

Report

Report to:	Planning Committee
Date of Meeting:	13 September 2022
Report by:	Executive Director (Community and Enterprise Resources)

Application no.	P/22/0954
Planning proposal:	Erection of single storey rear extension

1 Summary application information

Application type:	Householder
Applicant:	Mrs Mary Donnelly
Location:	59 Newfield Crescent Hamilton ML3 9DT

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: Darren Macdonald
- ♦ Council Area/Ward: 17 Hamilton North And East
- ♦ Policy Reference(s): **South Lanarkshire Local Development Plan 2 (Adopted 2021)**
 - Policy 2 Climate Change
 - Policy 3 General Urban Areas
 - Policy 5 Development Management and Placemaking
 - Policy DM2 House Extensions and Alterations

◆ **Representation(s):**

▶ 1
▶ 0
▶ 0

Objection Letter
Support Letters
Comment Letters

◆ **Consultation(s):** None

Planning Application Report

1 Application Site

- 1.1 The application relates to a semi-detached dwellinghouse at 59 Newfield Crescent, Hamilton.
- 1.2 The application site fronts onto Newfield Crescent, beyond which are residential properties. The application site adjoins the neighbouring semi-detached property at 61 Newfield Crescent. There are residential properties to the other side and open space/trees to the rear of the site.

2 Proposal(s)

- 2.1 The applicant seeks detailed planning permission for the erection of a single storey rear extension.
- 2.2 The proposed rear extension would be approximately 5.5 metres wide and 3.35 metres in depth, approximately 18.4 square metres. It would accommodate a dining and sitting area. The proposed materials are brown dry dash render to match existing and dark grey slate.
- 2.3 The applicant's agent has confirmed that the proposed extension and all drainage/guttering will be within the curtilage of the applicant's site boundary.
- 2.4 It should be noted that during the application process, a drawing for an outbuilding was asked to be included in the application proposal, however, given that that this was not originally referred to in the planning application form when the application was submitted and, therefore, not referred to in the corresponding neighbour notification that was issued, it does not form part of the current planning application proposal. Potentially it might be something that could be built under permitted development.

3 Background

3.1 Local Plan Status

- 3.1.1 With regard to the South Lanarkshire Local Development Plan 2: all applications are assessed against Policy 2 – Climate Change and Policy 5 – Development Management and Placemaking; the site falls within the general urban area where Policy 3 – General Urban Areas applies; and the application is for the extension of a dwelling therefore Policy DM2 – House Extensions and Alterations also applies.
- 3.1.2 Policy 2 – Climate Change identifies that all development should seek to minimise and mitigate the effects of climate change, however, the extension of existing dwellinghouses is not considered to have a significant impact on the climate.
- 3.1.3 Policy 3 – General Urban Areas and Settlements states that proposals that are ancillary to residential areas will be assessed on their individual merits regarding their effect on the amenity and character of the area.
- 3.1.4 Policy 5 – Development Management and Placemaking states that the Council should ensure that the proposal will not result in any significant adverse impact on nearby buildings or the streetscape by way of layout, scale, massing, design, or external materials. Development should also have no unacceptable adverse

impacts by way of overshadowing, overlooking or any other loss of residential amenity.

- 3.1.5 Policy DM2 – House Extensions and Alterations states that house extensions and alterations will be considered favourably where it can be demonstrated that the proposal complies with several criteria. The siting, scale and design of the proposal should respect the character of the existing dwelling and the wider area and should not dominate or overwhelm the existing dwellinghouse and streetscape. Furthermore, it should not significantly adversely affect adjacent properties in terms of overlooking or loss of privacy and daylight, and sufficient off-street parking and useable garden ground should remain.

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 are no records of any previous planning applications submitted for the site.

4 Consultation(s)

- 4.1 None.

5 Representation(s)

- 5.1 Statutory neighbour notification was undertaken, and one letter of objection was received from the adjoining neighbouring proprietor at 61 Newfield Crescent. The grounds of the objections are summarised as follows:-

a) Overshadowing/loss of daylight to kitchen window of adjoining semi-detached dwellinghouse at 61 Newfield Crescent.

Response: All forms of development will generate a shadow of some description and, therefore, it is the extent and duration of shadow that is important. Given the position/relationship of the existing dwellings, the location of the proposed extension (west of the property), the size of gardens and the travel path of the sun, 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.

b) Concerns over guttering and downpipes. It is not clear from the plans whether the guttering will be over adjoining semi-detached dwellinghouse at 61 Newfield Crescent. The build is proposed to be right up to the boundary. It is also not clear where the downpipes and drain-off will be located. Objects to guttering overhanging property and run-off or downpipes draining onto property.

Response: The applicant's agent has submitted a detailed drawing to indicate the rainwater pickup (RWP) locations. The agent has also advised that all drainage will be within the site boundary of no. 59. The objector has been informed of this. Whilst it appears from the submitted drawings/information that the proposed extension/guttering would be located within the curtilage of the applicant's property, it should be noted that any land ownership/boundary disputes are ultimately civil issues.

- 5.2 This letter is available for inspection on the planning portal.

6. Assessment and Conclusions

6.1 The applicant seeks detailed planning consent for the erection of a single storey rear extension at 59 Newfield Crescent, Hamilton. The determining issues in the assessment of this application are its compliance with local development plan policy as well as its impact on surrounding amenity. 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 2.

6.2 It is considered that the proposed development from a land use perspective raises no issues. In relation to Policies 2, 3, 5 and DM2 of the South Lanarkshire Local Development Plan 2 it is noted that:-

- ◆ As the application is for an extension to an existing house, the development will not result in a significant material impact on the climate.
- ◆ It is considered that the proposed rear extension would be sympathetic to the existing dwellinghouse and would not have a negative impact on the visual quality and amenity of neighbouring properties and the local environment. The imposition of a planning condition, should consent be granted, will ensure that the facing materials for the external walls and roof of the proposed extension shall match the existing dwellinghouse.
- ◆ All forms of development will generate a shadow of some description and therefore it is the extent and duration of shadow that is important. Given the position of the existing dwellings and the proposed extension, along with the travel path of the sun, it is considered that there would not be a significant or material impact in terms of overshadowing/loss of sunlight/daylight that would merit refusal of the application.

6.3 Statutory neighbour notification was undertaken, and 1 letter of objection has been received. The points of representation have been summarised in Section 5 above. It is considered that the concerns raised, either individually or collectively, are not of sufficient weight or merit from a planning perspective that could justify the refusal of consent.

6.4 In conclusion, following detailed consideration of the proposed extension as set out above, it has been determined that the proposal generally complies with Policies 2, 3, 5, and DM2 of the South Lanarkshire Local Development Plan 2. The proposal is acceptable, and it is therefore recommended that planning permission is granted for the proposed extension in this instance.

7. Reasons for Decision

7.1 The proposal will not result in a significant adverse impact on either residential or visual amenity and complies with the provisions of Policies 2, 3, 5 and DM2 of the adopted Local Development Plan 2. There are no other material considerations which would justify the refusal of planning permission.

David Booth

Executive Director (Community and Enterprise Resources)

Date: 24 August 2022

Previous References

- ◆ None

List of Background Papers

- ▶ Application form
 - ▶ Application plans
 - ▶ South Lanarkshire Local Development Plan 2 (adopted 2021)
 - ▶ Neighbour notification letter dated 11 July 2022

 - ▶ Consultations:
None

 - ▶ Representations:
Duncan Fox, 61 Newfield Crescent, Hamilton, South
Lanarkshire, ML3 9DT
- Dated:
02.08.2022

Contact for further information

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

Murray Reid, Planning Officer, Montrose House, 154 Montrose Crescent, Hamilton, ML3 6LB

Phone: 07551 840 266

Email: murray.reid@southlanarkshire.gov.uk

Detailed planning application

Paper apart – Application number: P/22/0954

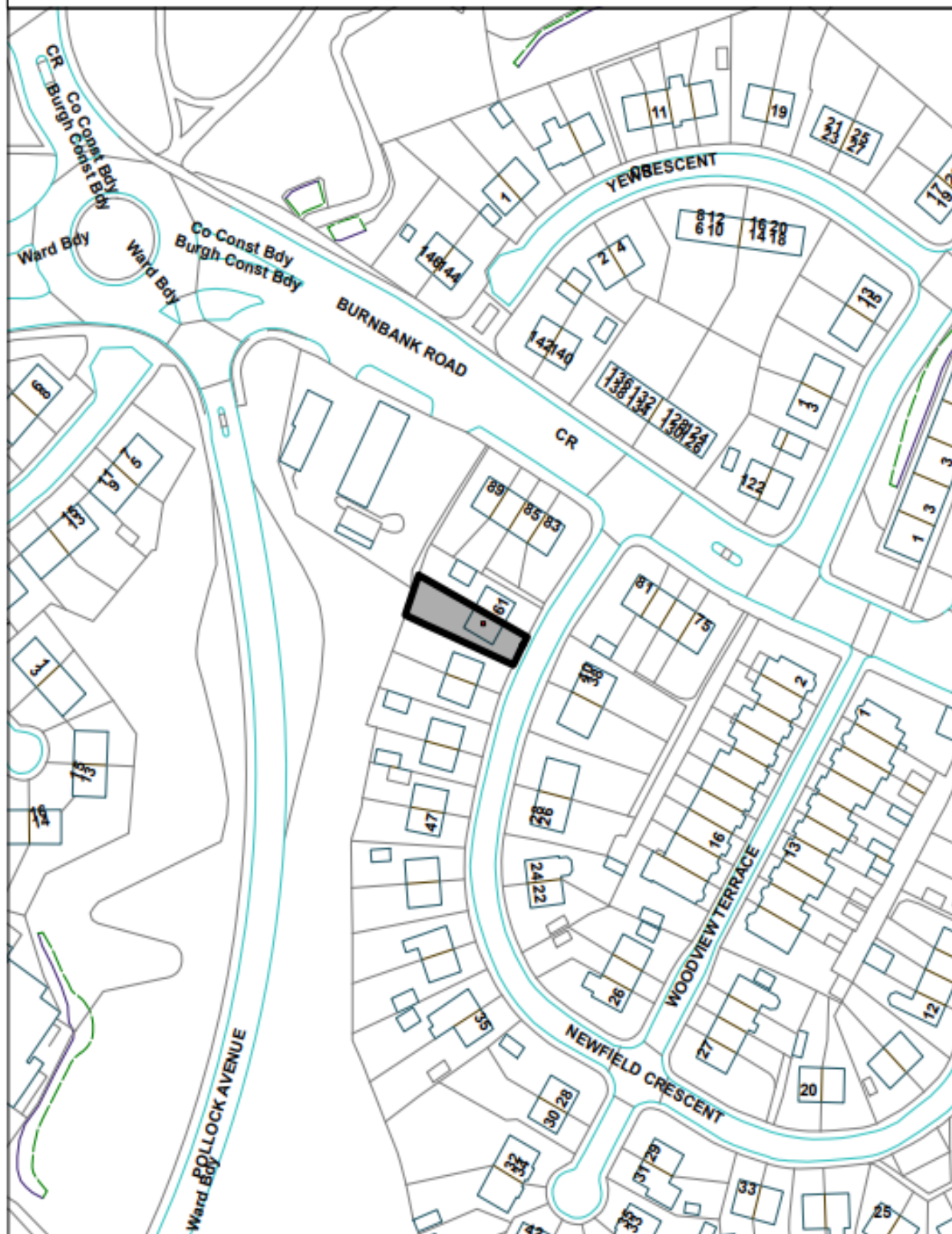
Conditions and reasons

01. 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.

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

P/22/0954

59 Newfield Crescent, Hamilton



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Scale:
1:1,250
Date:
25/08/2022



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