the ridge height reduced. These alterations were undertaken following discussions with the Planning Service in order to integrate the proposal in a more satisfactory manner with the existing dwelling and in order to minimize the impact on neighbouring properties.

- h) Objectors are concerned that the person who bought the property has previously bought, refurbished then sold 2 other properties on the street. It may be that he intends to do the same and the residents will be left to live with "the eyesore" after the applicant has moved on.**

Response: The applicant has stated that these statements are untrue and that this is the first application the applicant has submitted to the Council. That said the proposal will be considered on its merits and these concerns are not relevant planning considerations and as such should not influence the determination of this application.

- i) Disruption will result in the street during construction of the proposal and there will be insufficient off street parking given the size of the proposed house.**

Response: Any disruption as a result of 'build operations' will be of a temporary duration and this aspect must be accepted by neighbours. Indeed all extensions etc will result in some form of deliveries, noise, disruption etc and if consent was withheld for this reason, it would be extremely difficult for any development to take place. With regards to off street parking a condition can be imposed to ensure an appropriate level of parking for the extended property.

All letters of objection, including comments from the applicant in response to the representations received, have been copied and are available for inspection in the usual manner and on the Councils Planning Portal.

6 Assessment and Conclusions

- 6.1 The applicant seeks detailed planning permission for the erection of 2 small front dormers, a one and half storey pitched roof rear extension which incorporates a single storey element and the erection of a replacement garage located onto the side gable in order to extend and remodel the house internally and provide upper floor accommodation. A small area of timber decking adjacent to the rear extension will also be provided. The determining issues in consideration of this application are its compliance with local plan policy and in particular, its impact on the amenity of the adjacent properties.
- 6.2 In terms of the content of the South Lanarkshire Local Plan, the application site is within an established residential area of Hamilton where the applicable policy (RES6) resists any development that would impact negatively on the character or amenity of such an area. It is considered that the proposed development from a land use perspective raises no issues.
- 6.3 Whilst it is accepted that the proposed alterations will substantially increase the accommodation currently provided it is not considered that the proposal will over dominate the existing property or adversely affect the appearance or character of the area. The rear extension is less than 50% of the footprint of the existing dwelling and is lower than the existing roof ridge. It will project 4.8 metres (approximately) from the rear and it will not span the full length of the elevation. As such it is considered that it will integrate well with and be subservient to the main dwellinghouse. Whilst acknowledging that the extension will be larger than other extensions on this side of Barriedale Avenue it should be noted that similar extensions exist on the opposite side of Barriedale Avenue and elsewhere. It is further considered that the site can easily accommodate the extension without 'cramping' or overdeveloping the site with extensive garden ground remaining after construction of the extension. The scale and design of the extension has been reduced following comments from the Planning Service to ensure that it integrates well with the existing dwelling and ensures that its impact on neighbouring properties is minimised. It is considered that the amended proposal has taken cognizance of local context and built form in terms of design, massing and scale and I am satisfied that the proposed development accords with policy. In addition given there are no significant overlooking or privacy issues the proposals are considered to comply with the terms of Policies DM1 and DM4.
- 6.4 While it is noted that the application site sits slightly higher than that of No.6 the extension is single storey at its closest point to the neighbour's property with a minimum distance of 7.5 metres distance between the one and a half storey element of the development and the neighbours sun lounge thereby reducing the impact of the structure.
- 6.5 Many of the properties within Barriedale Avenue have already been extended, two in a similar manner to the proposal and in general terms they do not adversely affect the character or visual amenity of the house or streetscene. In this instance the side extension will be built on the footprint of the existing garage and together with the proposed dormers have been designed in a sympathetic manner to accord with the

style of the house. As such there is no reason to assume that the propped alterations will be out of context or result in a negative visual impact. In a similar manner the rear extension is also reflective in terms of size and position to many others that exist and I am convinced that its impact will be within acceptable limits.

- 6.6 No consultations were undertaken in respect of this proposal. Statutory neighbour notification was undertaken twice following which a total of nineteen letters of objection were received. However it should be noted that a number of the objectors have responded twice, once in relation to the original proposal and then again when the revised drawings were submitted. The concerns raised have been summarised and considered in detail in Section 5 of this report. I am satisfied that the concerns raised are not of sufficient weight or merit, either individually or collectively, to merit refusal of the proposal.
- 6.7 Overall I am satisfied that the proposal complies with adopted Local Plan policy. It is therefore considered that the normal presumption in favour of granting consent should prevail. The issue of planning consent subject to conditions is therefore recommended.

7 Reasons for Decision

- 7.1 The proposal has no material adverse impact on residential amenity and is considered to satisfactorily comply with Policies RES6 and DM1 of the South Lanarkshire Local Plan.

Colin McDowall
Executive Director (Enterprise Resources)

8 June 2011

Previous References

- ◆ None

List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ South Lanarkshire Local Plan
- ▶ Neighbour notification letters, dated 24 February 2011 and 15 April 2011
- ▶ Amended drawings received 11 April 2011
- ▶ SLC Residential Guide, October 2001

▶ Representations

- Representation from : Rodger D. Bulloch, 67 Wellhall Road, Hamilton, ML3 9BY, DATED 15/03/2011
- Representation from : Dawn Bulloch, 67 Wellhall Road, Hamilton, ML3 9BY, DATED 27/04/2011
- Representation from : Sydney A. Devine, 10 Barriedale Avenue, Hamilton, ML3 9DB, DATED 09/03/2011
- Representation from : SA Mitchell, 73 Wellhall Road, Hamilton, , DATED 14/03/2011

Representation from : Dr A and Mrs J Huczynski, 11 Barriedale Avenue, Hamilton, ML3 9DB, DATED 18/03/2011

Representation from : Jim Fraser, 6 Barriedale Avenue, Hamilton, ML3 9DB, DATED 11/04/2011

Representation from : Morris Anderson, 13 Barriedale Avenue, Hamilton, ML3 9DB, DATED 14/03/2011

Representation from : Kenneth and Janice McVicar, 2 Barriedale Avenue, Hamilton, ML3 9DB, DATED 18/03/2011

Representation from : Mr and Mrs Laverty, 69 Wellhall Road, Hamilton, ML3 9BY, DATED 06/05/2011

Representation from : Jim and Melinda Fraser, 6 Barriedale Avenue, Hamilton, ML3 9DB, DATED 09/03/2011

Representation from : Mr and Mrs Laverty, 69 Wellhall Road, Hamilton, ML3 9BY, DATED 15/03/2011

Representation from : Jim and Melinda Fraser, 6 Barriedale Avenue, Hamilton, ML3 9DB, DATED 26/04/2011

Representation from : Joesph and Kathleen Duffy, 9 Barriedale Avenue, Hamilton, ML3 9DB, DATED 16/03/2011

Representation from : Susan Napier, 4 Barriedale Avenue, Hamilton, ML3 9DB, DATED 17/03/2011

Representation from : S. A. Devine, 10 Barriedale Avenue, Hamilton, ML3 9DB, DATED 03/05/2011

Representation from : Mr & Mrs Laverty, 69 Wellhall Road, Hamilton, ML3 9BY, DATED 05/05/2011

Representation from : Susan Napier, 4 Barriedale Avenue, Hamilton, ML3 9DB, DATED 09/05/2011

Representation from : Kenneth and Janice McVicar, 2 Barriedale Avenue, Hamilton, ML3 9DB, , DATED 28/04/2011

Representation from : S A Mitchell, 73 Wellhall Road, Hamilton, ML3 9BY, DATED 05/05/2011

Contact for Further Information

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

Christina Laird, Planning Officer, Brandon Gate, Hamilton

Ext 3513 (Tel : 01698 453513)

E-mail: Enterprise.hamilton@southlanarkshire.gov.uk

CONDITIONS

- 1 This decision relates to drawing numbers: A01, A02, A03 Rev A, A04 Rev A.
- 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 the facing materials to be used for the external walls and roof of the development hereby approved shall match in colour and texture those of the existing dwellinghouse to the satisfaction of the Council as Planning Authority.
- 4 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.
- 5 That no part of the rear extension hereby approved shall project above the ridge height of the existing roof and that the ridgeline shall not be broken or altered in any way.
- 6 That before the alterations hereby approved are completed or brought into use, 3 parking spaces shall be laid out, constructed and thereafter maintained to the specification of the Council as Roads and Planning Authority.
- 7 That before the development hereby approved is occupied or brought into use, a 2metre metre high screen to be agreed with the Council as Planning authority shall be erected/planted along the side of the decking marked YELLOW on the approved plans.

REASONS

- 1 For the avoidance of doubt and to specify the drawings upon which the decision was made.
- 2 In the interests of amenity and in order to retain effective planning control.
- 3 To ensure satisfactory integration of the proposed extension with the existing building both in terms of design and materials.
- 4 In the interests of amenity and in order to retain effective planning control.
- 5 In the interests of the visual amenity of the area.
- 6 To ensure the provision of adequate parking facilities within the site.
- 7 In the interests of amenity and in order to retain effective planning control.

For information only

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