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| Report to:       | <b>Planning Committee</b>                        |
| Date of Meeting: | <b>23 August 2011</b>                            |
| Report by:       | <b>Executive Director (Enterprise Resources)</b> |

|                    |                                       |
|--------------------|---------------------------------------|
| Application No     | CL/11/0161                            |
| Planning Proposal: | Erection Of Two Storey Side Extension |

## 1 Summary Application Information

- Application Type : Detailed Planning Application
- Applicant : Mrs Mandy Simpson
- Location : 4 Fleming Gardens  
Blackwood  
Kirkmuirhill  
ML11 9RY

## 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 conditions attached)

### 2.2 Other Actions/Notes

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

## 3 Other Information

- ◆ Applicant's Agent: None
- ◆ Council Area/Ward: 04 Clydesdale South
- ◆ Policy Reference(s): **South Lanarkshire Local Plan (adopted 2009)**  
RES 6 - Residential Land Use Policy  
DM 1 - Development Management Policy  
DM 4 - House Extensions and Alterations Policy

### ◆ Representation(s):

- ▶ 9 Objection Letters
- ▶ 0 Support Letters
- ▶ 0 Comments Letters

### ◆ Consultation(s):

## Roads and Transportation Services (Clydesdale Area)

# Planning Application Report

## 1 Application Site

- 1.1 The application site at 4 Fleming Gardens is situated in an established residential area in Blackwood between the rear of properties on Carlisle Road and the M74. The development pattern in this part of Blackwood is characterised by detached single storey dwellings in a variety of scales, designs and height. The existing property is an anomaly in the streetscene in that it has a gambrel roof design which is similar to a mansard roof but has vertical gable ends instead of being hipped at the four corners. Accommodation is formed in the steeply sloping roofspace on both front and rear elevations. The property has a single storey extension to the rear and a detached garage within the rear garden. There is currently a 4.5m distance between the gable of the property at its narrowest point and the boundary to 2 Fleming Gardens. Car parking is currently to the side of the house.

## 2 Proposal(s)

- 2.1 Detailed planning permission is sought for the erection of a two storey side extension at the property. The ground floor is intended for an extended family member and provides a living room with a kitchen area, bathroom and bedroom. However access to this area would be through the main house off the main entrance hallway. It does not have provision for independent parking or a separate garden area. The first floor would provide an additional bedroom.
- 2.2 The proposed extension follows the design of the existing house by incorporating the gambrel roof design. The distance between the new gable and the adjacent boundary would be reduced to 1m for the most part but this reduces to 850mm at its closest point. The drawings show the formation of 3 parking spaces at the front of the property. The existing garage would be re-located along the rear garden boundary although this does not require planning permission due to its distance from the house and overall dimensions.

## 3 Background

### 3.1 Local Plan Status

The adopted South Lanarkshire Local Plan shows the site is situated within the residential area covered by Policy RES 6: Residential Land Use. Policy DM 1: Development Management and Policy DM 4: House Extensions and Alterations are also relevant.

### 3.2 Relevant Government Advice/Policy

None relevant

### 3.3 Planning History

The property was recently extended along the rear of the house through planning approval obtained in April 2007 (CL/07/0219). This extension was single storey with a mono-pitch roof and provided an extended kitchen area and a family room.

## 4 Consultation(s)

- 4.1 **Roads and Transportation Services** – Following the submission of amended plans showing that three parking spaces of an acceptable size can be provided within the curtilage of the site, they offer no objections.  
**Response:** Noted. Relevant conditions would be attached to any consent granted to ensure the parking spaces are provided.

## 5 Representation(s)

- 5.1 Following the carrying out of statutory neighbour notification of the application and advertisement of the proposals in the local press due to there being no buildings on a piece of land opposite the site, 8 letters of representation were received including three from the same household at 2 Fleming Gardens. Following the receipt of amended plans neighbour notification was again served on those originally served with a notice together with those who made representations on the original submission but were not required to be notified. As a result one further letter of objection was received from the residents of 2 Fleming Gardens. The contents of the representations are summarised as follows, together with responses:

- (a) **The extension proposed does not meet South Lanarkshire Local Plan policy criteria and guidance in terms of its design, scale and location, will create a terrace effect, will result in a significant loss of daylight and sunlight to the neighbouring property at 2 Fleming Gardens and by virtue of its proximity, scale and physical/visual presence will dominate the adjacent property all to the detriment of the area.**

**Response:** The proposal involves a two storey side extension to the existing house. The amended plans indicate it would be 3.6m wide which represents a 47% increase in the overall width of the house. The proposal, together with the extension approved in 2007 represents an increase in footprint of 80% of the original house. This is considered acceptable at this plot as the required parking provision can be achieved, a usable rear garden area of 200 sq.m would be retained and a garden to building ratio of 70:30 would be maintained.

The design of the extension mirrors the style of the existing house and is acceptable in terms of its scale. Due to its orientation and distance from neighbouring buildings it would not significantly reduce daylight or sunlight, particularly to its immediate neighbour at 2 Fleming Gardens. A detailed assessment shows that the additional shadow from the extension would mainly fall on the driveway of the adjoining house with only late evening and low winter sunlight falling onto the front lawn. This is not considered detrimental to the enjoyment of the residents of that property.

The original submission showed the proposed extension located only 400mm from the boundary with 2 Fleming Gardens and had a side bedroom window at first floor level. Following discussions with the applicant the plans were altered which removed the side bedroom window and reduced the width of the extension to 3.65m. This removes the potential overlooking issue and increased the distance to the boundary to 1.05m at the front and 0.85m at the rear of the extension. While this falls short of the recommended guidance of 1m in Policy DM 4 the shortfall over a small section of the boundary is considered to be acceptable. The distances proposed should allow the development to be constructed and maintained from within the applicant's property while the location, orientation and relationship with the neighbouring property means the extension would not create a terrace effect, be over dominant or cause a significant loss of amenity to the neighbouring properties or streetscape.

- (b) **The parking provision shown for the proposed development is inadequate for a property of this size and will generate unacceptable on street parking to the detriment of vehicle movement and road safety. The parking spaces shown on the plans are substandard and do not meet the standards of the Roads and Transportation Service. There are inadequate turning facilities and visibility is hindered by an existing hedge. The proposal will result in parking in the cul-de-sac which will reduce manoeuvrability for other residents, impede emergency vehicles and be a danger to those using a footpath link to Carlisle Road.**

**Response:** The original plans submitted by the applicant were inaccurate and showed three spaces inadequate in their dimensions to meet the standards of the Roads and Transportation Service. The applicant subsequently submitted amended plans which show that space is available within the property to provide 3 car parking spaces to satisfy these standards. The dimensions shown on the amended plans provided by the applicant are consistent with the sizes measured on site and therefore are considered to be an accurate representation of the parking area. Following review of the amended plans the Roads and Transportation Service have no objections to the proposed development.

- (c) **The house is a unique design, known locally as the dutch house. It is the only house in this estate and indeed the village that is this design. It is a two storey house with a gambrel (also known as a Dutch gambrel) roof which is a distinct feature. We would be concerned that this unique style was lost and would ask that all efforts are made to ensure this is retained.**

**Response:** The design of the proposed extension is such that the roof design is to be replicated and therefore the property will retain its unique character within this streetscene.

- (d) **The size and scale of the proposed extension will result in a dwelling house out of character with the existing building pattern in the area in terms of garden ground and distances to boundaries**

**Response:** The existing dwelling house on this site is at odds with the surrounding area due to the design of its roof. An extension to the property as proposed will not significantly increase its impact on the streetscape but rather will reflect its character. The resulting dwelling will have more than adequate rear garden ground in line with the Council's Residential Design Guide and would have adequate separation to the neighboring property with the majority of the extension being a minimum of 1m from the existing fence line on site.

- (e) **The proposed extension is a granny annex specifically designed to accommodate an elderly relative with ill health/mobility issues. This will require to meet the criteria in Policy DM 7 of the South Lanarkshire Local Plan in addition to specific feature for someone with mobility issues like access ramps and enhanced parking.**

**Response:** The proposed extension and alterations are not considered to comprise a granny annex as this part of the house would be accessed through the main entrance hall and front door. Therefore the criteria contained within this policy are not relevant to the assessment of this application. The extension is seen as ancillary accommodation for the use of the applicants existing or extended family. The layout internally is not relevant to the assessment of this application as the layout can be changed and altered without further planning consent providing residential use is maintained and a new unit is not created.

- (f) **The representations submitted following the re-notification of neighbours reiterate earlier points of objection. It is also claimed that the revised boundary line has been contrived to meet the dimensional needs of the proposals and lack credibility and substance.**

**Response:** This matter relates to the objectors concerns that the minimum distance to the boundary of 1m cannot be achieved. This threshold is set out in Policy DM4 and is intended largely to prevent the creation of a terraced effect and avoid an overbearing impact on adjoining properties. In this case, the 1m distance is not met along the entire boundary. However the objectors property is sited such that a terraced effect can never be achieved while the distance between it and the extended property is such that amenity is not adversely affected.

- 5.2 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 proposal involves the erection of a two storey extension within an established residential area. The determining issues that require to be addressed in respect of this application are compliance with the adopted local plan and its impact on the visual and residential amenity of the area.
- 6.2 In terms of the adopted South Lanarkshire Local Plan the application site is identified as being within a residential area and is covered by Policy RES 6 which states that, within these areas, the Council will oppose the loss of houses to other uses and will resist any development that will be detrimental to their amenity. Policy DM 1 outlines the overarching criteria for development and states 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 DM 4 is more specific in its design criteria relating to residential extensions and alterations. The policy includes detailed design guidance on two storey extensions namely a requirement to carry through the line of the eaves of the existing house; not result in the formation of a continuous terrace; a minimum 1m distance from side boundaries; setting the ridge height below the existing ridge; and setting back the extension 1m from the front elevation.
- 6.3 The initial plans showed the proposed extension 4.3m in width resulting in the extension being only 400mm from the boundary with 2 Fleming Gardens. It included a side window at first floor level and did not meet some of the design guidance relating to two storey extensions in the adopted local plan. The extension was considered to be too close to the boundary due to the scale of proposed extension and in addition would not allow adequate access to construct and/or maintain the proposed extension. In addition the Roads and Transportation Service had advised that parking provision was inadequate. Representations had been received which questioned the accuracy of the plans in relation to boundaries. Discussions were held with the applicant who advised that they considered that reducing the ridge and stepping the extension back would detract from the unique appearance of their property.
- 6.4 Revised plans were then provided showing multiple changes to the original submission namely:
- ▶ a revised parking layout,
  - ▶ removal of the side window in the first floor bedroom,

- ▶ reduction in the width of the extension to 3.65m,
- ▶ an altered internal layout,
- ▶ removal of a rear access door,
- ▶ the replacement of the ground floor bedroom window with patio doors, and
- ▶ the removal of a rear brick garden wall.

No changes have however been made to the design style nor the overall height or depth of the extension. The reduction of the width of the extension has resulted in an increase in the distance from the existing dividing fence to 1.05m at the front elevation which narrows down to 0.85m at the rear elevation. Representations received from the owners of 2 Fleming Gardens state that the dimensions to the boundary submitted by the applicants are not accurate. Measurements taken on site by the case officer suggest that the dimensions shown on the submitted plans are correct. In any event however the alleged discrepancy is considered negligible and if built the extension would not result in the creation of a terrace effect due to the position of the adjoining house nor impact on residential amenity.

- 6.5 In assessing the proposed extension the issues of scale, design, loss of daylight/sunlight, overlooking, dominance, effect on streetscene and materials have been considered in detail. Some elements of the proposed extension do not follow the Councils design guidance for two storey extensions, specifically the lowering of the ridge line and setting back the extension 1m from the front elevation of the house. However the design style of the house prevents compliance with these criteria and in any case the proposed extension respects its character without having an adverse impact on the streetscene.
- 6.6 In summary the proposed extension is considered to be appropriate in terms of its design and use of materials and will not have a significant adverse affect on the adjoining properties in terms of loss of privacy, sunlight, daylight or create overlooking. It will not dominate the existing house or the neighbouring property or be detrimental to the amenity of the wider area. Roads and Transportation in their response to the revised plans have no objections to the development as the applicant has demonstrated that 3 car parking spaces of an appropriate standard can be provided. After careful consideration of the plans submitted, observations made on site and in the surrounding area and all representations received in relation to this application it is recommended that planning permission be granted.

## **7 Reasons for Decision**

- 7.1 The proposed extension will not have a detrimental effect on the residential or visual amenity of the area and complies with Policies RES 6, DM 1 and DM 4 of the South Lanarkshire Local Plan.

**Colin McDowall**  
**Executive Director (Enterprise Resources)**  
**3 August 2011**

### **Previous References**

- ◆ CL/07/0219

### **List of Background Papers**

- ▶ Application Form
- ▶ Application Plans

▶ Consultations

Roads and Transportation Services (Clydesdale Area)

02/08/2011

▶ Representations

Representation from : Gordon Allan, 6 Fleming Gardens, Kirkmuirhill, DATED 18/05/2011

Representation from : Mrs Sheila McGuigan, 12 Cherry Tree Drive, Kirkmuirhill, ML11 9TF, , DATED 17/05/2011

Representation from : Margaret Bain, 3 Fleming Gardens, Kirkmuirhill, ML11 9RY, DATED 12/05/2011

Representation from : H & M Smith, 140 Carlisle Road, Blackwood, ML11 9RT, DATED 12/05/2011

Representation from : John Dunn, 142 Carlisle Road, Blackwood, Lanark, ML11 9RT, DATED 13/05/2011

Representation from : Crawford Whiteford & M G Whiteford, 2 Fleming Gardens, Kirkmuirhill, ML11 9RY, DATED 16/05/2011

Representation from : Crawford Whiteford & M G Whiteford, 2 Fleming Gardens, Kirkmuirhill, ML11 9RY, DATED 18/05/2011

Representation from : Crawford Whiteford & M G Whiteford, 2 Fleming Gardens, Kirkmuirhill, ML11 9RY, DATED 23/05/2011

Representation from : Crawford Whiteford & M G Whiteford, 2 Fleming Gardens, Kirkmuirhill, ML11 9RY, DATED 01/08/2011

**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: CL/11/0161

### **CONDITIONS**

- 1 This decision relates to drawing numbers: SK/01, SK/02, SK/03, RS/01, RS/02 REV A, RS/03 REV A, RS/04 REV A and RS/05
- 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 That before the extension hereby approved is completed or brought into use, 3no. parking spaces shall be laid out, constructed and thereafter maintained to the satisfaction of the Council as Roads and Planning Authority.

### **REASONS**

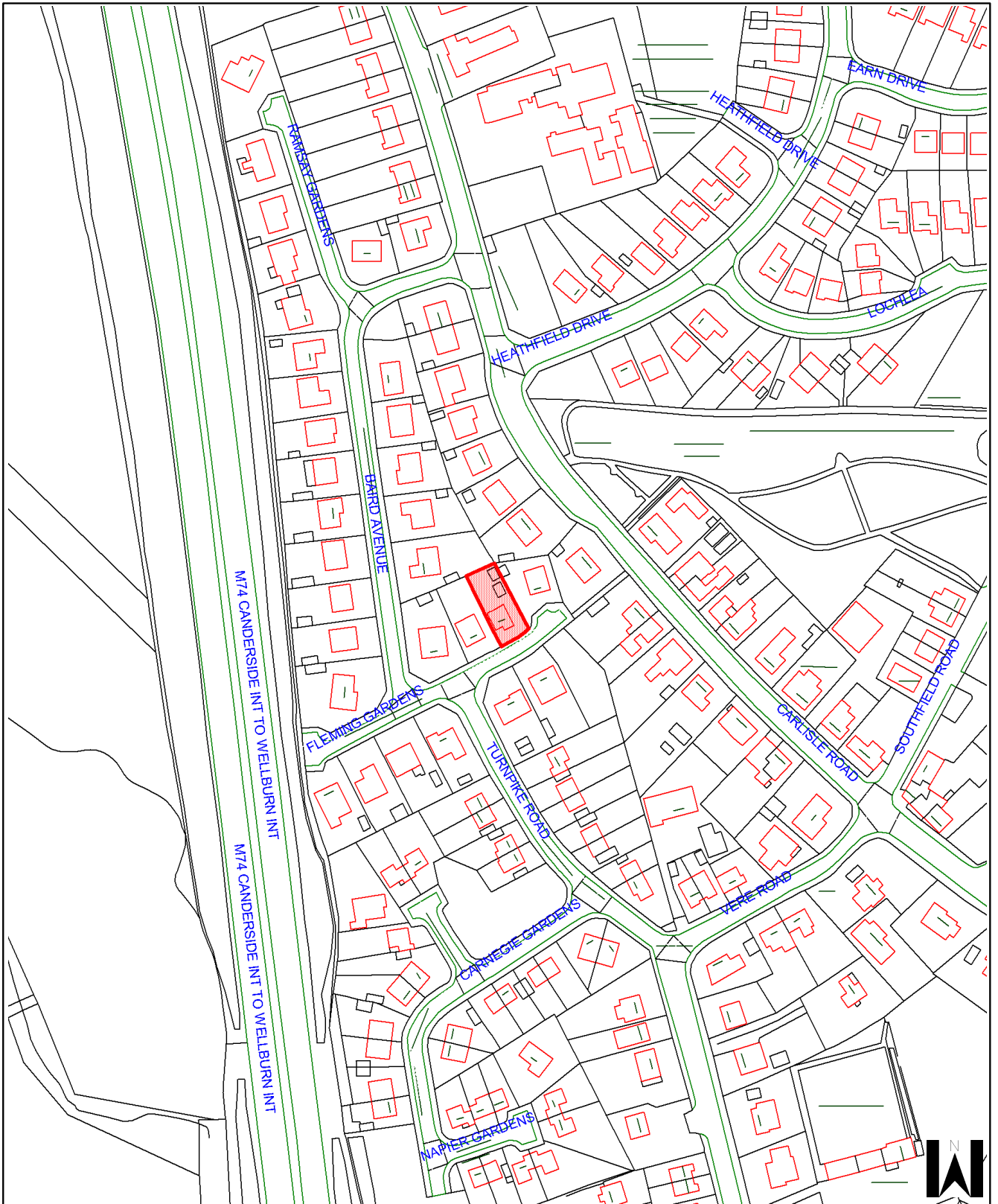
- 1 For the avoidance of doubt and to specify the drawings upon which the decision was made.
- 2 To ensure satisfactory integration of the proposed extension with the existing building both in terms of design and materials.
- 3 To ensure the provision of adequate parking facilities within the site.

CL/11/0161

4 Fleming Gardens, Blackwood ML11 9RY

Planning and Building Standards Services

Scale: 1: 2500



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