

	Delegated Report	Reference no.	P/19/0890
		Date	11 February 2020

Planning proposal: Partial demolition of house, erection of extension including new roof and erection of dwellinghouse.
Location: 2 Holm Avenue
Uddingston
G71 7AL

Application Type : Detailed Planning Application

Applicant : Mr. John Reynolds
Location : 2 Holm Avenue
Uddingston
G71 7AL

Decision: Application refused

Report by: Area Manager (Planning & Building Standards)

Policy reference:

South Lanarkshire Local Development Plan (2015)

Policy 1 – Spatial Strategy
Policy 4 – Development Management and Placemaking
Policy 6 – General Urban Area/Settlements
Policy 17 – Water Environment and Flooding

Development Management and Placemaking Supplementary Guidance

Policy DM2 – House Extensions and Alterations
Policy DM3 – Sub-division of Garden Ground
Policy DM7 – Demolition and Redevelopment for Residential Use
Policy DM13 – Development within General Urban Area/Settlements

Sustainable Development and Climate Change Supplementary Guidance

Policy SDCC4 – Water Supply
Policy SDCC5 – Foul Drainage and Sewerage

Residential Design Guide Supplementary Guidance

Proposed South Lanarkshire Local Development Plan 2 (2018)

Policy 1 – Spatial Strategy
Policy 3 – General Urban Area/Settlement
Policy 5 – Development Management and Placemaking
Policy DM1 – New Development Design
Policy DM2 – House Extensions and Alterations
Policy DM3 – Sub-division of Garden Ground
Policy DM7 – Demolition and Redevelopment for Residential Use

Policy DM15 – Water Supply
Policy DM16 – Foul Drainage and Sewerage

Assessment

Impact on privacy?	Yes
Impact on sunlight/daylight?	No
Impact on amenity?	Yes
Traffic issues?	No
Adheres to development plan policy?	No
Adverse comments from consultees?	No

Consultations

Summary of response

Roads (Development Management Team)	Originally recommended the deferral of a decision due to the lack of turning facilities within the site. Revised drawings have since been lodged to address this aspect.
Environmental Services	Have no objection to the proposal, subject to standard conditions and/or informatives relative to noise control, dust control etc.
Scottish Water	Have no objection to the proposal.

Representation(s):

►	8	Objection letters
►	0	Support letters
►	2	Comment letters

Planning Application Delegated Report

1 Application Summary

- 1.1 The application site relates to 2 Holm Avenue, Uddingston a detached dwellinghouse. The site has a secluded location accessed via a private road off Glasgow Road. Holm Avenue and its immediately neighbouring streets (Prospect Avenue and Rosefield Gardens) are characterised by predominately detached single storey bungalows and one and a half storey bungalows.
- 1.2 The existing property is positioned centrally within a rectangular shaped residential curtilage, with an associated domestic garage and two further outbuildings to the rear of the plot. Mature trees and planting form the majority of the front and side boundaries, with a timber fence at the rear. An existing driveway runs the length of the site (to the south) which also provides a formal right of access through the site to an adjoining property, on Holmwood Avenue, to the rear. A separate pedestrian right of way also exists adjacent to the northern boundary of the site, which serves a further property on Holmwood Avenue.
- 1.3 There are number of elements to the applicant's proposal. Firstly, it is proposed to demolish the front section of the existing dwelling, as it fronts onto Holm Avenue. Thereafter it is intended to erect a rear extension to the remaining structure, re-roof and re-clad the exterior elevations to form a replacement one and a half storey dwellinghouse. This would have the effect of repositioning the existing property further back within the site, fronting onto the existing driveway.
- 1.4 In addition it is proposed to sub-divide the existing curtilage to form an additional house plot to the front of the existing house, as altered. A new two storey dwellinghouse would thereafter be erected on the plot, approximately 12.5 metres from the 'original' property. This property would front onto Holm Avenue but would share the existing driveway serving the property to the rear.
- 1.5 In terms of accommodation the altered house would provide the following:

Ground floor

Family/cinema room, bathroom, utility room, wc, 2 bedrooms and open plan kitchen/lounge/dining room.

Upper floor

2 bedrooms (one with en-suite)

- 1.6 The proposed new dwelling would contain the following accommodation:

Ground floor

Family/cinema room, lounge, utility, shower room and open plan dining/kitchen.

Upper floor

Four bedrooms (two with en-suite) and bathroom.

- 1.7 The determining issues in the consideration of this application are its compliance with the South Lanarkshire Local Development Plan and in particular Policy 1 – Spatial Strategy, Policy 4 – Development Management and Placemaking, Policy 6 – General Urban Area/Settlements, and Policy 17 – Water Environment and Flooding. In addition the policies and guidance within the Council's adopted Local Development Plan Supplementary Guidance (Policies DM1 – Design, DM2 – House Extensions and Alterations, DM3 – Sub-division of Garden Ground, DM7 – Demolition and Redevelopment for Residential Use, DM13 – Development within General Urban Area/Settlements, SDCC4 – Water Supply and SDCC5 – Foul Drainage and Sewerage) are also relevant to the assessment of this application. Furthermore, the Council has prepared supplementary guidance on Residential Design.
- 1.8 On the 29th May 2018 the Planning Committee approved the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) and Supporting Planning Guidance on Renewable Energy. The new plan builds on the policies and proposals contained in the adopted South Lanarkshire Local Development Plan. For the purposes of determining planning applications the proposed South Lanarkshire Local Development Plan 2 is now a material consideration. In this instance Policies 1 – Spatial Strategy, 3 – General Urban Area/ Settlement, 5 – Development Management and Placemaking, DM1 – New Development Design, DM2 – House Extensions and Alterations, DM3 – Sub-division of Garden Ground, DM7 – Demolition and Redevelopment for Residential Use, DM15 – Water Supply and DM16 – Foul Drainage and Sewerage are considered of relevant to the assessment of this application.
- 1.9 The application is assessed against the relevant policies of these documents in Section 3 below.

2 Representation(s)

- 2.1 Statutory neighbour notification was undertaken. Furthermore, the proposal was advertised in the local press in terms of 'non-notification' of neighbours. Following this publicity 10 letters of representation were received. The grounds of objection can be summarised as follows:

a) Contrary to applicable policies and guidance

Response: It is considered that that the proposal is contrary to the policies and guidance contained within both the adopted South Lanarkshire Local Development Plan and the proposed South Lanarkshire Local Development Plan 2. An assessment of the proposal in terms of applicable policies and guidance is detailed within Section 3 of this report.

b) The proposed development would be out of character with the surrounding streetscape in terms of the proposed building line, street frontage and house styles, given the predominance of detached bungalows in the surrounding area.

Response:

Whilst it is possible in certain circumstances to design a development that relates satisfactorily to surrounding properties it is considered that, given proposed layout

and house types, the development would adversely affect the character of the established local streetscape and built form.

The proposed dwelling at the rear of the site would not have a suitable road frontage comparable within the existing streetscape as it would face the shared private driveway. As such, the application would, if approved, create a proposal which has the characteristics and appearance of “backland” development through the siting of new house within the front garden area. Indeed, policy DM3 requires, inter alia, that any proposed house should have a proper road frontage of comparable size and form to surrounding curtilages, an aspect which the remodelled house does not comply with.

In addition, the proposal to site a two storey building, which would also be positioned in a prominent location forward of the established building line, is not in keeping with the general layout pattern of surrounding properties and would therefore be out of character with Holm Avenue and surround street patterns.

c) Proposal represents an overdevelopment of the site

Response: It is considered that, in general terms, the site may be able to accommodate a development which is capable of meeting the standard required for parking provision and garden sizes. However, given the elongated nature of the application site, the proposed layout requires that the ‘remodelled’ house is ‘tucked away’ into the back of the site, with no proper road frontage, giving an appearance of being ‘squeezed in’ and hence overdevelopment of the site.

d) Insufficient parking provision to serve the proposed dwellinghouses.

Response: On the basis of current guidance the parking requirement for the dwellinghouses to be accommodated within the site would be 3 spaces per unit. It is considered that there is scope to achieve this level of provision within the site.

e) The proposed development would cause a loss of privacy in terms of overlooking as well as a loss of daylight and sunlight to adjacent properties.

Response: Given the relationship of the proposed houses with existing neighbouring properties it is considered that there unlikely to be a significant impact in terms of these concerns. However, the relationship of the new dwelling with the remodelled property is not acceptable as there is significant potential for a loss of privacy due to overlooking – the separation distance between the two houses is approximately 13 metres and there is a change of level resulting in the rear house being at a higher level.

f) The proposed development could cause issues in terms of surface water/drainage

Response: Given the sites location with an established urban area it is considered that the site would be capable of being served in terms of these concerns. Furthermore, Scottish Water have offered no objection to the proposal.

g) Concerns over the impact of the development in terms of land tile burdens

Response: These concerns relate to rights of access over the existing private driveway serving 2 Holm Avenue and a private lane which runs parallel to the

application site. The applicant is aware of these restrictions and has advised that these will be maintained. However, potential ownership and access disputes are ultimately a civil matter to be resolved privately between the parties involved and must not therefore unduly influence the determination of this application.

h) Concerns over the introduction of an additional dwellinghouse on the upkeep of the private road

Response: Again, any dispute in this regard is a civil matter to be resolved privately between the parties involved and should not therefore unduly influence the determination of this application.

i) Concerns over restricted access during construction due to worker's parking, deliveries, material storage etc.

Response: Given the sites characteristics and associated access constraints should consent be granted a condition would be imposed requiring the submission of a statement detailing the arrangement for deliveries, material storage and site management. Notwithstanding this, any issue of obstruction of access would ultimately be a Police Scotland/civil matter that would require to be resolved privately between the parties involved outside the planning process.

j) Accuracy of drawings

Response: There were inaccuracies with the initial submission. However, these inaccuracies were subsequently addressed.

2.2 In addition to the above objections, correspondence requesting clarification of the proposal was also received. A site meeting was held with the concerned residents in order to clarify matters.

3 Assessment and Conclusions

3.1 The applicant seeks planning permission for the partial demolition, extension and alteration of an existing dwelling within an established residential area in Uddingston. In addition, the applicant also seek permission to sub-divide the existing curtilage to form an additional house plot and thereafter erect a two storey property to the front of the existing house, as altered.

3.2 The proposal requires to be assessed against the provisions of the South Lanarkshire Local Development Plan (adopted 2015) (SLLDP) and its associated supplementary guidance documents. As noted previously the proposed South Lanarkshire Local Development Plan 2 (SLLDP2) is also a material consideration in the determination of this application. The policies and guidance considered relevant in the consideration of this application are noted within Sections 1.7 and 1.8 above.

3.3 The spatial strategy (Policy 1) of the SLLDP aims to protect and enhance the built and natural environment. This will be achieved by development that accords with and supports the policies and proposals in the development plan and supplementary guidance.

3.4 In this instance it is considered that the proposals are unacceptable as they do not accord with relevant policies in the development plan and associated supplementary guidance.

- 3.5 The application site lies within an established residential area where residential related development e.g. a new house, may be acceptable “provided that they do not have a significant adverse impact on the amenity and character of the area” (Policy 6 – General Urban Area/Settlements applies). Policies 4 – Development Management and Placemaking and DM13 – Development within General Urban Area/Settlements further advise that a proposed development must relate satisfactorily to adjacent and surrounding properties in terms of scale and massing.
- 3.6 The proposed extensions and alterations to the existing dwellinghouse itself raises no issues in terms of Policy DM2 – House Extensions and Alterations. However, as the partial demolition works are being undertaken to enable further residential development within the site Policies DM7 (Demolition and Redevelopment for Residential Use) and DM3 (Sub-division of Garden Ground) are of particular relevance.
- 3.7 Policy DM7 states that “the scale and design of development should be sympathetic to the scale/mass/height and materials of adjacent buildings in the immediate area” and that “it should not breach any existing building line or height of adjacent buildings”. In terms of the sub-division of the garden ground to accommodate a new dwellinghouse Policy DM3 states that the development of a new house or houses will generally be considered favourably where the following criteria can be met:
- The proposed house is of a scale, massing, design and materials sympathetic to the character and pattern of development in the area and does not result in a development that appears cramped, visually obtrusive or be of an appearance which is so out of keeping with the established character that it is harmful to the amenity of the area.
 - The proposed house plot(s) and that remaining to the existing house are comparable with those nearby in terms of size, shape, and amenity, the proposal accords with the established pattern of development in the surrounding area.
 - The proposed house(s) should have a proper road frontage of comparable size and form to surrounding curtilages unless the proposal reflects the development pattern of the area.
 - The proposed vehicular access is of an adequate standard and will not have adverse implications for traffic safety or adversely affect the amenity of adjacent properties by virtue of noise or loss of privacy.
 - The garden space allocated to the proposed house(s) and remaining for the existing house should be sufficient for the recreational, amenity and drying needs of the occupants.
 - The proposed development will not cause an unacceptable reduction in privacy to existing houses and will, itself, enjoy a degree of privacy comparable with surrounding dwellings.
 - The proposed development will not overshadow adjacent properties to a degree which results in a significant loss of amenity or itself be significantly adversely affected by overshadowing.
 - All existing features such as trees, hedges, walls, fences and buildings that contribute to the character of the area should be retained and should not be adversely affected by the development.

- Adequate parking for both the proposed and existing house must be provided within the site and must not be harmful to the established character and amenity of the area.
- The proposal must not jeopardise or be prejudicial to any further desirable development in the vicinity.
- It takes account of any supplementary guidance prepared by the Council, where relevant to the proposal

- 3.8 In assessing the proposal, it is considered that the proposed development fails to take cognisance of applicable policies and guidance in this instance. The introduction of a two-storey property to the front of the site, as proposed, does not respect the character or scale of the surrounding properties which comprise single/one and a half storey bungalows. Accordingly, this element of the proposal would introduce an alien feature, at this location, into the street which would be out of keeping with the immediate streetscape. Whilst a limited number of two storey properties exist within neighbouring streets these are a significant distance from the application site and should therefore not influence the suitability of the scale of the proposed new house at this location. The introduction of the proposed dwelling would have a detrimental impact on the quality and appearance of this secluded private street. In addition, the proposal to site the new dwelling closer to the road frontage is out of character with the established street pattern within the area. As such the development would not accord with appropriate guidance.
- 3.9 The sub-division of the existing curtilage to form an additional house plot would result in the existing property unable to retain a suitable road frontage comparable with existing properties; the remodelled house would have a frontage onto the existing shared private driveway. This is not consistent with the established pattern within the area. In addition, the existing property, as altered, would have the appearance of “backland” development through the siting of the new house at the front. Again, this is not in accordance with applicable policies and guidance.
- 3.10 The proposal fails to take cognisance of the requirements set out within Council's approved Residential Design Guide in terms of overlooking and privacy. This guidance recommends that there should be a minimum of 20 metres between directly facing habitable rooms (i.e. living rooms, dining rooms and bedrooms) unless the existing built pattern dictates otherwise, which is not the case in this instance. The proposed dwellinghouse would be sited approximately 13 metres from the existing property, as altered, and would have windows of habitable rooms directly facing each other contrary to this guidance.
- 3.11 The proposal, given the sites location within an established residential area raises no concerns in terms of drainage, sewerage and water supply considerations (Policies 17, SDCC4 and SDCC5).
- 3.12 No significant concerns were raised in terms of the consultations undertaken. The objections raised through third party representation, in terms of compliance with policy and impact on the character of the area have merit and can be supported in this instance.
- 3.13 In light of the above, concerns exist with regard to the specific design and layout of the site, its suitability to accommodate an additional dwelling, and the provision of an appropriate road frontage for the remodelled property. The proposal, if approved, would

not accord with the established street pattern within the area and would encourage the submission of similar proposals. As such, the proposal fails to comply with the requirements of Policies 1, 4, and 6 of the South Lanarkshire Local Development Plan (adopted 2015) and Policies DM3, DM7 and DM13 of the associated supplementary guidance document concerning development management, placemaking and design.

- 3.14 On 29 May 2018, the Planning Committee approved the proposed South Lanarkshire Local Development Plan 2 (Volumes 1 and 2) and Supporting Planning Guidance on Renewable Energy. Therefore, the Proposed SLLDP2 is now a material consideration in determining planning applications. The proposed development has been considered against the relevant policies in the proposed plan and it is noted that these policies are broadly consistent with the adopted South Lanarkshire Local Development Plan. Accordingly, the proposal fails to accord with Policies 1, 3, 5, DM1, DM2, DM3 DM7, DM15 and DM16.
- 3.15 On the basis of the above it is recommended that planning permission to be refused for the proposed development in this instance.

4 Reason for decision

- 4.1 The proposal does not accord with Policies 1, 4, and 6 of the adopted South Lanarkshire Local Development Plan nor with the relevant policy and guidance contained within associated supplementary guidance (Policies DM3, DM7, DM13 and approved Residential Design Guide) in so far as it does not take account of the local context and built form. Additionally, the proposal fails to comply with Policies 1, 3, 5, DM1, DM3 and DM7 of the proposed South Lanarkshire Local Development Plan 2.

There are no other material considerations which are of sufficient weight and merit to overcome the provisions of the development plan. Given the primacy of the Development Plan in terms of statutory legislation and the fact that the proposal is contrary to a number of Local Plan policies it is therefore necessary for planning consent to be refused for the proposed development.

Delegating officer: Steven Clark

Date: 12 February 2020

Previous references

- ◆ None

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 13.06.2019
- ▶ Press advert, Hamilton Advertiser dated 26.06.2019

► Consultations

Roads Development Management Team	08.07.2019
Environmental Services	26.06.2019
Scottish Water	18.06.2019

► Representations

Mrs. Victoria Trim, 8 Prospect Avenue, Uddingston, Glasgow, South Lanarkshire, G71 7AN	Dated: 17.06.2019
John Vance, Traquair, Holmwood Avenue, Uddingston, G71 7AJ,	Dated: 04.07.2019
Willie and Jan Logan, Holmwood House, 15 Holmwood Avenue, Uddingston, G71 7AJ,	Dated: 09.07.2019
John J H Livingstone, 12 Prospect Avenue, Uddingston, G71 7AN,	Dated: 02.07.2019
Mark & Andrena Ferguson, 14 Prospect Avenue, Uddingston, Glasgow, South Lanarkshire, G71 7AN	Dated: 02.07.2019
Mr. E Thomson, 4 Rosefield Gardens, Uddingston, Glasgow, South Lanarkshire, G71 7AW	Dated: 17.07.2019
Mr. O McDonald, 6 Rosefield Gardens, Uddingston, Glasgow, South Lanarkshire, G71 7AW	Dated: 17.07.2019
Mrs. Olga Gordon, 4 Holm Avenue, Uddingston, Glasgow, South Lanarkshire, G71 7AL	Dated: 03.07.2019
Richard and Aileen Goring, 3 Holm Avenue, Uddingston, Glasgow, South Lanarkshire, G71 7AL	Dated: 17.07.2019
George Finlayson, Received Via E-mail,	Dated: 02.07.2019

Contact for further information

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

James Watters, Planning officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB

Phone: 01698 454970

Email: james.watters@southlanarkshire.gov.uk

Planning Application

Application number: P/19/0890

Reasons for Refusal

01. The proposal is contrary to Policies 1 and 4 of the adopted South Lanarkshire Local Development Plan and Policy DM13 of the associated Development Management, Placemaking and Design Supplementary Guidance as the proposed house plot would not integrate satisfactorily with local context and built form and the development of the plot would adversely impact on the layout and design of the existing streetscape.
02. The proposal is contrary to Policy 6 of the adopted South Lanarkshire Local Development Plan and Policy DM13 of the associated Development Management, Placemaking and Design Supplementary Guidance in that the proposed house plot would not relate satisfactorily with adjacent and surrounding properties, and if approved would have a detrimental impact on the character and amenity of the area.
03. The proposal is contrary to Policy DM3 of the Development Management, Placemaking and Design Supplementary Guidance associated with the adopted South Lanarkshire Local Development Plan in that the proposed house, and that remaining, would not be in keeping within the established pattern of development in the surrounding area. Furthermore, the existing re-modelled house would not retain a proper road frontage of comparable size and form to surrounding curtilages.
04. The proposal is contrary to Policy 5 of the proposed South Lanarkshire Local Development Plan 2 as the proposed house plot would not integrate satisfactorily with local context and built form and the development of the plot would adversely impact on the layout and design of the existing streetscape.
05. The proposal is contrary to Policy 3 of the proposed South Lanarkshire Local Development Plan 2 in that the proposed house plot would not relate satisfactorily with adjacent and surrounding properties, and if approved would have a detrimental impact on the character and amenity of the area.
06. The proposal is contrary to Policy DM3 of the proposed South Lanarkshire Local Development Plan 2 in that the proposed house, and that remaining, would not be in keeping within the established pattern of development in the surrounding area. Furthermore, the existing re-modelled house would not retain a proper road frontage of comparable size and form to surrounding curtilages.

Reason(s) for decision

The proposal does not accord with Policies 1, 4, and 6 of the adopted South Lanarkshire Local Development Plan nor with the relevant policy and guidance contained within associated supplementary guidance (Policies DM2, DM3, DM7, DM13 and approved Residential Design Guide) in so far as it does not take account of the local context and built form. Additionally, the proposal fails to comply with Policies 1, 3, 5, DM1, DM3 and DM7 of the proposed South Lanarkshire Local Development Plan 2.

There are no material considerations which are of sufficient weight and merit to overcome the provisions of the development plan. Given the primacy of the Development Plan in terms of statutory legislation and the fact that the proposal is contrary to a number of Local Plan policies it is therefore necessary for planning consent to be refused for the proposed development.

Informatives

01. This decision relates to drawing numbers:

Reference	Version No:	Plan Status
Location Plan		Refused
02		Refused
03		Refused
04		Refused
05		Refused
06		Refused
07	A	Refused