

Report

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Report to:	Planning Committee
Date of Meeting:	21 June 2011
Report by:	Executive Director (Enterprise Resources)

Application No	CR/11/0068
Planning Proposal:	Substitution of Housetype A to Housetype B (amendment to CR/04/0113)

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Cathkin Developments Ltd
- Location : Plot 3
Cathkin Gate
Burnside
Rutherglen

2 Recommendation(s)

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

- (1) Grant Detailed Planning Permission - Subject to Conditions (Based on the Conditions Attached).

2.2 Other Actions/Notes

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

3 Other Information

- ◆ Applicant's Agent: Wilson Design Associates
- ◆ Council Area/Ward: 11 Rutherglen South
- ◆ Policy Reference(s): **South Lanarkshire Local Plan (adopted 2009)**
DM 1 - Development Management Policy
RES 6 - Residential Land Use Policy

- ◆ Representation(s):

- ▶ 11 Objection Letters
- ▶ 0 Support Letters
- ▶ 0 Comments Letters

- ◆ Consultation(s):

Roads and Transportation Services (Cambuslang/Rutherglen Area)

Planning Application Report

1 Application Site

- 1.1 The application site is Plot 3, Cathkin Gate, Rutherglen which lies within an established residential area. Plot 3 is part of a larger development for the conversion of an existing building to form 4 flats and townhouse and 9 detached dwellings. The site itself is still under construction; however the conversion is complete together with 4 out of the 9 dwellings. The application site, when complete will be bound by residential properties and is accessed via Menteith Place. The development at Cathkin Gate sits at the top of a hill therefore there is a steep slope to the rear of the application site. It is noted that the original building opposite the application site is Category B listed.

2 Proposal(s)

- 2.1 The applicant seeks detailed planning permission for a substitution of housetype A to housetype B. This is an amendment to CR/04/0113. It is noted that a number of the other dwellings have changed their housetypes since the original application was approved.

3 Background

3.1 Local Plan Status

- 3.1.1 The South Lanarkshire Local Plan (adopted) provides the development plan context for this application. The application site is adjacent to an area covered by Policy RES6 – Residential Land Use which states that the Council will resist any development that will be detrimental to the amenity of residential areas and that the development must relate satisfactorily to the surrounding environment.

- 3.1.2 Policy DM1 – Development Management states that all planning applications should take account of the local context and built form and that all development should be compatible with adjacent buildings and surrounding streetscape in terms of scale, massing, design, external materials and impact on amenity.

3.2 Planning History

- 3.2.1 Planning applications CR/04/0113 and CR/04/0114 were the planning and listed building applications for the erection of extension and conversion of nursing home to form 8 flats, erection of 9 detached dwellinghouses, formation of parking areas and associated alterations. These were granted in July 2005. Following this amended applications were submitted, CR/06/0229 and CR/06/0230 for the conversion and refurbishment to existing building to form 4 flats and one town house. These applications were granted in January 2007. Since then one application for a change of housetype has been submitted under CR/10/0177.

4 Consultation(s)

- 4.1 Roads and Transportation Services – No objections.
Response: Noted.

5 Representation(s)

- 5.1 Following neighbour notification, 11 letters of representation have been received, the points of which are summarised below:

- a) **The proposed change of housetype reduces the size of amenity space approved under the original application.**

Response: It is agreed that under the current application, the amenity space has slightly reduced in comparison to the original application. Whilst the frontage of the amenity space still measures at 20 metres, the rear measures at 26 metres which is

approximately 4 metres less than the original application (CR/04/0113). However, Cathkin Gate steeply slopes to the rear and the developer is currently in the process of building up this land to allow it to be more useable. Given this, I am satisfied the loss of this small portion will have no adverse impact on the setting of the listed building or the surrounding residential properties and that the space that has been left is adequate. Furthermore, there is a large amenity area on the opposite side of the development for use by residents.

- b) **It would appear that the amenity space was reduced under a previous application for a change of housetype at Plot 2.**

Response: Whilst plot 2 has been determined under a separate application (CR/10/0177), it is noted that the plot size was altered. However as mentioned above, I am satisfied there is adequate amenity space left.

- c) **Please clarify if the space between the dwellings will remain the same as per the original plans as it would seem that larger dwellings are being placed on the same size of plots. If this is the case, it will make the estate more closed in and alter the nature of the development.**

Response: In general the plot sizes have not been altered from the original consent, this inevitably means that the space between the houses will not be same as the original plans. However, each change of housetype substitution is considered and determined on its own merits. Whilst the houses may be closer together, the requirements of the Residential Development Guide have been met and therefore I am satisfied the spacing is acceptable.

- d) **The proposed housetype (B) is considerably larger than the approved housetype (A) therefore will overshadow the ground floor flat more than others.**

Response: It is agreed that housetype B is larger than housetype A in terms of floor area and height. However, I am satisfied that plot 3 can accommodate a house of this scale and that the dwelling meets the requirements set out in the Council's Residential Development Guide. Although the new dwelling would be higher than the dwelling originally approved, given the distance between the dwelling and the listed building, I do not consider there will be any significant overshadowing issue.

- e) **Changed housetypes on plots 1 and 2 form a wall around the perimeter of listed Cathkin House. The introduction of a further larger house will exacerbate this and impact on the historic value.**

Response: Whilst it is acknowledged that a number of the houses have undergone a change of housetype since the original application was granted, I am satisfied that each of these plots can accommodate the larger dwellings. Furthermore, I am satisfied there is adequate distance between the dwellings and the listed building to ensure there is no adverse impact on the character or setting of the listed building.

- f) **The original plans showed a variety of housetypes which did not have a detrimental impact on the listed building.**

Response: The original consent was for 9 dwellings of a similar size and scale. However as is often the case with housing sites, various applications have been submitted for changes to housetypes. As mentioned above, each must be considered on its own merits. In this case, I do not consider this change of housetype will have an adverse impact on the listed building as although it is larger than the original house approved, it sits further back thereby reducing any impact.

- g) **There are discrepancies between the current and previous plans for the amenity space.**
Response: It is noted that in some of the various applications and revised plans that have been submitted over recent years the amenity space appears to have altered. However having carried out a number of site visits I am now satisfied that the most up to date location plan correctly represents the amenity space that will be provided on site.
- h) **A tree was unnecessarily removed from Plot 3. Was there justification for it to be removed?**
Response: I can confirm that the Council's Arboricultural officer authorised this tree to be removed at the start of the year as it was diseased and would have been liable to wind blow.
- i) **In the latest location plan, the proposed house at plot 3 is at an oblique angle instead of in line with the contour lines indicated on the plans. As the foundations have already been laid on site it would appear the angle the house is being built at dictates the enlarged plot size at the expense of the amenity space.**
Response: It is noted that the foundations for this plot have already been laid. Whilst the proposed house plot is at an oblique angle in comparison to the boundary line of the plot, I do not consider the location of the dwelling will have an adverse impact on the amenity of the area. Furthermore, under the latest location plan, more amenity space is provided in comparison to the first location plan submitted with this application.
- j) **The application is contrary to the local plan.**
Response: I am satisfied that this change of housetype can be integrated with the surrounding residential development and is therefore an acceptable form of development at this location. Furthermore, it meets with the requirements set out in the Residential Development Guide and is therefore not considered contrary to local plan policy.

These letters have been copied and are available for inspection in the usual manner and on the Planning Portal.

6 Assessment and Conclusions

- 6.1 The applicant seeks detailed planning permission for a substitution of housetype A to housetype B (amendment to CR/04/0113). It is noted that there are a number of applications relating to this site. The determining issues of this application are its compliance with local plan policy and in particular, its impact on the amenity of the surrounding area and any adjacent properties.
- 6.2 In terms of the Adopted South Lanarkshire Local Plan (March 2009), the application site is designated as residential therefore Policy RES6 – Residential Land Use is applicable. It is therefore considered that the principle of the development of the site for housing is not contrary to policy particularly as it is an amendment to an existing consent (CR/04/0113). In terms of the proposal's impact on amenity, Policy DM1 outlines the relevant criteria against which a proposal should be assessed. In this case, it is considered that the proposed dwelling is of an acceptable size, scale and design. Although housetype B is larger than housetype A, I am satisfied it can be satisfactorily incorporated within the site and is appropriate to the immediate area. Sufficient provision has also been made for garden ground. I am therefore satisfied

the proposal complies with guidelines set out in the Council's Residential Development Guide and there will be no adverse impact on amenity for surrounding residential properties.

- 6.3 Under the original application (CR/04/0114) the Council recommended that there should be no building in the plot to the front of Cathkin House given its listed status. This land was to be retained as an amenity space for the enjoyment of the residents. However, the current application requires a small section of this space to be lost to allow for the larger dwelling to fit into the application site. As the building line of the new dwelling will not project past the building line of the listed building and given that it will only be a narrow strip to the rear of the amenity space that would be lost, I consider this will not have an adverse impact on residential amenity as there is adequate space left.
- 6.4 Roads and Transportation were consulted as part of this application and requested a plan be provided to show the layout of the driveway and parking spaces. This information has now been provided and Roads and Transportation have offered no objections.
- 6.5 Following neighbour notification, 11 letters of objection have been received, the points of which are summarised in section 5 above. Whilst several of the points raised have been relevant, I do not consider them sufficient justification for refusal of this application.
- 6.6 In conclusion, the proposed development is of an acceptable size and scale within a residential area and will have no adverse impact on residential amenity. I therefore recommend that planning permission is granted subject to the conditions attached.

7 Reasons for Decision

- 7.1 The proposed development complies with Policies RES6 and DM1 of the Adopted South Lanarkshire Local Plan (March 2009) and guidelines set out in the Council's Residential Development Guide.

Colin McDowall
Executive Director (Enterprise Resources)

3 June 2011

Previous References

- ◆ CR/10/0177
- ◆ CR/06/0230
- ◆ CR/06/0229
- ◆ CR/04/0114
- ◆ CR/04/0113

List of Background Papers

- ▶ Application Form
- ▶ Application Plans

- ▶ Consultations

► Representations

Representation from : John McBride, 2 Cathkin Gate, Rutherglen, G73 5RW,
DATED 20/04/2011

Representation from : Janette McBride, 2 Cathkin Gate, Rutherglen G73 5RW,
DATED 27/04/2011

Representation from : J D Paton, 3 Cathkin House, Cathkin Gate, Rutherglen,
DATED 10/05/2011

Representation from : Denise Paton, 3 Cathkin House, Cathkin Gate, Rutherglen,
G73 5RW, DATED 28/04/2011

Representation from : Valerie Fotheringham, 2 Cathkin House, Cathkin Gate,
Burnside, Glasgow, G73 5RW, DATED 28/04/2011

Representation from : Isabella Johnson, 4 Cathkin House, Cathkin Gate,
Rutherglen, G73 5RW, DATED 04/05/2011

Representation from : Isabella Johnson, 4 Cathkin House, Cathkin Gate,
Rutherglen, G73 5RW, DATED 05/05/2011

Representation from : Janette McBride, DATED 27/05/2011

Representation from : Denise Paton, DATED 31/05/2011

Representation from : Valerie Fotheringham, DATED 01/06/2011

Representation from : Ramsay Tindal, DATED 03/06/2011

Contact for Further Information

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

Julie Stanfield, Planning Officer, Civic Centre, East Kilbride

Ext 6327, (Tel: 01355 806327)

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

Detailed Planning Application

PAPER APART – APPLICATION NUMBER: CR/11/0068

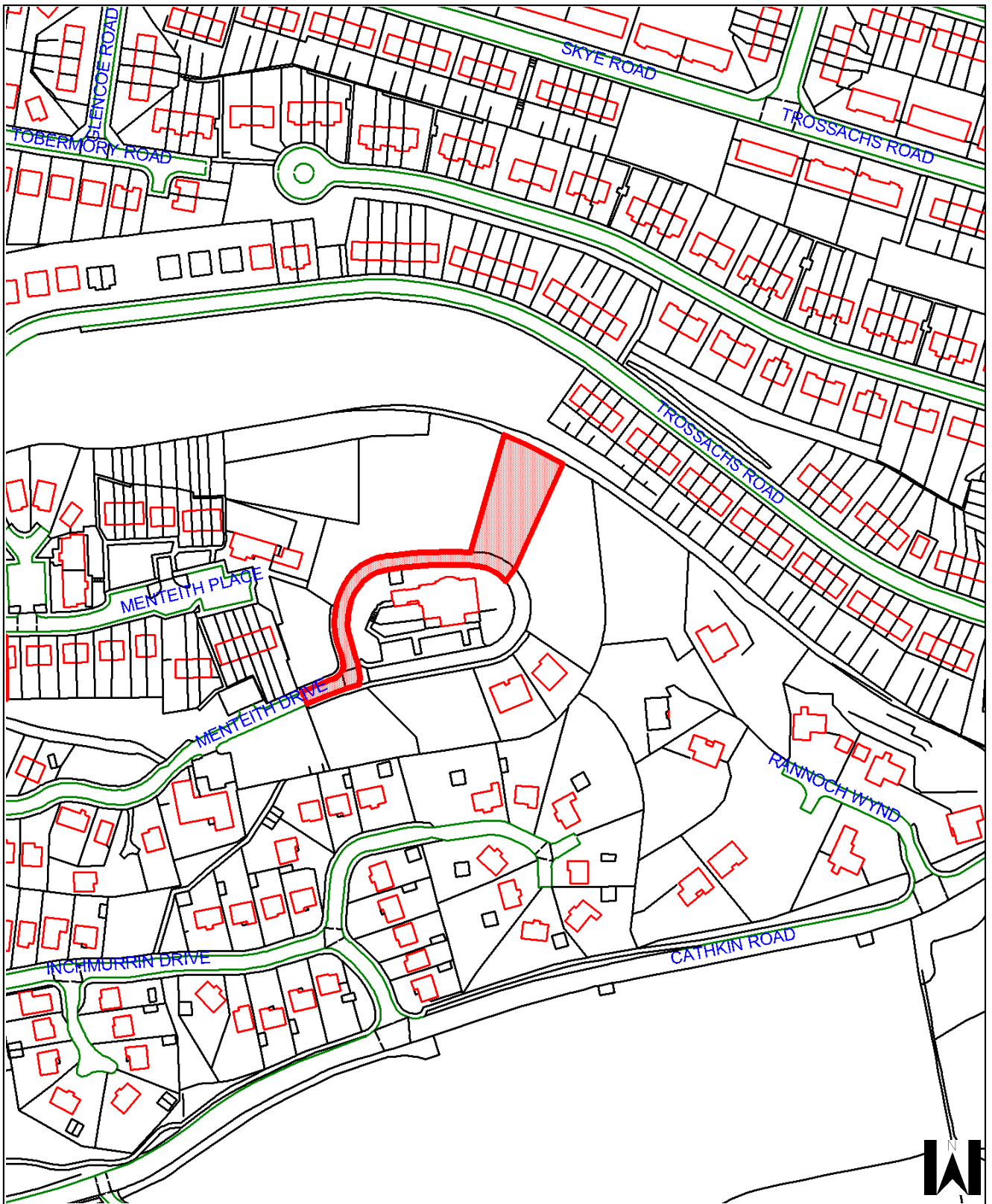
CONDITIONS

- 1 The consent relates to drawing numbers:

Layout Plan - 1258/10 K
Site Layout Plan - REV A
Floor Plans - 1258/226
Elevations - 1258/225 B
Garden Level Plan - 1258/227
Site Plan - 1258/229
- 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 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.
- 4 That the garage driveway shall not have a gradient in excess of 1:10.
- 5 That notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, a change of use of any garage (whether integral or detached) to living accommodation associated with the dwellinghouse on the plot shall be subject to a further planning application to the Council as Planning Authority.
- 6 That the use of the garage hereby permitted shall be restricted to private use incidental to the enjoyment of the dwellinghouse on the site and no commercial activity shall be carried out in or from the garage.
- 7 That before the development hereby approved is completed or brought into use, 3 no. parking spaces (2.5m x 5m modules) shall be laid out, constructed and thereafter maintained to the specification of the Council as Roads and Planning Authority.
- 8 That before the development hereby approved is brought into use, a dropped kerb access to the site shall be constructed in accordance with the specification and to the satisfaction of the Council as Roads and Planning Authority.

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 In the interests of amenity and in order to retain effective planning control.
- 4 In the interest of public safety
- 5 In order to retain effective planning control
- 6 To retain effective planning control and safeguard the amenity of the area.
- 7 To ensure the provision of adequate parking facilities within the site.
- 8 In the interest of public safety.



For information only

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