

Report to: **Planning Committee**  
 Date of Meeting: **29 November 2011**  
 Report by: **Executive Director (Enterprise Resources)**

Application No EK/11/0104  
 Planning Proposal: Erection of One and a half Storey Rear Extension

## 1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Gavin Millar
- Location : 7 School Road  
Sandford  
Strathaven

## 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.
- (2) A request for a hearing has been made by one objector to the application however this request does not satisfy the Council's criteria for holding hearings and the objector has been advised accordingly.

## 3 Other Information

- ◆ Applicant's Agent: David Napier
- ◆ Council Area/Ward: 05 Avondale and Stonehouse
- ◆ Policy Reference(s): **South Lanarkshire Local Plan (adopted 2009)**  
DM 1 - Development Management Policy  
DM 4 - House Extensions and Alterations Policy  
RES 6 - Residential Land Use Policy

- ◆ Representation(s):

- ▶ 21 Objection Letters
- ▶ 0 Support Letters
- ▶ 0 Comments Letters

◆ Consultation(s):

None

## Planning Application Report

### 1 Application Site

- 1.1 The application site relates to a one and a half storey, mid-terraced dwellinghouse at 7 School Road in the village of Sandford. The site lies within an established residential area. The property is bounded by dwellings to the east and west and by open ground to the north. A public road lies to the south of the application site.

### 2 Proposal(s)

- 2.1 The applicant proposes to erect a one and a half storey north east facing rear extension comprising a garden room and store on the ground floor and a bedroom with en suite on the upper floor. The proposed extension will create an additional 47 square metres of floorspace over one and half storeys. The existing upper floor bathroom will be altered to form an access corridor into the proposed bedroom. The number of bedrooms within the dwellinghouse remains at five.
- 2.2 From ground level, the extension will be 7.3 metres in height and will extend some 3.75 metres from the rear elevation, leaving a depth of garden of 14 metres. The extension will be 7.4 metres in width set in from the neighbouring boundaries by 1 metre and 1.5 metres respectively and will tie in with the existing roof of the rear elevation. The proposed extension is to be finished in render with slate tiles to match those of the existing dwelling.

### 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 (as defined by Policy RES6). Policy RES6 states that the Council will resist any development which will be detrimental to the amenity of those areas. Policies DM1 – Development Management and DM4 – House Extensions and Alterations are also applicable.

### 4 Consultation(s)

- 4.1 No consultations were required as part of this application.

### 5 Representation(s)

- 5.1 Statutory neighbour notification was undertaken and the proposed development was advertised as a result of Non-notification of neighbours. Twenty one letters of objection have been received, the points of which are summarised below:
- a) **The “gable end” of the proposed extension is on the boundary between the 2 properties – the external patio area of no.5 would be permanently in shadow with no direct sunlight at all and there would be no direct sunlight entering the kitchen through the existing sliding doors. The main upstairs bedroom will lose all direct sunlight and the proposed new roof will block out light to the existing velux resulting in permanent shadowing. The rear living space will also be in permanent shadow.**  
**Response:** The side wall of the extension between number 5 and number 7 has been brought back from the boundary by 1 metre. It is considered that due to the north eastern aspect of the rear gardens, there will be no significant

increase in the amount of shadowing to the rear garden of the application site or any dwellinghouse in the immediate vicinity.

- b) **Number 5 will be “hemmed in” caused by the construction of the large blank gable end wall directly on the boundary of the 2 properties. This wall is 4.5m wide with a combined wall and roof height of approx 7.2m. This feeling is exacerbated by the roof design which has a full length ridge with verges and no hips.**  
**Response:** The proposal has been amended by pulling the wall back from the boundary by 1 metre and reducing the extensions depth to 3.75 metres. This is considered to be an acceptable amendment to the proposal.
- c) **The design of the extension includes a velux roof window [on number 5 side] which would provide an intrusive and uninterrupted view of both our kitchen and external patio area.**  
**Response:** This roof window is to provide light to the ensuite bathroom and its inclusion within the design is considered to be acceptable. A condition requiring the window to be finished with either opaque glass or privacy film has been added to the consent, therefore protecting the privacy of the adjoining neighbours.
- d) **I consider that an extension of this magnitude is wholly inappropriate for a mid terraced property.**  
**Response:** The original proposal has since been amended to one that is considered acceptable in terms of size and scale.
- e) **The building of a porch in front of the house would totally spoil the appearance and symmetry of the terrace of cottages.**  
**Response:** Noted. During negotiations between the applicant and the Planning Service, the originally proposed front porch has been removed from the final amendment of the proposal to protect the frontage of the terrace.
- f) **The windows in the upper storey would look directly into the garden of number 9 and this would be an invasion of our privacy.**  
**Response:** During negotiations, the upper floor window on the side of number 9 has been removed from the final amended plans in order to protect the privacy of the neighbouring dwelling.
- g) **There are no extensions to the back of the properties in our section of school road and the recently erected ones in the second section have completely altered the original architectural concept of simplicity and harmony.**  
**Response:** Each planning application is determined on its own merits in terms of compliance with the Council’s adopted Local Plan and other material considerations.
- h) **Considerable damage including deposits of oil, sand and tree breakage and grass churn has occurred on the sites of previous extensions – there is concern that this will occur again.**  
**Response:** Whilst it is acknowledged that this is of concern to the objector it is not a material consideration in the determination of this application.
- i) **Because there was only one objection to all the other extensions on the second terrace in School Road, the resulting complacency has led to an architectural and aesthetic mess with the only common elements being slate roofs and rendered walls.**

**Response:** As mentioned in point g) above, each planning application is dealt with on its own merits.

- j) **The proposal fails Policy DM1 of the Local Development Plan on the following grounds:**
- **Respect the local context**
  - **Be of a layout, form and design which makes a positive contribution to the area**
  - **Have no significant adverse impact on visual amenity**

**Response:** The initial proposal has been amended to bring it in line with the criteria as set out in the Council's adopted Local Plan, and the revised design is considered to be acceptable in planning terms.

- k) **The proposal does not satisfy the criteria of Policy DM4 as the area has a distinct character resulting from the quality of the buildings and their layout and the addition of the rear extension will dilute this character and dominate the existing building and the neighbouring dwellinghouses. The first revision changes are also minimal.**

**Response:** As stated previously, the extension has been further redesigned in order to minimise its impact on the amenity of the area and to ensure compliance with the adopted Local Plan in terms of width, height, scale and loss of light and privacy, and is now considered to be acceptable.

- l) **The proposal fails to achieve the minimum 1.0 metre separation from neighbouring boundaries.**

**Response:** The final amended plan now shows distance to the neighbouring boundaries at 1.5 metres and 1.0 metres respectively.

- m) **The removal of Permitted Development rights from the original development was designed to safeguard the character and identity of the original development and should not become a "rubber stamping" exercise that results in all subsequent planning applications being approved.**

**Response:** Every planning application submitted to the Council as planning authority is fully considered on its own merits. Even with Permitted Development rights in place, this proposal would still have required planning consent under Class 1 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 that required it to be assessed under the Development Management criteria of the adopted Local Plan.

- n) **No attempt has been made to justify the proposals by way of a planning or design statement.**

**Response:** Householder development of this scale does not require the submission of a planning or design statement.

- o) **Extensions should be set back from property boundaries by a minimum of 1 metre; the proposal is only set back 800mm from the boundary [of no.5].**

**Response:** The final amended plan shows the distance to the neighbouring boundaries at 1.5 metres and 1.0 metres respectively and this is considered to be an acceptable distance.

- p) **The proposal would be elevated sufficiently and have a view that would enable the householder to see most of the garden of no.11 and therefore impact on my privacy.**

**Response:** The upper window on the side elevation facing this direction has been removed from the final amended plans, thereby reducing any loss of privacy to the occupiers of number 11.

- 5.2 These letters have been copied and are available for inspection in the usual manner and on the Planning Portal.
- 5.3 In addition to the above, one of the adjoining neighbours requested to be heard at Committee. However this request was considered but did not satisfy the Council's criteria for hearings. The proposal does not relate to a major development which is significantly contrary to the approved development plan nor does it meet the required discretionary criteria for a hearing to take place.

## **6 Assessment and Conclusions**

- 6.1 The determining issues that require to be addressed in respect of this application are compliance with local plan policy and the impact on the surrounding residential environment.
- 6.2 In terms of local plan policy, the application site is located within a residential area designated by Policy RES6 of the South Lanarkshire Local Plan. In this respect, it is considered that the principle of extending a residential unit is acceptable.
- 6.3 There has been much negotiation between the applicant, agent and the Planning Service to arrive at a design which is acceptable in planning terms and meets the Local Plan requirements. The final revised plans are a significant improvement in terms of size, mass and the impact on neighbouring privacy and amenity.
- 6.4 In terms of the detail of the proposal, Policy DM1 and DM4 of the South Lanarkshire Local Plan both state that all planning applications should take fully into account the local context and built form. The scale, design and external finishes of the proposed development are acceptable and compare well with both the existing dwelling and other properties in the vicinity. Following statutory neighbour notification, twenty one letters of objection have been received. The grounds of objection have been considered in detail in Section 5 of the report and it is considered that the issues raised do not merit the refusal of the application.
- 6.5 Given the above, it is recommended that planning permission be granted subject to the attached conditions.

## **7 Reasons for Decision**

- 7.1 The proposal has no adverse impact on either residential or visual amenity and complies with Policies DM1, DM4 and RES6 of the adopted South Lanarkshire Local Plan and the guidance notes contained therein.

**Colin McDowall**  
**Executive Director (Enterprise Resources)**

**21 November 2011**

## **Previous References**

- ◆ None

## List of Background Papers

- ▶ Application Form
- ▶ Application Plans
  
- ▶ Representations
  - Representation from : Monica Lennon Associates on behalf of Mr S Young, 1 Rosebank, Clyde Valley, Carluke, ML8 5QB, DATED 27/04/2011
  
  - Representation from : G McLean, 15 School Road, Sandford, Strathaven, ML10 6BF, Submitted by E-Mail, DATED 26/04/2011
  
  - Representation from : Scott Young BSc (Hons) MRICS, Submitted by E-Mail DATED 12/04/2011
  
  - Representation from : MLA Planning & Development Solutions, 1 Rosebank, Clyde Valley, Carluke, ML8 5QB, DATED 27/04/2011
  
  - Representation from : Susan Lachlan, 12 School Road, Sandford, ML10 6BT, Submitted by E-Mail, DATED 20/04/2011
  
  - Representation from : J Newnham, Submitted by E-Mail, DATED 20/04/2011
  
  - Representation from : Alan G Shearer, Submitted by E-Mail, DATED 14/04/2011
  
  - Representation from : Mr Gregor Yeoman, 11 School Road, Sandford, ML10 6BF, DATED 15/04/2011
  
  - Representation from : Scott Young, Submitted by E-Mail, DATED 02/06/2011
  
  - Representation from : Susan Lachlan, , DATED 12/07/2011
  
  - Representation from : Mr Alan Shearer, Submitted by E-mail, DATED 07/10/2011
  
  - Representation from : Mr Scott Young Bsc (Hons) MRICS, 5 School Road, Sandford, ML10 6BF, DATED 27/09/2011
  
  - Representation from : J & J Newnham, Submitted by E-Mail, DATED 02/10/2011
  
  - Representation from : Gary James McLean, 15 School Road, Sandford, ML10 6BF, Submitted by E-Mail, DATED 30/05/2011
  
  - Representation from : Alan Shearer, Submitted by E-Mail, DATED 30/05/2011
  
  - Representation from : MLA Planning & Development Solutions, 1 Rosebank, Clyde Valley, Carluke, ML8 5QB, DATED 07/07/2011
  
  - Representation from : Gregor Yeoman, 11 School Road, Sandford, ML10 6BF, DATED 21/10/2011
  
  - Representation from : Scott Young, Submitted by E-Mail, DATED 01/06/2011
  
  - Representation from : Susan Lachlan, Submitted by E-Mail, DATED 01/06/2011

Representation from : Monica Lennon Associates on behalf of Mr S Young, 1  
Rosebank, Clyde Valley, Carlisle, ML8 5QB, DATED  
07/07/2011

Representation from : Gary McLean, 15 School Road, Sandford, Strathaven,  
ML10 6BF, Submitted by E-Mail, DATED 03/09/2011

**Contact for Further Information**

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

Chris McTeir, Planning Officer, Civic Centre  
Ext 6294, (Tel :01355 806294 )  
E-mail: [planning@southlanarkshire.gov.uk](mailto:planning@southlanarkshire.gov.uk)



## Detailed Planning Application

PAPER APART – APPLICATION NUMBER : EK/11/0104

### **CONDITIONS**

- 1 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.
- 2 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.
- 3 This decision relates to drawing numbers: MILLER/2011/01D, MILLER/2011/02, MILLER/2011/03, MILLER/2011/04, MILLER/2011/05, MILLER/2011/06, MILLER/2011/07, MILLER/2011/08D, MILLER/2011/09C, MILLER/2011/11C, MILLER/2011/12D, MILLER/2011/13D, PLAN14
- 4 That the windows annotated in blue on the approved plans, shall be fitted with obscure glass or privacy film and shall be maintained as such to the satisfaction of the Council as Planning Authority.

### **REASONS**

- 1 In the interests of amenity and in order to retain effective planning control.
- 2 To ensure satisfactory integration of the proposed extension with the existing building both in terms of design and materials.
- 3 For the avoidance of doubt and to specify the drawings upon which the decision was made.
- 4 To prevent overlooking and to safeguard the privacy of adjacent properties.

EK/11/0104

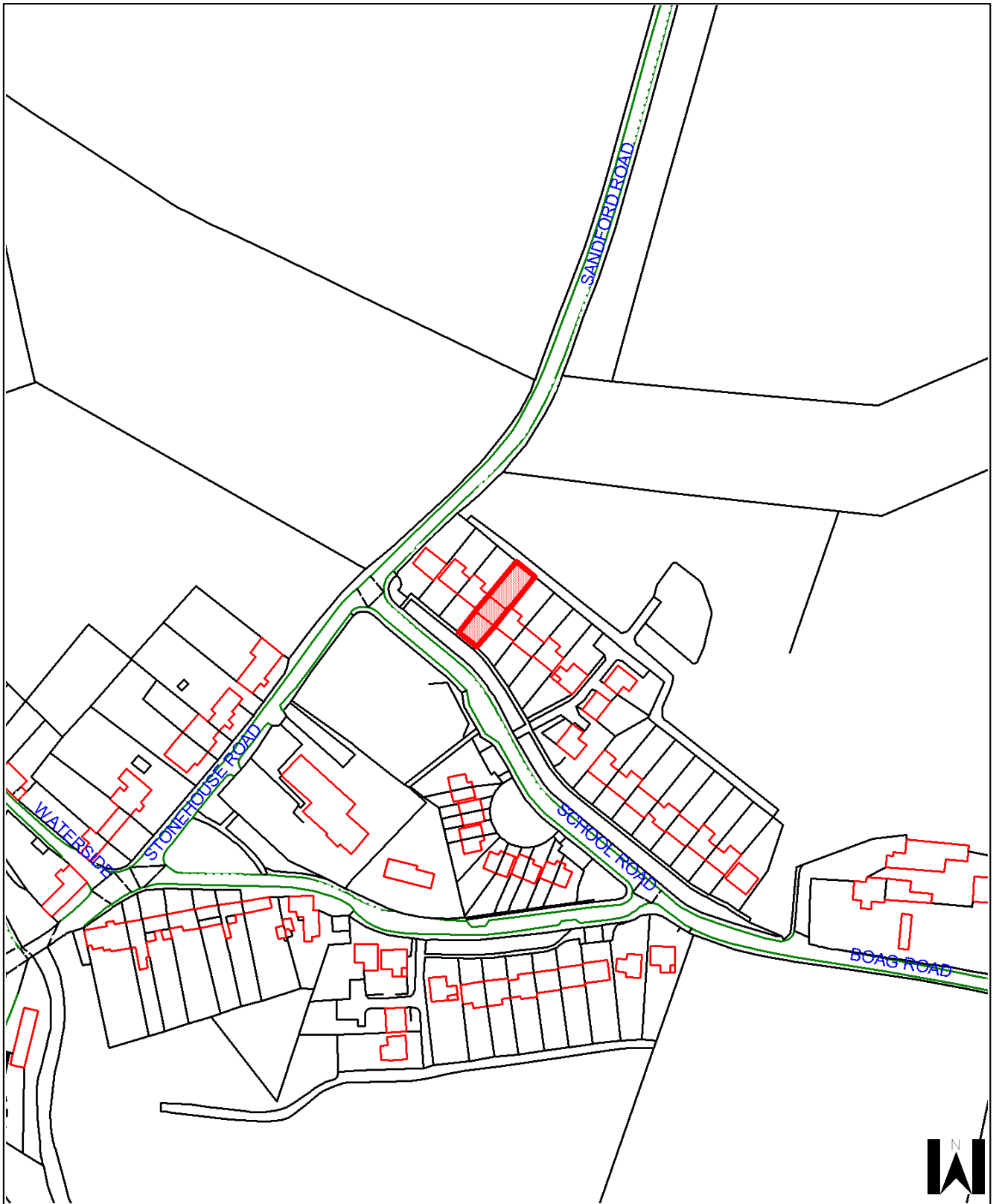
7 School Road, Sandford

Planning and Building Standards Services

Scale: 1: 2500

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