

Report

Report to:	Planning Committee
Date of Meeting:	26 January 2021
Report by:	Executive Director (Community and Enterprise Resources)

Application no.	P/20/0382
Planning proposal:	Erection of two storey rear extension and upper floor side/front extension

1. Summary application information

Application type:	Householder
Applicant:	Gillian Williamson And Ross Paterson
Location:	38 Castle Wynd Bothwell G71 8TQ

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.
- (2) A request for a pre-determination hearing has been made by an objector. The request does not accord with the Council's guidance on hearings and has been declined.

3. Other information

- ◆ Applicant's Agent: David Napier
 - ◆ Council Area/Ward: 16 Bothwell And Uddingston
 - ◆ Policy Reference(s): **South Lanarkshire Local Development Plan (adopted 2015)**
Policy 4 - Development Management and Placemaking
Policy 6 - General Urban Area/Settlements
- Supplementary Guidance 3: Development Management, Placemaking and Design**
Policy DM2 - House Extensions and Alterations

**Proposed South Lanarkshire Development Plan
2 (2018)**

Policy 3 - General Urban Areas
Policy 5 - Development Management and
Placemaking

Policy DM2 - House Extensions and Alterations

◆ **Representation(s):**

▶	9	Objection Letters
▶	0	Support Letters
▶	0	Comment Letters

Planning Application Report

1 Application Site

- 1.1 The application site is located at 38 Castle Wynd, within an established residential area of Bothwell. The site accommodates a detached house.
- 1.2 The curtilage associated with the dwellinghouse is rectangular in shape and is bounded by a road to the front, trees lining The Glebe to the rear and neighbouring properties to either side. Castle Wynd is made up of alternating two storey houses and bungalows and, as such, the properties on either side of the application site are detached bungalows which have both been extended. The application site is not within a Conservation Area and the site currently has off-street parking for two cars on a driveway to the front of the property.

2 Proposal(s)

- 2.1 The applicant seeks detailed planning consent for the erection of a two storey rear extension and upper storey side and front extension. To the front and side, the upper storey extension will extend above the existing garage and porch, which projects forward of the main two storey section of the house. To the rear, the proposed extension will protrude 4 metres at ground floor level and 3m on the upper floor. The proposed ground floor will accommodate a large dining/kitchen/living area which will be the full width of the house. The rear of the garage will also be internally altered to provide a W/C, store and utility room and, as such, the external garage door will be bricked up to create a window. The upper floor will be almost completely redesigned to create four bedrooms (two will be en-suite) and a bathroom. The roof of the rear extension will be hipped and the proposed materials red brick and grey concrete tiles. A Juliette balcony, is also proposed to the front, at the upper level of the extension. Additionally, an extra off-street car parking space will be created to accommodate the increase in bedrooms (3 parking spaces in total).
- 2.2 The proposed drawings also indicate a new upper floor bathroom window in the existing part of the house and timber decking to the rear of the extension (which is 0.45m in height) to provide a step from the finished floor level of the bi-folding door to the garden. It should be noted that, these works do not, on their own, require the benefit of planning consent, as they are permitted development and could be undertaken at any time under the provisions of the 2011 General Permitted Development (Scotland) Amendment Order.

3. Background

3.1 Local Plan Status

- 3.1.1 With regard to the South Lanarkshire Local Development Plan (adopted 2015), the site falls within the general urban area where Policy 6 – General urban area / settlements applies. Policy 4 – Development Management and Placemaking is also of relevance to the proposal. In addition, the guidance contained within the supplementary guidance document relating to development management, placemaking and design is of relevance to the proposed development.
- 3.1.2 On 17 August 2020, the Directorate for Planning and Environmental Appeals issued its report of the Examination of the proposed South Lanarkshire Local Development Plan 2 (SLLDP2) and a number of modifications to the plan were recommended. At the Planning Committee on 1 December 2020, members agreed to the approval of all of the modifications, the publication and public deposit of the Plan, as modified; and the submission of the Plan to Scottish Ministers. For the purposes of determining planning applications, the Council will, therefore, assess these against the policies

contained within the adopted South Lanarkshire Local Plan and those within the proposed South Lanarkshire Local Development Plan 2. In this instance, Policy 3 - General urban areas and settlements, Policy 5 - Development management and placemaking and Policy DM2 – House extensions and alterations are relevant to the proposal. As SLLDP2 is now approved for adoption, when considering planning applications, greater weight should be given to the policies and guidance contained in this Plan.

3.2 **Relevant Government Advice/Policy**

3.2.1 Given the nature and scale of the proposed extension, there is no specific government guidance relative to the determination of this application.

3.3 **Planning Background**

3.3.1 There is no site history pertaining to the application site. However, 50 Castle Wynd was granted consent for a very similar proposal, with an almost identical footprint, under application P/19/0408 which has now been built. The proposal was for an upper storey side and front extension above the existing porch and garage and a single storey rear extension. To the front and side, the design is almost the same, including a Juliet balcony to the front. The car parking arrangement to the front of the house shows three spaces and the houses on either side are also bungalows. The only significant difference between P/19/0408 and the current application is that it has a single storey extension to the rear rather than two storeys.

3.3.2 This application was initially reported to the Planning Committee on 1 December 2020, where it was deferred, due to it being realised that the shadow analysis which had been undertaken to assist with the assessment of the application, had been mistakenly undertaken in relation to the wrong property. This was resolved through the undertaking of a shadow analysis for the correct property (38 Castle Wynd).

4. **Consultation(s)**

4.1 No consultations were required to be undertaken in respect of this application.

5. **Representation(s)**

5.1 Statutory neighbour notification procedures were undertaken in respect of the proposal. In response, 9 letters of objection were received from 5 properties within the street. The grounds of objection are summarised as follows: -

a) **Scale, design and appearance of the extension does not take account or integrate into the local context and built form and the proposed development will have a significantly adverse impact on the adjacent buildings and streetscape. The extension will dominate and overwhelm not only the existing dwelling but also the neighbouring properties, both of which are single storey bungalows, and the street scene.**

Response: The immediate area consists of detached two storey and bungalow properties with the wider surrounding area being a mixture of residential properties. It is not a conservation area or other recognised environmentally sensitive location and, on this basis, every house has the potential to extend providing that all detailed planning considerations are satisfactory. Indeed, a number of properties in Bothwell and throughout South Lanarkshire have already been extended similarly to the applicant's proposal.

The proposed front extension will have a pitched roof, which will be subservient to the existing dwellinghouse, in that it will sit approximately 0.7 metres lower than the ridge of the main house. To the rear, the roof will also be approximately 0.2 metres lower than the ridge of the main roof and will be finished in a hip, to further reduce the mass

of the upper level extension. The only section of the extension which will be full height is the upper floor side extension above the existing garage. In addition, the two storey rear extension (including the longer 4 metre ground floor section) will not project as far out as either the existing bungalow extension at 40 Castle Wynd or the recently consented extension at 36 Castle Wynd (P/20/0860). It is, therefore, considered that the proposal will not be excessively overbearing in relation to neighbouring properties. The impact of the proposal on the character or visual amenity of the house and surrounding area will be within acceptable limits.

- b) **The proposals are a significant overdevelopment of the site and are of a scale and proportion that does not respect the character of the existing dwelling. The proposals represent a doubling of the floor area of the existing house, creating a mass and scale completely out of character with adjacent properties. Whilst other properties in Castle Wynd have had approved consents for extensions, no previous application has been approved for two storey rear extensions or such a significant increase in scale or massing.**

Response: It is accepted that the extension represents a relatively significant increase in floorspace. However, the only increase to the footprint of the building is by the rear extension. In this regard, it is considered that there would be sufficient garden ground remaining for the extension to be accommodated within the plot. There is also satisfactory space at the front to provide three off-street parking spaces.

No previous applications have been approved for two storey rear extensions, as none, have been submitted. If there had been other applications submitted for a two storey extension, these would have been assessed on their own merits, as is the case, for the current application.

- c) **The proposals fail to take into consideration, nor comply with, the requirement of *Supplementary Guidance 3 – Development Management, Placemaking and Design*, section 4.7 that two storey extensions should “be set back 1.0m from the front elevation” as the proposal is for the extension at first floor level to be brought forward above the existing garage.**

Response: The section of Policy DM2 which the objector refers to, is guidance, rather than mandatory. It seeks to encourage good design, but is not necessarily appropriate, for every two storey side extension. In general, the aim of the guidance is to prevent a ‘terrace’ effect when there are two storey houses with side extensions all next to each other. However, this is unlikely to occur in Castle Wynd as there are alternating two storey houses and bungalows. In this instance, the proposal is also for an upper storey extension opposed to a full new two storey side extension and, as such, the footprint of the ground floor is existing and, therefore, cannot be set back. The Planning Service could have asked for the upper storey to be set back with a dropped ridge, however, it was not considered that there was any need to alter the proposal or that doing so would significantly benefit neighbouring properties in terms of impact. Additionally, there are a number of examples of two storey side extensions within the street which do not have dropped ridges and three other houses which have also built forward over the existing garage.

- d) **The proposed two storey extension to the rear, at 4m deep, will result in a significant loss of daylight and sunlight to the neighbouring houses and gardens.**

Response: The originally submitted drawings have been amended and the rear extension will only project 4 metres at ground level and has been reduced to project 3 metres at upper floor level. At ground floor level, it is not considered that 4 metres will have any negative impact on either of the neighbouring bungalows as both project further to the rear than the applicant’s house. Number 40 also already has an

extension which will project further than the proposed extension and number 36 has recently had consent approved for an extension which will also project further than the proposal.

The upper floor section of the extension has been reduced to 3 metres and the roof has been changed from a gable to a hip to help reduce any impact on the neighbouring properties. All forms of development will generate a shadow of some description and, therefore, it is the extent and duration of shadow that is important. Although the gardens all face south east, a large amount of sunlight is blocked by existing mature trees along The Glebe. However, shadow analysis was prepared which demonstrated that the impact of the extension on neighbouring properties is minimal. Due to the orientation of the houses, the loss of sunlight and daylight will only be nominally greater than what is currently created by the existing two storey house. At the present time, it is calculated that shadow is cast from the existing house primarily over parts of the side/front garden at 36 Castle Wynd and over parts of the front/rear garden of 40 Castle Wynd. The main impact from the proposals will be that the shadow cast over neighbouring properties will be increased slightly. It is considered that, any impact on neighbouring properties will not be to a significant or material degree in terms of overshadowing/loss of daylight that would justify refusal of this application.

- e) **The proposals include for the construction of a raised deck to the rear of the property. The formation of this raised deck, at finished floor level approximately 450mm above garden level will cause a significant adverse impact on the privacy of neighbouring properties by creating overlooking of the neighbouring gardens.**

Response: It is a requirement of the building regulations that any door opens onto a platform with a minimum depth of 1.2 metres where there is a change in levels. The decking is proposed at the minimum depth to allow the applicant to safely access the garden from the bi-folding doors. The decking is also less than 0.5 metres in height and, as such, is permitted development.

- f) **The proposal involves the loss of the existing garage by reducing this to a store room and an increase of off street parking provision from one space to three. This increase in hard standing, will dominate the street scene to the front of the house, resulting in loss of amenity to the residential setting and will reduce the amount of usable garden ground. There is also a concern that the additional off street parking will increase surface water within the site which may have adverse impact on both the street and on the gardens to 36 and 40 Castle Wynd and could interfere with visibility splays.**

Response: The existing single garage does not count as a car parking space in planning terms as most home owners use their garage for storage rather than a car. As such, there is not considered to be any loss of car parking from internally converting the rear of the garage.

Off-street car parking is determined by the number of habitable rooms a house has and it is considered that, the extended house will require three off-street spaces. The property already has two off-street parking spaces on the driveway and an additional space is required. This will mean that the front garden will need to be altered to provide an additional parking space. The property only has a small area of grass to the front at the moment and it is not considered that, the loss of this will have a detrimental impact on the streetscape. In terms of visibility, the gardens are all open plan so there is nothing obstructing the visibility splay, other than potentially parked cars, and that would be the same for any house in the street and would be the case whether the drive was for one car or three. Indeed, there are already other properties within the

street that have converted front gardens to provide additional parking as the creation of a monoblock hardstanding in most instances does not require planning permission.

Additionally, all driveway surfacing must be either porous or include a built in drain and a condition will be attached to any consent to ensure that there is no run off on to neighbouring properties or the street.

- g) The increase in off street parking provision will generate additional traffic and be in opposition to the Council's policy which says that all development should encourage active travel and have no adverse implications for public safety.**

Response: It is not anticipated that the increase in off-street parking will increase the general level of traffic within the estate. Additionally, the Council's policy on 'active travel' is generally aimed at large scale housing proposals where the developers are encouraged to support cycling and public transport by providing links within the site. This is not feasible to incorporate into a householder planning application.

- h) The proximity of new windows to neighbouring properties would overlook gardens and create a loss of privacy. The proposed Juliet balcony at the front of the extension will overlook the garden of properties on the opposite side of the road intruding on privacy and would not be in keeping with the rest of the development.**

Response: The majority of the new windows in the extension are at ground floor level and these will be screened from neighbours by the existing boundary fencing. There is only one upper storey side window and, as this is for a bathroom, it is considered non-habitable and not a privacy issue. A condition will be used to ensure that this window is fitted with obscure glazing. The new bedroom windows at upper floor level are located to the front and rear and it is not considered that, they will result in any significant loss of privacy to neighbours. There is no increase in the number of upper rear windows and there is sufficient distance between the Juliet balcony in the front elevation and the gardens of the properties on the opposite side of the street to mitigate any direct overlooking. Indeed, a degree of mutual overlooking is considered to be commonplace within residential estates and, given the distances and juxtaposition of the extension and all neighbouring properties, it is considered that, the proposal will be within acceptable parameters all aspects considered and will not result in a material loss of privacy that would merit refusal of the application.

- i) The revised hipped roof form is not typical of the local character, which is defined by a clear architectural character of gables. The proposal offers no clear reasoning for the choice of this roof form, or why this is appropriate given the character of the existing streetscape.**

Response: The revised hipped roof is over the rear extension and as such will not be readily visible from the street. As such, it is not considered that it will have any detrimental impact on the character of the area. The hipped roof has been chosen over the original gable as it helps to reduce the overall scale and mass of the extension and will allow more light into the gardens of the application site and neighbouring properties.

- j) The submitted proposals do not indicate the scale or extent of the chimney associated with the proposed wood burning stove. This will be a significant element above the finished eaves level/ridge levels and could have an impact on the environment and neighbouring air quality.**

Response: A log burning stove in its own right does not require planning consent, however, if the flue projects more than 1 metre above the roof of the extension, the applicant would need to seek consent for the flue before it is installed. Additionally, the site is not within a smoke control area.

- k) **The submitted proposals fail to clearly indicate any datums, window opening sizes, or eaves or ridge heights to the existing or proposed elevations.**

Response: Drawings submitted for planning applications should be either to scale or dimensioned; there is no requirement for both. As the agent's drawings are drawn to scale and there is an appropriate scale bar on each page to work out the dimension there is no requirement for the sizes of windows opens or heights of the eaves to be dimensioned as they can be worked out using the scale bar.

- l) **The shadow analysis has been carried out on number 42 Castle Wynd rather than number 38.**

Response: This error is noted and has been rectified since the analysis has now been undertaken for the correct property (38 Castle Wynd). Due to the layout of the street and the orientation of the houses, the shadow analysis produced for number 42 is very similar to the analysis produced for number 38. The shadow analysis for number 38 demonstrates that there will be minimal impacts on neighbouring properties from the proposed front and rear extensions. It is not considered that, the overshadowing created by the proposal is unacceptable or of such a significant degree to warrant refusal of the application.

Whilst the initial error is unfortunate, it does not alter the overall assessment of the application.

- 5.2 These letters are available for inspection on the planning portal.

6. Assessment and Conclusions

- 6.1 The applicant seeks detailed planning consent for the erection of a two storey rear extension and upper storey side and front extension at Castle Wynd, Bothwell. The determining issues in consideration of this application are its compliance with local plan policy and, in particular, its impact on the amenity of the adjacent properties. Under the terms of Section 25 of the Town and Country Planning (Scotland) Act 1997, all applications must be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan framework against which the proposal requires to be assessed is the South Lanarkshire Local Development Plan (adopted 2015), its associated supplementary guidance and the Proposed South Lanarkshire Local Development Plan 2 (2018).
- 6.2 With regard to adopted planning policy as set out in the South Lanarkshire Local Development Plan (adopted 2015), Policy 4 – Development management and placemaking requires all proposals to take account of and be integrated with the local context and built form. The policy advises that proposed developments should not have any significant adverse impact on adjacent buildings or the surrounding streetscape in terms of layout, scale, massing, design, materials or amenity. Policy DM2 - House extensions and alterations of the associated supplementary guidance relating to development management, placemaking and design expands on Policy 4 and, in particular, advises that proposals should have no significant amenity impact in terms of overlooking or loss of privacy, daylight or sunlight. In addition, Policy 6 – General urban area/settlements is also of relevance and states that, while the principle of residential developments will be supported within the general urban area, 'bad neighbour' developments will not be permitted if they are detrimental to the amenity of existing residents.
- 6.3 It is considered that, the proposed development from a land use perspective raises no issues. In relation to policies 4 and 6 of the South Lanarkshire Local Development Plan and DM2 of the Development Management, Place Making and Design Supplementary Guidance it is noted that:-

- ◆ It is considered that, the proposed rear, side and front extension will be in keeping with the existing dwellinghouse and that the design has been amended to ensure that the scale and massing of the extension will not have a negative impact on the amenity of neighbouring properties and the local environment. Additionally, the imposition of a planning condition, should consent be granted, would ensure that all materials to be used as external finishes on the development will match the existing house.
- ◆ There are no properties directly to the rear of the site and, as such, the Juliet balcony to the front of the extension is considered to be the most contentious window from an overlooking prospective. However, the position of the window and orientation of the house means that the extension would be more than 20m from the houses across the street which accords with guidelines on window to window distances on new housing development. Additionally, there is a higher degree of overlooking accepted to the front of a property as the street is within the public domain. It is, therefore, considered that the proposal will not result in a material loss of privacy that would merit refusal of the application.
- ◆ Given the position of the existing dwellings and the proposed extension, along with the travel path of the sun, it is considered that there will not be a significant or material impact in terms of overshadowing/loss of sunlight/daylight and this has been confirmed by a shadow analysis that has been carried out.
- ◆ Sufficient garden ground will remain and off-street parking can be provided within the site to accommodate the extension.

6.4 Section 3 of the report explains that the proposed South Lanarkshire Local Development Plan 2 (SLLDP2), as modified (in accordance with the modifications recommended in the Examination report), was approved by the Planning Committee on 1 December 2020. Notice has now been given by the Council of the Intention to Adopt the Plan. The weight attached to SLLDP2 as a material consideration in determining this application is, therefore, significant. The proposed development has been considered against the relevant policies in the Plan described in Section 3 above and it is noted that, these policies are broadly consistent with the current adopted South Lanarkshire Local Development Plan. It is considered that, the proposal accords with Policies 3 and 5 and DM2 in the proposed Plan.

6.5 Nine letters of objection were received and the concerns raised have been summarised in Section 5. It is considered that, the proposals are acceptable and that the concerns raised do not merit refusal of the application.

6.6 In light of the above detailed assessment of the proposal, it has been determined that the proposal complies with Policies 4 and 6 of the South Lanarkshire Local Development Plan (adopted 2015) and with Policy DM2 of the associated supplementary guidance relating to development management, placemaking and design. The proposal is also considered to be compliant with the relevant policies of the Proposed South Lanarkshire Local Development Plan 2, specifically Policies 3, 5 and DM2. Overall, the design, scale, location and proposed external finishing materials are all considered to be acceptable and it is, therefore, recommended that planning permission is granted in this instance.

7. Reasons for Decision

- 7.1 The proposed two storey rear extension and upper storey extension to the front and side of the house will have no significant adverse impact on either residential or visual amenity and complies with Policies 4, 6 and DM2 of the South Lanarkshire Local Development Plan (adopted June 2015) and the associated Supplementary Guidance and Policies 3, 5 and DM2 of the proposed Local Development Plan 2. There are no additional material considerations which would justify refusing planning permission.

Michael McGlynn
Executive Director (Community and Enterprise Resources)

5 January 2021

Previous References

- ◆ Planning Committee – 1 December 2020

List of Background Papers

- ▶ Application form
- ▶ Application plans
- ▶ South Lanarkshire Local Development Plan 2015 (adopted)
- ▶ Proposed South Lanarkshire Development Plan 2
- ▶ Neighbour notification letter dated
- ▶ Shadow analysis (dated 30 November 2020)

- ▶ Representation

Janice Crawford, 40 Castle Wynd, Bothwell, G71 8TQ	Dated: 12.04.2020
James and Barbara Black, 14 Castle Wynd, Bothwell, Glasgow, South Lanarkshire, G71 8TQ	17.04.2020
Stuart and Anna Gordon, 42 Castle Wynd, Bothwell, Glasgow, South Lanarkshire, G71 8TQ	14.04.2020
Ross Aitchison and Victoria Kerr, 36 Castle Wynd, Bothwell, Glasgow, South Lanarkshire, G71 8TQ	02.04.2020
John and Anita Craig, 34 Castle Wynd, Bothwell, Glasgow, South Lanarkshire, G71 8TQ	15.04.2020
Ross Aitchison and Victoria Kerr, 36 Castle Wynd, Bothwell, Glasgow, South Lanarkshire, G71 8TQ	24.09.2020
Janice Crawford, 40 Castle Wynd, Bothwell, G71 8TQ	06.10.2020
John and Anita Craig, 34 Castle Wynd, Bothwell, Glasgow, G71 8TQ	06.10.2020
Stuart and Anna Gordon, 42 Castle Wynd, Bothwell, Glasgow, South Lanarkshire, G71 8TQ	08.10.2020

Contact for further information

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

Mariona Doig, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB

Phone: 01698 453648

Email: mariona.doig@southlanarkshire.gov.uk

Conditions and reasons

01. That the facing materials to be used for the external walls and roof of the two storey rear and upper storey side and front extensions 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.

Reason: To ensure satisfactory integration of the proposed development with the existing building both in terms of design and materials.

02. That before the extensions hereby approved are completed or brought into use, the driveway shall be extended to include one additional parking space (2.9m x 5.8m module) which shall be laid out and constructed within the existing front garden and thereafter maintained to the specification of the Council as Roads and Planning Authority. The existing two parking spaces within the current driveway shall also be retained to ensure that the applicant has three off street car parking spaces in total.

Reason: To ensure the provision of adequate parking facilities within the site.

03. That before the extension hereby approved is brought into use, the existing dropped kerb access to the site shall be extended to a minimum width of 7.5 metres to accommodate three car parking spaces in accordance with the specification and to the satisfaction of the Council as Roads and Planning Authority.

Reason: In the interests of traffic and public safety.

04. That before the extensions hereby approved are completed or brought into use, the surface of the driveway shall be so trapped and finished in hardstanding as to prevent any surface water or deleterious material from running onto neighbouring properties or entering the road.

Reason: In the interests of traffic safety and amenity.

05. That the upper floor side window hereby approved shall be glazed in obscure glass and thereafter shall be maintained as such to the satisfaction of the Council as Planning Authority.

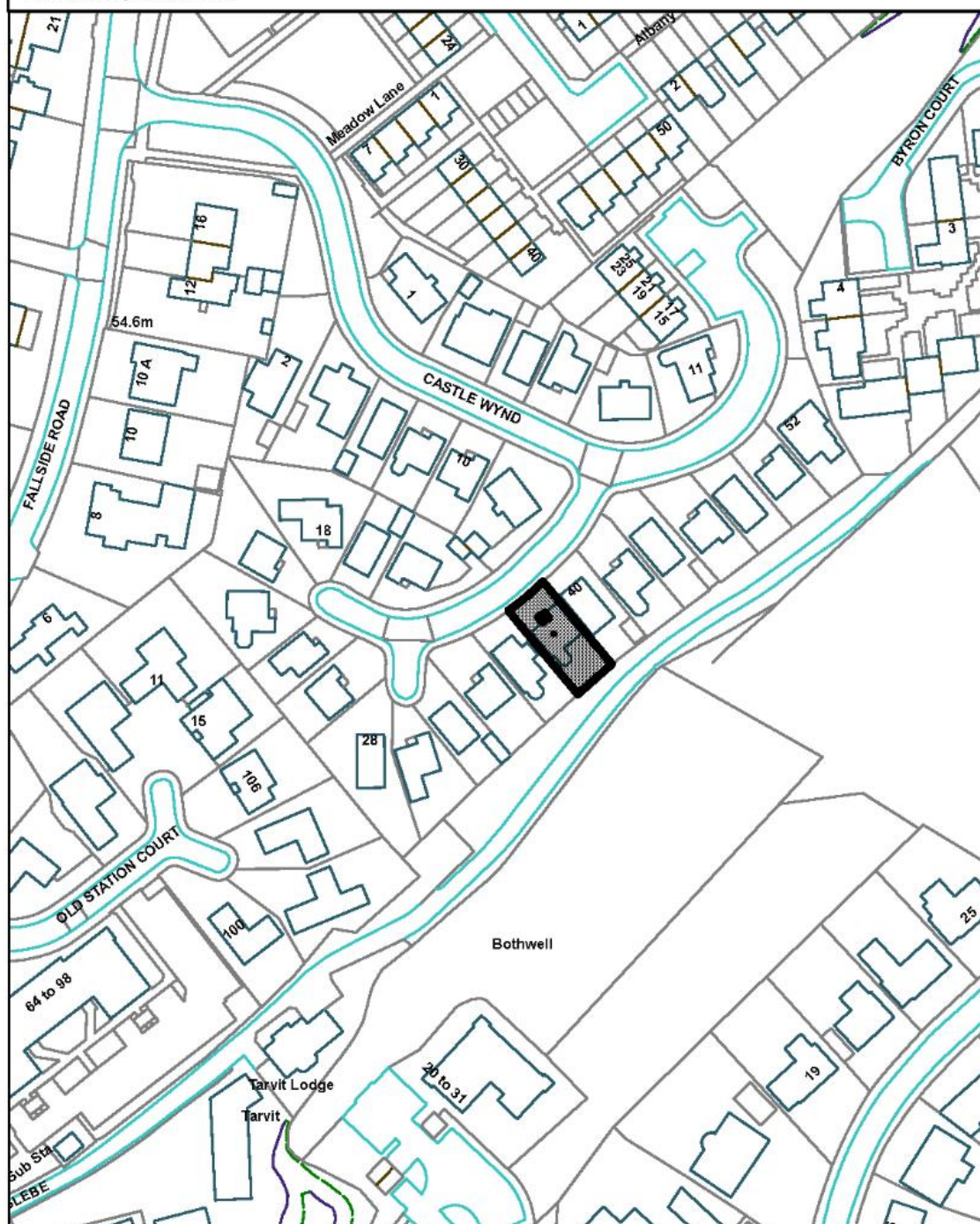
Reason: To safeguard the amenity and privacy of nearby occupants.

06. That no consent is granted for any flue associated with the proposed wood burning stove. Should a flue be required that measures more than 1 metre (measured from the outer surface of any external wall or roof plane from which it projects) the submission of a further planning application will be required.

Reason: In the interest of amenity and in order to retain effective planning control.

P/20/0382

38 Cattle Wynd, Bothwell



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1:1,250
Date:
08/11/2020



South Lanarkshire Council
Community and Enterprise Resources
Planning and Economic Development