

# Appendix 2(a)

## Report of Handling

Report dated 1 September 2010 by the Council's Authorised Officer under the Scheme of Delegation



# Delegated Report

Report to: **Delegated Decision**  
Date of Report: **1<sup>st</sup> September 2010**  
Report by: **Area Manager (Planning & Building Standards)**

Application No CR/10/0164  
Planning Proposal: Erection of single storey side extension

## 1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Karen McKenzie
- Location : 93 Landemer Drive  
Rutherglen

## 2 Decision

2.1 Refuse Detailed Planning Permission (For Reasons Stated)

## 2.2 Other Actions/Notes

None

## 3 Other Information

- ◆ Applicant's Agent: P Robertson
- ◆ Council Area/Ward: 12 Rutherglen Central and North
- ◆ Policy Reference(s): South Lanarkshire Local Plan (Volume 1)(Policy RES 6 – Residential Land Use)  
South Lanarkshire Development Policies (Volume 2) (Policies DM 1 – Development Management & DM 4 – House Extensions & Alterations)

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

◆ Consultation(s):

None required

## Planning Application Delegated Report

### 1 Material Considerations

- 1.1 The applicant seeks approval for the erection of a single storey extension at the side of an existing end terrace dwelling. The extension will accommodate a new lounge and a dining area. The determining issues in the consideration of this application are its compliance with the adopted South Lanarkshire Local Plan and its impact on the amenity of the adjacent properties.
- 1.2 Policy RES 6 – Residential Land Use Policy of the South Lanarkshire Local Plan states that the Council will resist any development that will be detrimental to the amenity of those areas.
- 1.3 Policy DM 1 – Development Management Policy states that all planning applications will require to take into account 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.
- 1.4 Policy DM 4 – House Extensions and Alterations policy provides criteria with respect to house extensions and alterations. Proposals should respect 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 dwellings and should not adversely affect neighbouring properties in terms of privacy, daylight or sunlight.

### 2 Consultation(s)

- 2.1 No statutory consultations were required for this proposal.

### 3 Representation(s)

- 3.1 Statutory neighbour notification was undertaken in respect of the proposal following which one letter of objection was received from an adjacent resident. The grounds of objection are summarised as follows;

**(a) The proposal will prejudice my quality of life and enjoyment of my property.**

**Response:** In certain instances, amenity may be affected. This matter will be fully considered in the assessment and conclusion section of the report.

**(b) I object on the basis of overlooking of 71 Landemer Drive.**

**Response:** As the proposal has no window openings on the east elevation, the effect on privacy should not be an issue.

**(c) The amount of light entering the living room window of 71 Landemer Drive is only slightly restricted at present, however the construction of the extension will make this problem a serious one. The gable end of the extension will be less than 6 metres from my front window and will extend significantly on either side.**

**Response:** The existing roof of the applicant's property at its highest point measures approximately 6.8 metres in height above ground level. The side gable of the extension will be located approximately 5.3 metres from the front of the objector's property and as the height of the proposed roof at its highest point will be 4.8 metres in height, I have concerns that there will be a significant negative effect on the amount of daylight and sunlight to the properties at no.'s 69 and 71 Landemer Drive.

#### **4 Assessment and Conclusions**

4.1 The determining issues in consideration of this application are its compliance with the adopted South Lanarkshire Local Plan and in particular, its impact on the amenity of the adjacent residential properties.

4.2 The applicant seeks approval for a single storey side extension. The proposed extension would be 3.35 metres in width and 8.9 metres in length and would extend past the rear elevation of the dwellinghouse by approximately 2.3 metres. In terms of the local plan the site is within a residentially allocated area and is designated under Policy RES6 – Residential Land Use. Development that is detrimental to the amenity of these areas is therefore to be resisted. Furthermore Policy DM1 – Development Management of the adopted local plan requires all planning applications to take account of the local context and built form and states that it should be compatible with adjacent buildings and surrounding streetscape in terms of scale, massing design, external materials and impact on amenity. When assessing planning applications, the Council will require proposals to comply with certain criteria. In assessment the proposed development is not considered to meet the following criteria:

**a. respect the local context;**

**Response:** The proposal would significantly alter the established building line of the neighbouring houses along this side of Landemer Drive. Due to the prominence and scale of the development the local context would not be respected.

**b. be of a layout, form and design which makes a positive contribution to the area.**

**Response:** The proposal would extend approximately 3.35m from the existing building line. Considering the open plan nature of the proposed site of the extension this would be visually prominent within the streetscene. It would therefore

create an overly prominent feature which would dominate and make a negative contribution to the area.

- d. **have no significant adverse effect on visual amenity, landscape character, habitats or species, including those given statutory protection or wider environmental amenity.**

**Response:** The proposed size and scale of the extension would have an adverse effect on visual amenity, especially to those neighbouring properties immediately to the east of the development.

- 4.3 As criteria a, b and d have not been met the proposed development is considered to be contrary to Policy DM1 of the adopted local plan.

- 4.4 Additional policy guidance is provided in Policy DM4 – House Extensions and Alterations in which to assess extensions of this type and again these will only be permitted where certain criteria can be met. In assessment the proposed development is not considered to meet the following criteria.

- a. **the siting, form, scale, design and materials respect the character of the existing dwelling house and the wider area. Within this context, high quality, innovative design will be encouraged where it complements the character of the buildings and its surroundings;**

**Response:** The character of the existing dwellinghouse is largely uniform with the rest of the properties in Landemer Drive. The development of the proposed extension would not respect the layout and form of the houses within the estate as it would clearly break the established building line and would be located within an area that is open plan in nature.

- b. **it does not dominate or overwhelm the existing dwelling, neighbouring properties or streetscene in terms of size, scale or height;**

**Response:** As mentioned above the size and location of the proposal would be a very prominent feature within the streetscene and the uniformity of the adjoining properties will be lost. In addition given its proximity to no.'s 69 and 71 Landemer Drive it is also likely to be visually over dominant.

- c. **it does not significantly adversely affect neighbouring properties in terms of overlooking or loss of privacy, daylight or sunlight.**

**Response:** The proposed extension would be located approximately 5.3 metres from the front elevation of no.'s 69 and 71 Landemer Drive and to the west. It is therefore considered that the proposal is likely to affect existing levels of sunlight/daylight to these properties particularly in the afternoon.

4.5 As criteria a, b and c have not been met the proposal is therefore contrary to Policy DM4 of the adopted local plan.

4.6 The proposed development would have an adverse impact on the residential amenity of the area as the size and scale of the proposed extension would be visually dominant and detrimental to the streetscene in Landemer Drive. Furthermore it is likely to be detrimental to no's 69 and 71 Landemer Drive through loss of sunlight/daylight as well as have an over dominant impact visually on these properties. On this basis the proposal is also contrary to Policy RES6 – Residential Land Use of the adopted local plan. Planning permission is therefore refused.

## 5 Reason for Decision

5.1 The proposal is contrary to Policies RES6, DM1 and DM4 of the adopted South Lanarkshire Local Plan 2009 as it would be detrimental to the residential amenity of the locality and in particular the amenity of no.'s 69 and 71 Landemer Drive through loss of sunlight/daylight and visual impact.

**Signed:** .....  
(Council's authorised officer)

**Date:** .....

## Previous References

- ◆ None

## List of Background Papers

- ▶ Application Form
- ▶ Application Plans
- ▶ Consultations
- ▶ Representations  
Representation from : Mr D Millar, 71 Landemer Drive  
Rutherglen  
G73 2TA , DATED 26/07/2010



**Contact for Further Information**

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

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## Detailed Planning Application

PAPER APART – APPLICATION NUMBER : CR/10/0164

### REASONS FOR REFUSAL

- 1 The proposal is contrary to Policy RES6 – Residential Land Use of the adopted South Lanarkshire Local Plan in that the proposal would have a detrimental effect on residential amenity.
- 2 The proposal is contrary to Policy DM 1 – Development Management of the adopted South Lanarkshire Local Plan in that the proposal is not compatible with adjacent properties by virtue of its scale, orientation and impact on amenity. In particular the proposal would be contrary to the following criteria as the proposal:
  - a) does not respect the local context.
  - b) is not of a layout or form which makes a positive contribution to the area.
  - d) will have a significant impact on visual amenity.
- 3 The proposal is contrary to Policy DM 4 – House Extensions and Alterations of the adopted South Lanarkshire Local Plan in that the proposal is not compatible with adjacent properties by virtue of its scale, orientation and impact on amenity. In particular the proposal would be contrary to the following criteria as the proposal:
  - a) would not respect the character of the wider area by virtue of its siting, form and scale.
  - b) would dominate the neighbouring properties and streetscape in terms of its size and scale.
  - c) is likely to significantly affect the sunlight/daylight to no.'s 69 and 71 Landemer Drive