

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/10/0532
Planning Proposal:	Demolition of Existing House and Erection of Replacement House

1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Mr & Mrs R Patterson
- Location : 5 Clydebrae Drive
Bothwell

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

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

3 Other Information

- ◆ Applicant's Agent: Stanley C Cook MRTPI
- ◆ Council Area/Ward: 16 Bothwell and Uddingston
- ◆ Policy Reference(s): **South Lanarkshire Local Plan (adopted 2009)**
Policy RES 6 - Residential Land Use
Policy DM 1 - Development Management
Policy DM 9 – Demolition and Redevelopment for Residential Use
Policy ENV 11 - Design Quality
Policy ENV 31 – New Housing Development
Residential Development Guide

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

- ◆ Consultation(s):
Roads and Transportation Services (Hamilton Area)
Scottish Water

Planning Application Report

1 Application Site

- 1.1 The site is situated at 5 Clydebrae Drive, Bothwell within an established residential area. It extends to approximately 0.1 hectares and occupies a corner plot at the junction of Blairston Avenue and Clydebrae Drive. The natural topography of the site falls north to south towards Clydebrae Drive and as a consequence there are a number of existing retaining walls within the site. The site is also covered by a Tree Preservation Order (TPO) and in this regard the site is screened by a densely planted row of trees to the rear and at the side adjacent to Blairston Avenue.
- 1.2 Clydebrae Drive is a relatively short cul-de-sac which accommodates a variety of house types/styles most of which appear to be constructed in the 1960's. Indeed most of the houses appear to have been individually designed to accommodate the original occupier's aspirations along with the different topography of each plot. More recently, several planning consents have been issued for the demolition of houses and associated rebuild to provide a new house.
- 1.3 The house at 5 Clydebrae Drive is a bungalow with a considerable extent of underbuilding (approximately 2.4 metres) at the front. As a result the house is elevated compared to street level, has significant cellarage to the front with access being gained by a flight of 11 steps. Indeed the main garden area of the property is to the side nearest to Blairston Avenue.
- 1.4 The house has been extended previously by means of a flat roofed side and rear extension. In addition to the east of the house there are three flat roofed terraced garages the nearest one to the house being within the application site.
- 1.5 The site is surrounded by other detached properties all of which are of bespoke appearance although from a design perspective, there is a degree of uniformity in terms of traditional house character, design and other related considerations.

2 Proposal(s)

- 2.1 It is now proposed to demolish the existing house and erect a replacement dwelling of larger proportions and of modernistic design.
- 2.2 The proposed house will require a limited amount of excavation and remodeling to provide a development footprint. Nevertheless no new retaining walls are proposed.
- 2.3 The new house will be a contemporary structure with four levels of accommodation, albeit that the fourth level will be of limited floorspace (25 square metres) provided as a small projection above the main shallow mono pitched roof of the dwellinghouse. Integral garage provision will be provided on the ground floor, the remainder of the house accommodating four bedrooms (one being a master bedroom with en-suite) and another five habitable rooms.
- 2.4 The proposed contemporary dwelling will be primarily rectangular in form (22 metre frontage and 6.5 metres deep) with balconies to the front where there will also be a high level of coloured glazing including a section of ground to roof glazed walling. The house will be predominantly three storeys high (excluding the flat roofed projection referred to at paragraph 2.3 above). The dwellinghouse is proposed to be constructed with a steel frame, and concrete block that will be finished externally with white render. Grey aluminum glazing frames and profile metal roofing material will

also be used. In addition, the proposal includes the retention of the existing (single) garage accommodation at the site.

- 2.5 Following the submission of the original planning application, the design has been slightly revised to remove part of a proposed balcony on the second floor, which was situated on the gable wall adjacent to the property at 7 Clydebrae Drive. An elevated rear terrace however is proposed.
- 2.6 The agent has advised that the floorspace of the existing dwelling is 165 square metres and that the floorspace of the proposed house will be 300 square metres (excluding the integral garage which comprises 75sq.m). Consequently the proposed house will have approximately double the floorspace of the existing dwellinghouse (excluding the integral garage). In addition it has also been emphasized that the height of the house (roof projection excluded) corresponds with the height (9 metres) of the existing bungalow.
- 2.7 In support of the proposal a Design Statement and a scaled model of the proposed house has been lodged.

3 Background

3.1 Relevant Government Guidance/Advice

- 3.1.1 The increasing importance of design quality has been promoted through a series of policies published by the Scottish Government which establishes that the delivery of high quality development is now identified as a key priority of the planning system. Subsequently design is recognised as a key material consideration in the assessment and determination of planning applications. The Scottish Governments policies in relation to design are subsequently reflected in the adopted Local Plan policies.

3.2 Local Plan Status

- 3.2.1 Within the adopted South Lanarkshire Local Plan the site is affected by Policies RES6 'Residential Land Use,' DM1 'Development Management,' DM9 'Demolition and Redevelopment for Residential Use,' ENV11 'Design Quality' and ENV31 'New Housing Development.'
- 3.2.2 The Local Plan identifies that the application site is situated within a designated residential area and Policy RES6 identifies that within such areas, 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 DM1 establishes that all planning applications will require 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. Policy DM9 requires all new development to comply with specified criteria including the requirement that proposals should enhance the special character of an area. In addition, the criteria establishes that the development should be designed sympathetically, not be out of keeping or result in increased overlooking or overshadowing of adjacent properties.
- 3.2.3 Policy ENV11 establishes that the quality of design of new developments must be such that they can demonstrate the application of the principles of sustainable development and make a positive contribution to the character and appearance of the urban environment in which they are located. Policy ENV31 details criteria which proposals require to be assessed against such as layout, scale, massing and appearance in relation to the existing context. In addition, the criteria identified in ENV31 requires residential developments to be of a high quality design which is

sympathetic to local traditions, ensures appropriate measures are taken to enhance the setting of existing features and addresses sustainability issues.

3.2.4 The Council's approved Residential Development Guide also establishes criteria that new housing developments should achieve in terms of plot ratios, garden sizes, overlooking and parking requirements.

3.3 **Planning History**

3.3.1 There is no recent planning history relative to the site. Near-by however the following consents have been issued:

HM/08/0442 - 'Demolition of a single storey dwellinghouse and erection of two and half storey dwellinghouse with basement (amendment to HM/07/0337)' at 15 Clydebrae Drive. Approved October 2008.

HM/09/0199 - 'Demolition of dwellinghouse and erection of replacement dwelling with integral double garage and raised decking at rear' at 6 Clydebrae Drive. Approved March 2010.

HM/10/0185 - 'Demolition of dwellinghouse and erection of replacement dwellinghouse and raised decking to the rear' at 14 Clydebrae Drive. Approved June 2010.

HM/10/0172 - Planning permission in principle for the 'erection of dwelling' adjacent to 14 Clydebrae Drive. Approved October 2010.

It should be noted that all of the replacement dwellings visually reflect and accord with the established building form/character of the locality in that they were of 'traditional' design and appearance.

4 **Consultation(s)**

4.1 **Roads and Transportation Services (Hamilton Area)** - Have offered no objection to the proposal, subject to the imposition of conditions relating to parking provision, the provision of a dropped kerb access and the surface of the proposed driveway. **Response:** Noted. It is advised that these requirements can be addressed in a satisfactory manner through the use of planning conditions, where appropriate.

4.2 **Scottish Water** - Have offered no objection to the proposal. **Response:** Noted.

5 **Representation(s)**

5.1 Statutory neighbour notification was undertaken in respect of the proposal, following which two letters of objection were received. Furthermore following the submission of amended drawings and additional supporting information from the agent both objectors were advised of the supplementary information and afforded the opportunity to review same. Subsequently, a further letter of representation was received from one of the parties in relation to the application. The grounds of objection are summarised below:-

(a) The Blairston area of Bothwell is a well established 1960's housing estate accommodating traditional styled houses.

Response: Noted. This itself however does not preclude development that is acceptable in terms of all material planning considerations. Indeed as highlighted at

paragraph 3.3.1.above consent has been issued for the demolition and rebuild of houses at a number of locations in the locality.

(b) The application site is situated within the designated Conservation Area.

Response: Contrary to the objectors claim the application site is not located within a designated Conservation Area.

(c) The proposed 'cruise-ship' design concept does not harmonise with the design features of the existing dwellinghouses.

Response: It is accepted that the proposed house will not be of 'traditional' design or construction and therefore it will be different in terms of the established character of the locality. A detailed assessment however of this aspect is undertaken below in section 6 of this report.

(d) The proposal comprises a 'ultra modern eyesore' situated on a prominent corner site in an area of traditional design.

Response: It is accepted that the application site commands a prominent corner location and that the area generally comprises dwellings of traditional design. However, there have been a number of recent planning approvals and subsequent construction of new build dwellings in Clydebrae Drive which comprises a mix of house types.

The introduction of a contemporary designed house does not necessarily mean that it will be an 'eye sore' as claimed. It would be unique and in terms of the context of the locality it may be somewhat incongruous and at odds with the established street or roofscape in that the proposal may not respect its immediate setting and wider surroundings. Again such aspects will receive due consideration in section 6 of this report below.

(e) The proposed development requires a complete re-design.

Response: The proposed house is of an innovative design and would challenge the established character of the locality. Nevertheless the planning process must be responsive to modern design considerations and on this basis there can be no 'blanket ban' on contemporary designed houses. Such house designs however must accord with and respect site considerations, the character and amenity of the established built environment and once more such aspects will be considered in section 6 of this report.

(f) The proposed materials do not accord with the existing dwellings.

Response: It is agreed that the profile metal which would be used as a roofing material is not generally used in the construction of residential properties and does not appear to have been in used in Clydebrae Drive or the surrounding area. However, it is acknowledged that the other proposed materials are generally utilised in Clydebrae Drive and the surrounding area.

(g) The existing building on the site is single storey and the proposed replacement comprises three storeys in height and therefore the proposed dwelling will look out of keeping with the existing properties.

Response: The existing dwelling is a bungalow and the adjacent property at 7 Clydebrae Drive is also a single storey house with dormer accommodation. The proposed replacement dwellinghouse will be four storeys at its highest and the submitted drawings demonstrate that the proposed dwelling will be higher than both the existing dwelling at the site and the neighbouring property at 7 Clydebrae Drive. In addition it would also be higher than the houses on the opposite side of the street

although it must be acknowledged that the recently built house at the end of Clydebrae Drive is higher than the proposal.

(h) The proposal will have an adverse impact in terms of overlooking neighbouring properties.

Response: It is noted that the proposed balconies could result in the direct overlooking of the properties opposite (Nos. 4, 6, the latter currently under construction). The front of these houses however are approximately 20 metres away over a public road and the proposed balconies have limited depth (1 metre) such that they are more of a 'design feature' than a practicable useable area similar to the new build property at the end of the street. Of greater concern however is the proposed external rear terrace situated at second floor level which has significant potential to be used frequently and overlook to a degree the adjacent property and associated garden ground at 7 Clydebrae Drive, especially the side garden including the area above the existing garages.

(i) The proposal will impact on the general look of the built environment and will 'dominate the skyline.'

Response: Given the scale and design of the proposed house it is accepted that it will have an impact on the built environment although I am not convinced that it will dominate the skyline due to the existing trees along the rear boundary of the site.

(j) The drawings are misleading in relation to the proposed increase in height between the existing dwellinghouse and the proposed dwellinghouse.

Response: This concern was raised with the agent and additional drawings were lodged indicating the proposed house in relation to the existing and others within the street. It is considered that the revised drawings accurately reflect the existing and proposed dwellinghouse.

(k) The revised drawings do not resolve the mains issues of concern regarding the proposal.

Response: It is noted that the proposed alterations to the design were only very minor and did not significantly alter the design philosophy of the proposed house.

(l) The proposal will result in the removal of a number of trees at the site, which are affected by a TPO.

Response: Noted. It is accepted that the construction of the proposed dwellinghouse is likely to require the limited removal of some of the existing trees at the site.

5.2 The letters of representation are available for inspection in the usual manner.

6 Assessment and Conclusions

6.1 The application proposes the demolition of the existing dwellinghouse and the erection of a replacement dwellinghouse at 5 Clydebrae Drive, Bothwell. The determining issues in the consideration of this application are its compliance with Government guidance and advice, Local Plan policies for the area and its impact on residential character and amenity.

6.2 In terms of Local Plan policy, the application site is located within an established residential area and therefore it is considered that the principle of the proposal accords with the provisions of Policy RES6 of the adopted Local Plan. In addition, the principle of demolition and redevelopment has been established through the recent planning approvals for nearby properties. However, it should be noted that the design of the replacement dwellinghouses did take reference from, and architecturally reflect, the traditional form of housing and therefore were considered

to be in keeping with the existing character and amenity of the locality. Subsequently, from a land use perspective only the proposal raises no significant issues.

- 6.3 In terms of design considerations, Local Plan policies are intended to ensure that all new development is proportional, acceptable in both scale and mass and in keeping with the local area without curtailing unique or innovative design.
- 6.4 Detailed criteria are provided within Policy DM1 in order to assess the impact of new development on the local environment. In this connection proposals have to comply with a number of aspects including:
- (a) Respect the local context
 - (b) Be of a layout, form and design which makes a positive contribution to the area
 - (c) Have no significant adverse impact on visual amenity etc

In terms of (a) above the proposed house, being of contemporary design, will not easily 'marry in' with the existing local context which is reflected by detached houses all of which are of traditional appearance. The proposed house could be considered as a modern 'art deco' property but I remain to be convinced that given the location of the site, the character of the locality and the relatively high level of amenity afforded by neighbouring residential properties that the site can accommodate the proposal without an adverse impact on the character and amenity of the immediate area. Indeed the proposal would not reflect the established pattern of development within the local context and therefore the proposal is not considered an appropriate design solution for the site.

The site occupies a corner location close to both traditional and new residential properties which whilst modern architecturally, reflect certain characteristics of traditional properties. In contrast the proposed house would appear to be somewhat of an alien feature in the street scene and in this regard I am of the view that it would not provide a positive contribution to the area; indeed even its means of construction (steel frame) is unusual for a house and more likely to be used with larger commercial developments. Again therefore I have serious reservations regarding the form and design of the proposed house given that it will be incongruous with the surrounding houses which are within an established suburban area that enjoys a relatively high level of residential amenity.

Finally in terms of criterion (c) the proposed house will be substantially different to those surrounding the site. In this respect its visual impact will be disproportional and will be further accentuated by its scale and mass. Again I am of the view that its impact, from a visual perspective will be unacceptable.

Given the above it is therefore considered that the proposed development does not comply with the provisions of Policy DM1 of the adopted South Lanarkshire Local Plan.

- 6.5 In addition to policy DM1 all proposals for demolition and redevelopment for residential use have also to comply with the criteria established in Policy DM9 some of which are similar in nature to DM1. In particular the scale and design of the proposal should be sympathetic to the scale, mass and height of the adjacent buildings and the immediate area. As stated previously I have serious reservations and concerns regarding the scale, mass and height of the proposal which in comparison to other properties would be excessive to the extent and degree that the proposed house would over dominate neighboring properties. In reaching this conclusion I acknowledge that the re-developed property at 15 Clydebrae Drive is of

a large scale but this property is situated in a very different context, at the end of the road and has steep retaining features enclosing the site.

- 6.6 The existing bungalow has 165 square metres useable floorspace and it will be replaced by a modern three storey property with a projecting four storey element, to provide 300 square metres of floorspace. Therefore, the proposed dwelling would result in a significant increase in floorspace (approximately 80%) in relation to the existing dwelling. The extent of this increase along with the scale and design of the proposal does not, in my view, take account of the existing dwellinghouse on the site and subsequently the proposal is considered to be out of keeping with the existing dwellinghouse and those which are adjacent to the site, to the detriment of the visual character of the area. In addition the proposal has also significant potential to result in increase overlooking of neighbouring houses and gardens a further consideration that is not advantageous to the proposal. Accumulatively the proposal also challenges the requirements of policy DM 9.
- 6.7 Policy ENV11 and ENV31 are also applicable to the assessment of this application. Together these policies require new development to make a positive contribution to the character and appearance of the urban environment with the latter policy listing a number of considerations which have to be complied with. Indeed these considerations are similar in thrust and spirit to those detailed in paragraphs 6.4 to 6.6 above and as previously highlighted I am of the view that the design of the proposed house is contrary to policies DM1 and DM9. On this basis the proposal does not comply with policies ENV11 and ENV31.
- 6.8 In general terms it must be acknowledged that the proposal accords with the standards required in the Council's Residential Development Guide. This however is only one of a number of material considerations and as stated previously the proposal does not comply with local plan policy from a design perspective as the proposal's overall impact on the residential amenity of the area would not be acceptable.
- 6.9 No adverse comments have been received from the consultees. Three letters of objection have however been received and whilst some of the issues raised can not be supported they do raise concerns regarding the design, scale and massing of the proposal which from a planning point of view merit support.
- 6.10 In conclusion, whilst the principle of the redevelopment at the site is considered acceptable a balanced judgment between this and all other material considerations has to be reached. In this regard I accept that the proposed house may be acceptable elsewhere but by virtue of its physical appearance, scale and subsequent adverse impact of the streetscape and residential character and amenity of the area, the proposal is not considered to be an appropriate design solution for the site. In view of the above it is recommended that the application be refused.

7 Reasons for Decision

- 7.1 The proposed development does not accord with the provisions of Policies RES6, DM1, DM9, ENV11 and ENV31 of the adopted 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 2009
- ▶ Neighbour notification letter, dated 3 November 2010
- ▶ Letter to neighbour, dated 28 February 2011
- ▶ Design Statement
- ▶ Written correspondence from agent, various dates
- ▶ Neighbouring applications HM/08/0442, HM/09/0199, HM/10/0172 and HM/10/0185

- ▶ Consultations

Scottish Water	10/11/2010
Roads and Transportation Services (Hamilton Area)	19/11/2010

- ▶ Representations

Representation from : Janet Barclay, 22 Blairston Avenue, Bothwell, G71 8SA, DATED 24/11/2010

Representation from : Miss Janet Barclay, 22 Blairston Avenue, Bothwell, G71 8SA, DATED 10/03/2011

Representation from : James Crawford, 1 Grange Gardens, Blairston Avenue, Bothwell, G71 8SD, DATED 16/11/2010

Contact for Further Information

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

Gail Neely, Planning Officer, Brandon Gate, Hamilton
Ext 3552 (Tel :01698 453552)
E-mail: Enterprise.hamilton@southlanarkshire.gov.uk

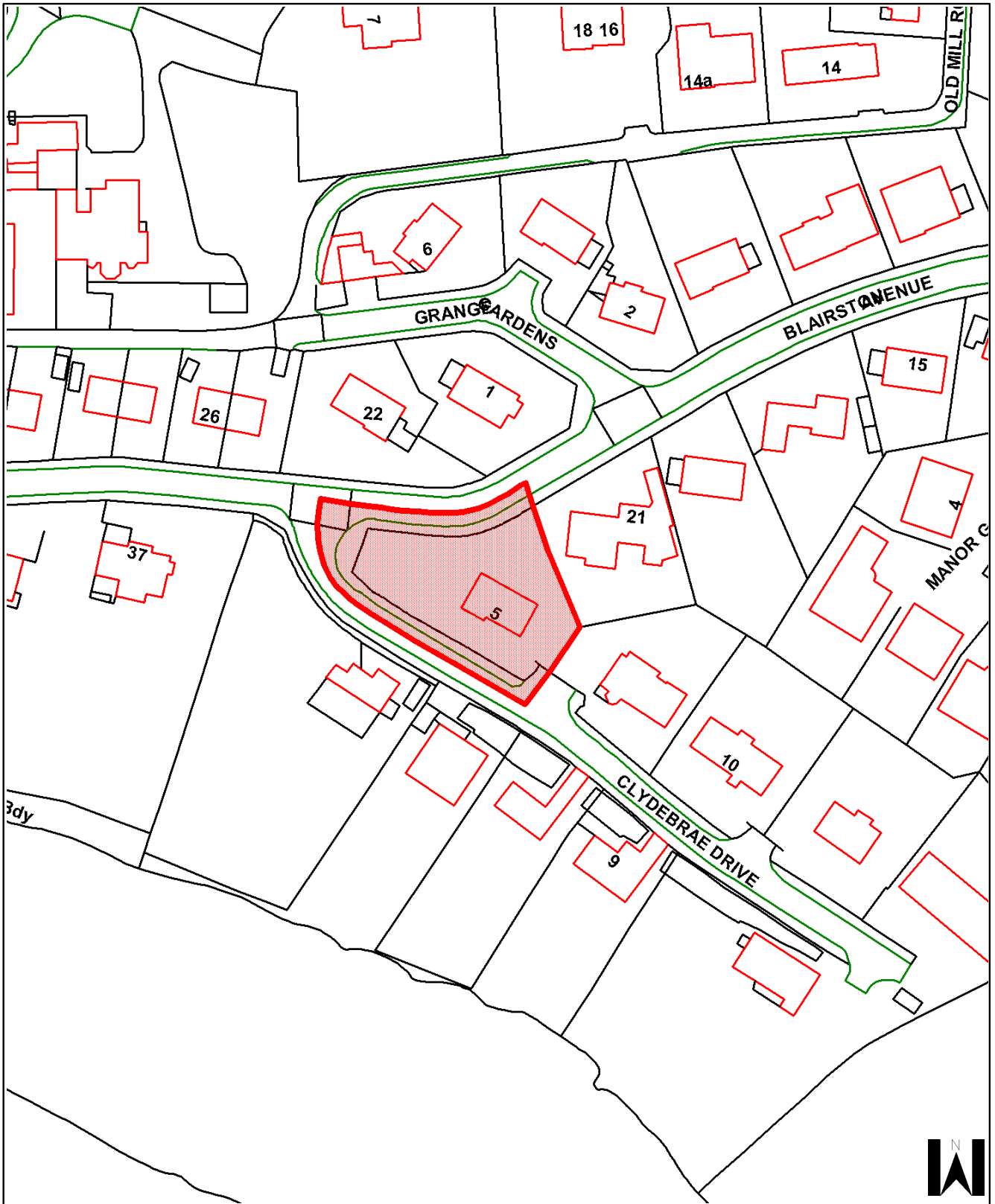
CONDITIONS

REASONS FOR REFUSAL

- 1 This refusal relates to drawing numbers:

Drawing 1
Drawing 2
Drawing 3340/1
Drawing 2011/1
Drawing 2011/2
Drawing 2011/3
Drawing 2011/4
Drawing 2011/5
Drawing 2011/6
Drawing 2011/7

- 2 The proposal is contrary to Policy RES6 of the adopted South Lanarkshire Local Plan in that the proposed contemporary house does not relate satisfactorily to the adjacent properties in terms of scale and massing and the proposal would result in an adverse impact on residential amenity.
- 3 The proposal is contrary to Policy DM1 of the adopted South Lanarkshire Local Plan in that it does not reflect the existing local context, its form and design would result in a negative contribution to the area and it would result in an adverse impact on visual amenity.
- 4 The proposal is contrary to Policy DM9 of the adopted South Lanarkshire Local Plan in that the scale and design of the proposal is not sympathetic to the scale, mass and height of the adjacent buildings and to development in the immediate area. The proposal is out-of-keeping with the visual character and amenity of the locality and therefore the proposal would appear as a discordant element in the streetscene. In addition, the proposal will result in increased overlooking of the adjacent properties and garden ground.
- 5 The proposal is contrary to Policy ENV11 of the adopted South Lanarkshire Local Plan in that the design of the proposed development does not positively contribute to the character and the appearance of the urban environment in which the site is situated.
- 6 The proposal is contrary to Policy ENV31 of the adopted South Lanarkshire Local Plan in that the proposal does not respect the local context of the site in relation to the scale, massing, proportion and would subsequently appear as a discordant and incongruous form in the streetscene. In addition, the design is not considered to be sympathetic to the traditional form and detailing of the existing residential properties within the local area and the proposal would result in an adverse impact on existing properties in terms of overlooking and loss of privacy.
- 7 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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